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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. STUPAK).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 23, 2008.

I hereby appoint the Honorable BART STUPAK to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

THE ECONOMIC TRAIN WRECK: IT MATTERS WHO IS IN THE WHITE HOUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it has been a painful experience for all of us watching this slow-motion economic train wreck get worse and worse.

One of the lessons over the last dozen years that I have been in Congress is that it matters deeply who is in the White House. One can just look at the bankruptcy legislation, the so-called ''reform,'' as it worked its way through Congress getting actually worse in various iterations. When Bill Clinton was no longer there to veto it, it was embraced by the Bush administration and enacted into law to the detriment of the vast majority of American citizens.

One looks at how for 13 years when the Fed Chairman refused to use the authority to reign in the subprime mortgage madness, the ''froth'' that Mr. Greenspan referred to. We went from the firm leadership of the Clinton White House Treasury Team of Rubin and Summers to the drift of the Bush Treasury with O'Neill and Snow.

I appreciate the efforts by Speaker PELOSI and Chairman FRANK to protect the taxpayers, to rein in the people who have driven these companies over the edge and our economy into the ditch, to assure that they don't profit from any Federal bailout, to stop the golden parachutes. This may seem to some to be relatively small potatoes given the hundreds of billions of dollars that are being tossed around, but it is incredibly important in terms of the signals we are going to send to people who are going to behave recklessly in the management of corporations. It is critical that we don't rub the nose of the public in this failure by rewarding people who have helped create this disaster.

It's important that we take the time to craft this properly, to have a shorter leash for the Treasury, particularly because there is such a dramatic difference that we are hearing on the campaign trail between a Senator MCCAIN, who has repeatedly said that the fundamentals of the economy are strong even as he has advocated policies and has been counseled by people like Phil Gramm who helped make those fundamentals weaker. Senator OBAMA has appropriately highlighted the problems, proposing reasonable solutions, while convening groups of people who understand the problem, who have credibility, and the reasonable principles and solution.

Some of the key elements that should be pursued from my perspective are, first and foremost, to not put the taxpayer on the hook for any more than is absolutely necessary. That sounds simple, but we see proposals coming forward that would have us not simply mark to market, to just buy the value of the damaged items but things that are going to actually accelerate the amount of loss. It is important that we get something in return, get back equity. This is not unprecedented. This is just what happened a few days ago with insurance giant AIG, and it should be a principle that is applied to any other institutions that are going to receive Federal assistance.

It is absolutely critical that we focus on two groups that we need to be more sensitive to than the reckless and the greedy: homeowners and retirees. It is important to stabilize the middle class housing market on which so much of not just our economy but the stability of our communities relies. Today's retirees are in danger of paying the greatest price of all. Many are already losing what they thought were lifetime guarantees of health care and pensions as corporations they retired from rewrite the rules. Too many have less saved, they have longer lives in retirement, and they are going to be forced to deal with more risk than ever before.

All of this suggests, while I think we are moving in the right direction changing some of these proposals, just because the Secretary of the Treasury and the Fed Chair made some rash comments about urgency, Congress should not rush it; it needs the time to get this right.

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SECRETARY PAULSON AND THE BAILOUT LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, 2007 was a great year on Wall Street, 2007, bonuses of $38 billion to themselves. Secretary Paulson came to us just having received a $39 million bonus from Goldman Sachs, came here to the applause of the Wall Street elites and others.

His first crisis was Bear Stearns. He bailed out Bear Stearns, or he had them acquired with Federal guarantees. But he said, don't worry, the fundamentals of our economy are sound. Then along came Fannie Mae and Freddie Mac. He wanted Congress to give them an unlimited line of credit, but don't worry, it's only a crisis of confidence. Their fundamentals are sound. They probably won't even need the line of credit. Congress went along with that. I voted ''no.'' The fundamentals of America are sound, he said.

A month later he had to take over Fannie Mae and Freddie Mac, unprecedented, accumulating maybe $5 trillion of debt onto the books of the Federal Government all at once. But not to worry. We'll work our way through it. The fundamentals are sound.

Then came Lehman Brothers. It's just one firm, he says. Let 'em go, let the market work. Our fundamentals are sound. Two days later AIG, a big company, a lot of money in insurance, annuities, other things, too big to fail, broke a 50-year precedent, put Federal money into an insurance company. But not to worry, this is just a little blip. Our fundamentals are sound.

Then Thursday night he has a closed-door meeting with congressional leadership, and he says, if we don't do a bailout plan tomorrow, the economy is going to collapse.

Now, wait a minute. This guy has been consistently wrong and out of touch or he has been lying to Congress and the American people about how sound our fundamentals are. Now he wants us to trust him with the keys of the treasury and no restrictions on how he would spend the money in his next bailout. He is compromised, in my opinion, because of his relationship with Goldman Sachs and Wall Street, not with Main Street America. My small banks are not clamoring for this. My credit unions aren't clamoring for this. They are still making loans. They're saying there's a credit crunch. Guess what, if you've got good credit in Oregon, you can go to the credit union, you can go to a small bank, and then the small bank can sell the loan to the Federal Government, that is, Fannie Mae and Freddie Mac, thanks to Mr. PAULSON.

But he's saying to us here I've got a deal for you. Let's think of Henry Hank Paulson as a realtor. Here's the deal: He's got a great house he wants to sell you. Now, the thing about that is he can't give you an appraisal on the house. There are no market comparables. And he can't tell you what it's going to cost. But it is a great deal for you.

That is the bailout he is proposing, to take this junk from Wall Street that no one understands and put it on the Federal books. What if we spend, borrow $700 billion and the market continues to go down? That's what the Asian market said yesterday. They said, wait a minute, it sounded good at first, but where is the U.S. going to get the $700 billion? Who's going to lend it to them? Or are they just going to print it and cause inflation? And what if it doesn't work? What will they do then? We aren't dealing with some of the fundamental underlying problems that we have now.

And now I find out by reading the Washington Times that very quietly they have folded in all student loan debt, all automobile debt, and all credit card debt. So the Federal Government is now not only going to be in the housing business, it's not only going to be in the insurance business, suddenly we are going to be in the repo business, out there collecting cars around America so we can sell them to try to get back some of the taxpayers' money.

This is nuts. Congress should not do this this week. We need to understand what's going on. They can't be slipping in little things like this and trying to jam this bill through. This is way too much like the rush to war when Congress was under pressure to go home for elections. Forget about the elections. This is about the future of the United States of America and our financial system. And if we have to stay here every day in October to understand this and get it right, we should.

THE BAD OLD DAYS

The SPEAKER pro tempore (Mr. CUELLAR). The Chair recognizes the gentleman from Washington (Mr. MCDERMOTT) for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, in my Seventh Congressional District in Washington State, and in towns and cities across the United States, the American people are justifiably outraged and at the same time dumbfounded that the President would send the Treasury Secretary up here to Congress asking for a blank check, declaring the sky will immediately fall if he doesn't get it. With a straight face, but no straight talk, he demanded unchecked, unlimited power to spend $700 billion of taxpayer money any way he sees fit. From the moment this President took office 8 years ago, his administration has done everything possible to roll back the clock to the roaring '20s, and now they want to roll the American people to pay for it.

For the last 8 years, this administration rewarded Wall Street and ignored Main Street. For 8 long years, this administration encouraged practices that have taken America back to the finances of 1929. But now this administration wants the American people to pay $700 billion for Wall Street's ignorance and greed, and what are they going to do with it? The American people are asked to sacrifice, but what about Wall Street? What does the President ask of them? Wall Street lobbyists are here by the busload, trying to cut deals to sweeten the pot for the people who pay them millions. When someone suggested any potential bailout ought to include a provision to refinance some mortgages, the lobbyists declared the sky would fall. And when somebody declared that there would not be golden parachutes for executives who masterminded this mess, we were told that that would be punitive. And then when the White House relented and said they might give a little on golden parachutes, the American people are supposed to be thankful and give in.

In case anybody has forgotten, the golden parachutes originally pegged at $13 million for the chief executives of Freddie and Fannie were cut. They ended up only getting $9 million. Does that sound like sacrifice to you?

Friends and supporters of this administration have had 8 years of unregulated, unfettered access to the wallets of the American people. Their complex derivatives and mathematical formulas were used to create financial products that can best be described in a single phrase: house of cards. This administration permitted, encouraged, and now wants to mortgage this house of cards to the American people. They take no responsibility for their role in the crisis. Instead, they warn the American people that they might suffer mightily if they do not act within a week. Suddenly the administration and the Republican Party that regularly decry government intervention now clamor for it, but only because they can't find $700 billion anywhere else.

How do they propose to pay for it? Does the President offer to reduce the massive tax holidays enjoyed over the last 8 years by the rich? Did they offer something that would benefit the working Americans who don't want to pay for this?

To all the American families where the husband and wife work two, three, four jobs to make ends meet, to all the single moms and dads who play by the rules, the administration has offered you a threat and a share in paying this $700 billion mortgage on a house of cards. This administration has brought America to the brink of national bankruptcy, and they are banking on fear again. They used fear to go to war. They used fear to take away your civil rights and spy on you. And now they are using fear of financial collapse, and they are just trying to scare you into getting them to do whatever they want.

There's a line that aptly describes this situation: ''Fool me once, shame on you. Fool me twice, shame on me.'' Don't be fooled.

Mr. Speaker, remember, trust is something that is already bankrupt.

The bank of trust in this administration is absolutely bankrupt. They have misled, lied, misrepresented, whatever word you want to use, on issue after issue. And now they give us 7 days. Come back, take out your wallet, and give them everything that's in it, $700 billion. Well, actually, we don't have to give them anything. We're going to borrow it from the Chinese. Let's borrow our way.

When will they talk about how you pay for the profligacy of this administration?

S.J. RES. 45, GREAT LAKES-ST. LAWRENCE RIVER BASIN WATER RESOURCES COMPACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. STUPAK) for 5 minutes.

Mr. STUPAK. Mr. Speaker, today the House will vote on the Great Lakes-St. Lawrence River Basin Water Resource Compact. I am asking Members to vote ''no'' and slow down the approval of this compact.

I am deeply concerned that this compact would allow Great Lakes water to be defined as a ''product.'' By allowing water to be defined as a ''product,'' the compact could subject the Great Lakes to international trade agreements such as the North American Free Trade Agreement, NAFTA; or the World Trade Organization, WTO.

There is also no language in the compact that recognizes that Great Lakes water is held in public trust. The public owns the waters of the Great Lakes, and anything Congress passes should preserve this principle.

The compact was created in response to the first large-scale threat of privatization of the Great Lakes. In 1998 the Ontario Minister of Natural Resources granted a permit to a private firm, the Nova Group, to ship millions of gallons of Lake Superior water to China. I led the fight opposing the sale of our Great Lakes water, and we were successful in pressuring the Canadian Government to suspend this permit. This case exposed the region's vulnerability to private and public entities who wished to commercialize the world's largest body of fresh water for financial gain. While the original intent of the Great Lakes Compact was to protect our water from diversions, the compact the States have sent to Congress may unintentionally have the opposite effect and set a precedent that would open up the door to water diversions.

The Great Lakes Governors have spent more than 3 years addressing the local and State implications of the compact. Unfortunately, we have not undergone the same deliberative process. We have spent less than 20 legislative days since the introduction of this legislation. We have conducted no hearings to consider the Federal and international implications. Congress is rushing to a vote when one of our Nation's most precious natural resources, the Great Lakes, is at stake. So before we ratify the Great Lakes Compact, the following questions must be fully investigated:

First, how does the compact's exemption of water in containers smaller than 5.7 gallons affect the Federal prohibition on diversions under the Water Resources Development Act?

Second, will creating a Federal definition of Great Lakes water as a ''product'' subject it to international trade law or agreements such as NAFTA or WTO?

Third, what actions taken by the Great Lakes States to protect the Great Lakes from international commercial entities who seek to privatize the Great Lakes ever be subject to claims under GATT, the General Agreement on Tariffs and Trade; or the WTO?

I have asked these questions to the International Joint Commission, the United States Trade Representative, and the Department of State before Congress adjourned for the August recess. While these agencies have acknowledged my requests, they were unable to provide any substantive answers. Without answers to these questions, Members should vote ''no'' on this legislation. I do not know how any Member in good conscience could vote to approve legislation that may unintentionally open the Great Lakes water to diversions through privatization, commercialization, and exportation. So I urge my colleagues to slow this process down. There is no time limit on this agreement. We can take our time.

So I urge you to vote ''no'' on Senate Joint Resolution 45 so we may fully address the questions and pass a compact that truly protects the Great Lakes.

THE BAILOUT LEGISLATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Vermont (Mr. WELCH) for 2 minutes.

Mr. WELCH of Vermont. Mr. Speaker, I want to read a letter from a Vermonter about this bailout. It's from a banker.

''I am a community banker who is irate about the recent developments on Wall Street and recent bailouts that our government has undertaken. The great, great majority of banks in this country never made one subprime loan, and 98 percent are well capitalized. We are working every day to serve our communities and provide loans to consumers and small businesses. Banks have paid tens of billions of premiums to fund the FDIC insurance fund, and we know we are going to have significantly increased premiums for years to come. We accept that and we don't ask for or need a bailout.

''Bear Sterns, Fannie Mae, Freddie Mac, and AIG are not banks. Yet we hear constant talk about 'bank problems' and 'bank bailouts.' Now Congress is going to vote on legislation to consider a fund with billions of dollars in it to buy distressed assets and some want to add amendments that will hurt my bank, the local community bank, such as changes in the bankruptcy laws.

''My bank is trying to serve its community and make loans, but it cannot do that when policymakers are adopting policies that may make it hard to lend and increase regulatory costs. While a stable financial system is essential, these measures cannot be done at the expense of community banks like mine. I implore you to please consider the impact of these proposals and oppose any effort to include provisions that would hurt our community banks.''

BY HELPING MAIN STREET, WE CAN HELP WALL STREET

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. HOLT) for 2 minutes.

Mr. HOLT. Mr. Speaker, here's the problem as I understand it with the financial crisis that is called the worst in decades, maybe ever.

Time and complicated securities. The rescue must be done immediately or else the financial house will collapse, Paulson says. Second, the taxpayers say they don't know if they are getting anything of fair value for the $700 billion they are asked to put up. No one knows the value of these securities, and Paulson says there isn't time to find out. Trust him, he says. He won't pay too much. Maybe the market can even help him determine the fair value.

Yes, we may need to act quickly to staunch the crisis of confidence. Yes, the government may have to commit a lot of money to prop up the value of the investments. But rather than coming to the rescue by standing behind the investment paper, which is a mix of good and bad mortgages that have poisonous bad mortgages mixed with good, rather than committing $700 billion to something that Paulson and Bernanke and others say they don't really understand, why not stand behind the mortgages themselves? At least then the public will know what they are getting for their $700 billion and it will help the homeowner, the neighborhood, the community, and the investor.

There is an antecedent. The Home Owners' Loan Corporation of the 1930s through the 1950s helped people, individuals, with their mortgages. It was a Federal program that shored up a collapsing market. And, incidentally, when it finally went out of business, it showed a net plus for the taxpayer.

Let's take a breath, show the world that the Government of the United States will not let the financial house collapse. And let's go to the root of the problem.

I have been taking calls in my office from people who say ''help Main Street, not Wall Street.'' Well, in fact, by helping Main Street, we can help Wall Street. But by helping Wall Street, we don't necessarily help Main

Street. Bailing out those holders of financial paper does not stop the homeowner from the foreclosure. If we go to the root of the problem, we can help both.

CALLING ON THE PRESIDENT TO TAKE RESPONSIBILITY AND DEMONSTRATE LEADERSHIP IN THIS TIME OF FINANCIAL CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota (Ms. MCCOLLUM) for 1½ minutes.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, our Nation is facing the most serious financial crisis since the Great Depression. Where is President Bush? The Republican President is asking every hardworking American taxpayer to pay $5,200 to rescue reckless banks and incompetent financiers.

If saving our economy demands such enormous sacrifices from the American taxpayers, then I urge the President to come before a joint session of Congress to ask the American people for their support. President Bush has an obligation to talk to the American people and their elected leaders. Only this President could explain why his $700 billion taxpayer-funded rescue package that calls for unprecedented government powers is needed.

President Bush is in New York today speaking before the United Nations. Why isn't President Bush speaking to the American people and this Congress? This time of crisis is no time for the President of the United States to be abdicating his duty. President Bush needs to take responsibility and demonstrate leadership.

BAILOUT LEGISLATION: THE ADMINISTRATION IS SAYING TWO THINGS AND ONE OF THEM MUST BE FALSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SHERMAN) for 1½ minutes.

Mr. SHERMAN. Mr. Speaker, the administration is saying two things, and one of them must be false. In public they say the sky is falling. If you don't pass this bill immediately, the entire economy will be destroyed.

In private they say we're going to veto this bill, Democrats, if you try to put anything in it that we find difficult. That is like a man who claims to be desperate in the desert for water, throwing water back at your face, and demanding Perrier.

They have threatened two vetoes. First, if the administration doesn't get all the power. They will accept review oversight, which means we can look at their transactions after they are done. But they reject the idea of an independent board that has control, and determines whether or not the contract can be entered into.

Second, they reject any serious limitation on executive compensation. They reject anything other than a few tweaks on those with golden parachutes who are leaving, which means they want total compensation, in the millions of dollars, for the bailout executives who are staying.

How can the administration tell us that the sky will fall if we don't pass a bill, and then block the passage of a good bill by saying they are going to veto anything that doesn't put all the unfettered power in the administration, and all the money in the pockets of the Wall Street executives?

They are not telling us the truth.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 30 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order at 10 a.m.

PRAYER

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

Lord God, Your generosity of blessing has filled the Earth. We believe You have endowed this Nation with singular gifts and resources, especially its diverse people. Throughout our history, even to this day, we have been a grateful people, and our expressions of praise and thanks have shown us to be proud patriots, yet humble servants, always trusting in Your bountiful love.

Today, shower our Nation with renewed wisdom and understanding. Empower us to take bold but prudent steps to reestablish confidence in our financial markets and regulatory systems, that both here at home and abroad our transparency of truth and justice will reveal us as a people who find true freedom in being law-abiding citizens seeking the common good for all.

Lead and guide us, Lord, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. The Pledge of Allegiance will be led by the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 6893. An act to amend parts B and E of title IV of the Social Security Act to connect and support relative caregivers, improve outcomes for children in foster care, provide for tribal foster care and adoption access, improve incentives for adoption, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5834. An act to amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes.

The message also announced that the Senate has passed bills and agreed to Concurrent Resolutions of the following titles in which the concurrence of the House is requested:

S. 1193. An act to direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 3341. An act to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

S. Con. Res. 93. Concurrent Resolution supporting the goals and ideals of ''National Sudden Cardiac Arrest Awareness Month''.

S. Con. Res. 96. Concurrent Resolution commemorating Irena Sendler, a woman whose bravery saved the lives of thousands during the Holocaust and remembering her legacy of courage, selflessness, and hope.

SUPPORT CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

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

Mrs. MALONEY of New York. Madam Speaker, later today, this House will consider H.R. 5244, the Credit Cardholders' Bill of Rights. It is landmark reform that will level the playing field between credit card companies and consumers.

For too long, card issuers have been able to do anything they want any time they want, and cardholders can take it or leave it. But credit cards have become an essential part of most households, and when rates are hiked retroactively, double-cycle billing charges interest on balances already paid, and when multiple over-limit fees are charged for just one over-limit transaction, something has gone haywire and consumers on Main Street often face the same kind of credit crunch that Wall Street is now coping with. Even the Federal Reserve calls these credit card practices ''unfair, deceptive, and anti-competitive.''

Every game needs an umpire, and today the House can help ''backstop''

American consumers with these reforms by passing the Credit Cardholders' Bill of Rights. I urge support for this important legislation.

AMERICAN PEOPLE EXPECT BETTER

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

Mr. WILSON of South Carolina. Mr. Speaker, the American people expect better from their government. When high gas prices and electricity bills threaten families across this Nation, the American people expect Congress to get serious and get to work. When the financial markets began to shake and the economy slows down, the American people expect Congress to stop and properly weigh the consequences of taxpayer-funded bailouts before acting. When this Nation needs to fund programs that move our country forward in a responsible manner, that respects the wallets of American taxpayers, the American people expect Congress to consider each different spending bill on its own merits.

This Democrat-led Congress has not sent even one appropriations bill to the President for his signature. In the last week of the session, I sincerely hope the majority of this Congress will seek bipartisan cooperation to serve the American people better.

In conclusion, God bless our troops, and we will never forget September the 11th.

''WALL STREET DRUNK''—MR. PRESIDENT, YOU GAVE THEM LIQUOR CABINET KEYS

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

Mr. DOGGETT. Mr. Speaker, a few months ago, President Bush accurately diagnosed the problem he just dumped in the lap of Congress: ''Wall Street got drunk, and now it's got a hangover,'' he said.

Mr. President, you gave them the keys to the liquor cabinet by failing to enforce our laws, and now you are really demanding that Americans who didn't get invited to the party must pay for everything destroyed in the drunken brawl.

These late-night negotiators have not asked the President, ''where do we find $700 billion?'' It is time to demand that the bailout supporters outline the revenue measures necessary to pay for it, and the place to begin is with those who enriched themselves as Republicans removed the cop from the corporate beat.

We need an alternative to just raising the credit card limit, an alternative to more irresponsible borrow-and-spend policies from a President who has borrowed more from foreigners than all previous presidents in American history put together, and who seems determined to continue to mortgage America's future.

DEMAND ACCOUNTABILITY IN THE BAILOUT PACKAGE

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

Mr. KIRK. Mr. Speaker, let me strike a more bipartisan tone. Given the dire economic warnings that we see, Republicans and Democrats in this House must pull together to save the jobs and the economy for working Americans. But if there is to be a bailout, it must be a bailout with consequences. We should include a prohibition on taxpayer dollars being used for senior officer salaries or golden parachutes and require the termination for senior officers who are receiving aid.

Federal regulators rightly blocked the golden parachutes for the failed leaders of Fannie Mae and Freddie Mac. We should now set that precedent into law. If you get a taxpayer bailout, you lose your job and your parachute.

In the Navy, we know how to deal with this. If a skipper runs his ship aground, he is immediately relieved of command.

ANOTHER 4 YEARS OF FAILED POLICIES ARE NOT NEEDED

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

Mr. ALTMIRE. Mr. Speaker, while the $700 billion Wall Street bailout that we are considering this week is proof of the failures of the economic policies of the past 8 years, we should not forget the policies that President Bush and the Republicans tried unsuccessfully to enact.

Imagine what we might be facing now had Republicans been successful in privatizing Social Security and tying its benefits to the stock market. And it was none other than Senator JOHN MCCAIN who just this month said that the American health care system would be better off if it were run more like our banking and financial markets.

Well, thankfully we didn't follow Republicans in tying Social Security to the stock market, and we didn't take Senator MCCAIN's advice to run our health care system like we run our financial system.

Mr. Speaker, our Nation simply cannot afford another 4 years of the same failed policies that got us into this mess in the first place.

ASSOCIATED PRESS SHOWS BIAS

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

Mr. SMITH of Texas. Mr. Speaker, the Associated Press is one of the largest and most influential news organizations in the world. It serves thousands of newspapers, radio stations and TV outlets. Americans expect the AP to be fair and unbiased in its reporting. Unfortunately, all too often it has fallen short.

For example, a comparison of AP news stories following the announcement of each vice presidential running mate shows that while dozens of AP stories characterized Governor Sarah Palin as ''conservative,'' only three described Senator BIDEN as ''liberal,'' even though the National Journal ranked him as the third most liberal Member of the U.S. Senate.

This is one example of a much larger media slant problem. In interviews, articles and news analysis, the media have grilled one side and coddled the other. The American people want the media to apply the same rules to both political parties in this election.

RECOGNIZING HENRY CEJUDO, 2008 BEIJING OLYMPICS GOLD MEDALIST

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

Mr. BACA. Mr. Speaker, I stand here to share with you the history of Henry Cejudo, a true believer in the American dream.

Henry Cejudo proudly represented the United States in the 2008 Beijing Olympics in China, winning a gold medal in free-style wrestling. Henry was the youngest American wrestler in history to do this.

Overnight, Henry became a beacon of hope for so many in sports and wrestling in the United States. He is now also a beacon of hope for so many Latino immigrants. As the son of an immigrant mother from Mexico, Henry's story of struggle and sacrifice embodies what so many immigrant families have done every day.

Thanks to Henry, America has an Olympic gold medal in free-style wrestling. Thanks to Henry, the story of an immigrant's story for the American dream is still alive.

The contributions of immigrants throughout history for this country cannot be and must not be denied. I urge my colleagues to join me in this serious discussion of comprehensive immigration reform to help families like Henry's.

HONORING OLYMPIAN DAVID PAYNE

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

Mr. CHABOT. Mr. Speaker, today I have the honor of recognizing Olympian David Payne, who hails from the Cincinnati suburb of Wyoming, on his remarkable athletic accomplishment in the 2008 Beijing Olympics. David brought home a silver medal in the 110 meter hurdles. He leaned across the finish line in an outstanding time of 13.17 seconds, really a tremendous effort.

Yet his road to the Olympics and the medal was not an easy one. David overcame a number of adversities in order to attain this goal.

In February, he had surgery to his appendix, had it removed. A month later, he bruised his heel bone, only to find out 6 weeks later that he had a stress fracture in the left tibia. ''It hurts when I train,'' he said, ''but it is an Olympic year, and in an Olympic year like this, you push until you can't push anymore.''

David is just one class short of earning his degree from the University of Cincinnati and intends to return during the 2008 winter indoor season to finish.

Good luck, David, and congratulations on your outstanding performance.

□ 1015

REPUBLICAN ECONOMIC PHILOSOPHY PRODUCED OUR NATION'S ECONOMIC CRISIS

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

Mr. CARNAHAN. Mr. Speaker, from 2001 to 2007, President Bush, Senator MCCAIN, and the Republican Congress had the opportunity to finally implement the conservative economic ideas they have been talking about for decades.

During that 6-year period, Republicans controlled every branch of government. They instituted their plan that eliminated government regulation of big business. That's the Republican philosophy. Get government out of the way and let big business have their way.

Well, Wall Street had their way. For 6 years, large financial institutions were allowed to trade, to borrow, to loan funds to Americans and other institutions without anyone watching. That's the way Washington Republicans wanted it. Now we are seeing the results, the financial crisis on Wall Street and more pain on Main Street.

Today, the Bush administration wants this Congress to approve a Wall Street recovery package to the tune of $700 billion with no strings attached. We simply cannot give this administration a blank check on the backs of American taxpayers, and their children, and their grandchildren.

DEMOCRATS WANT TO WORK IN A BIPARTISAN WAY TO INSULATE MAIN STREET FROM WALL STREET

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the financial crisis on Wall Street did not happen overnight. For 8 years, this Bush administration refused to regulate the very financial institutions that they are now asking American taxpayers to bail out.

Congressional Democrats want to work in a bipartisan fashion to clean up this mess and to insulate Main Street from Wall Street. We will not be pressured into approving a $700 billion blank check for Wall Street that does not include any safeguards or any independent oversight.

We simply cannot hand over $700 billion of the American taxpayers' money to the Department of Treasury and hope for the best. Any bailout package needs to ensure that the actions of the administration are being watched by an independent observer who can report back to both Congress and the American taxpayer.

We also need to include some protections for homeowners who are in danger of losing their homes and some reasonable limits to the executive compensation for CEOs and top executives.

House Democrats will work in a bipartisan fashion to improve the economic recovery package.

GREED HAS CREATED A FINANCIAL CRISIS

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

Ms. SHEA-PORTER. Mr. Speaker, greed has created a financial crisis. I don't believe I have heard one single CEO from Wall Street apologize for the mess they put this country in. But if we are going to help Wall Street, we need to help Main Street as well.

This country lost more than 600,000 jobs last year. We need to be investing in our infrastructure so we can create jobs again. We also need to extend unemployment benefits so those who are looking for jobs will be able to pay for their families in the interim.

Because of the high energy prices, we are now going to have to provide more fuel heating assistance so that families won't have to choose between eating, or paying their rent, or their mortgage or their bills this month or next month or the next year, while we bail this country out.

We have an opportunity, finally, to look at Main Street. While we do this work for Wall Street, let's keep in mind the people of Main Street who pay the bills.

HONORING CINTHIA REYES

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

Ms. RICHARDSON. Mr. Speaker, I rise today to recognize a very special young lady, Cinthia Reyes. I had the opportunity of meeting Cinthia, who recently enrolled in Long Beach City College, at a cancer walk-a-thon in my district. Her compelling story began when she was only in sixth grade, and she was diagnosed with a tumor, ovarian cancer, something much older women usually, unfortunately, have to face.

She had to miss school for 1 month, but she bravely faced that battle. Yet, now again, in her junior year high school, while most 11th graders are thinking about their local prom, in November of 2006 she was faced with another tumor in her appendix.

But I have a good story to tell about Cinthia. Despite two major surgeries, she has had a bright, positive outlook on life. She has inspired many children and befriended those at Long Beach Memorial and Children's Hospital, and she plans on being a nurse. How blessed would this country be.

Please join me as we fight the battle of having adequate health care for all Americans. In the United States, ovarian cancer is the eighth most common cancer among women, but it's usually diagnosed at about the age of 63.

DEMOCRATS WILL WORK WITH ADMINISTRATION, BUT CEO ACCOUNTABILITY IS NEEDED

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

Mr. ARCURI. Mr. Speaker, as Congress and the Bush administration continue to discuss a proposal to help turn Wall Street around, it is important that the administration know that this Congress is not going to just hand over $700 billion without any accountability or oversight.

The administration's proposal is a nonstarter, because it does not hold Wall Street executives accountable for their bad decisions. The crisis on Wall Street did not just happen. CEOs and other executives at the financial institutions made bad decisions, and we need to ensure their bad decisions are not rewarded.

For years, CEOs have been walking away from faltering companies with millions of dollars in compensation. Last year, the CEO of Merrill Lynch resigned after the company lost $10 billion, and its stock lost 45 percent of its value. Despite these failures, the CEO walked away with $161 million retirement package.

In any Wall Street recovery package, we need to ensure that the CEOs are not rewarded for their poor decisions with bonuses and other large compensation packages. They need to be held accountable. This is the taxpayers' money.

NO GOLDEN PARACHUTE

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

Mr. HALL of New York. Mr. Speaker, there are millions of Americans across this country who have lost a house, lost a job or lost their investments through no fault of their own, and they don't have a rich corporate bonus. They don't have a golden parachute or a bailout plan.

The idea that the well-paid executives who contributed so much to put

us in this mess could walk away, while making millions of dollars, getting bailed out by the same taxpayers who are struggling thanks to their negligence, is totally absurd and cannot be allowed. Whatever we do this week, as we help out Wall Street, we should throw a lifeline to Main Street where people are really hurting.

We need to help them keep their homes, hold on to their jobs and make ends meet. We must act to ensure that these problems never happen again by including rigorous new government control and oversight into all of the securities and institutions that have been operating outside regulatory authority.

If we act in the right way, I have no doubt we can pass a bill that will rescue the economy and at the same time prevent this same mess from happening again. We must pass the right bill.

SENATOR McCAIN IS OUT OF TOUCH ON THE ECONOMY—THE FUNDAMENTALS ARE NOT STRONG

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

Mr. ELLISON. Mr. Speaker, the Bush administration, Senator McCAIN and congressional Republicans need to realize that economic hardship does not end on Wall Street. For 8 years now, Washington Republicans have been implementing policies that have also hurt Main Street.

Today, middle class workers are struggling to make ends meet on paychecks that are, on average, $300 smaller a year than they were back in 2001 when President Bush took office. Meantime, grocery prices have increased by more than $800, home energy prices are up $300, and health care costs are up more than $2,000.

In total, American families are paying $4,000 a year more for these basic necessities than they did during the Clinton administration. No wonder the American people are feeling financially squeezed.

Senator McCAIN said he doesn't really understand economics very well, and he proved it when he said that the fundamentals of the economy were strong. How can Senator McCAIN turn our economy around if he doesn't even recognize that we are in trouble?

CONGRATULATING JOHN DEERE & COMPANY

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

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Deere & Company on their 90th anniversary in Waterloo, Iowa. John Deere has been in Waterloo since March 14 of 1918, when it bought the Waterloo Gasoline Engine Company, maker of the ''Waterloo Boy'' two-cylinder tractor, for $2.35 million. That model is still located at the Smithsonian Institution.

Today Deere's facilities in Waterloo include a foundry, the engine works, and the tractor assembly plant, making Deere & Company a multibillion-dollar corporation.

Over the past 90 years, John Deere has been an integral part of the Waterloo economy. The company employs thousands of Iowans and is currently the largest manufacturing employer in Waterloo. John Deere is in the midst of a fifth consecutive year of record earnings. If that continues, it would match the previous 5-year record run in the nineties and would have produced record earnings 10 times in the past 15 years.

That's quite a feat for a company that was down and out during the 1980s farm crisis, which saw mass layoffs at its facilities. A strong John Deere is fundamental to promoting a healthy and stable economy in the Cedar Valley.

Due to its successes, Deere has been able to give back to the community in a big way, and I congratulate them on their successes.

AMERICA HAS DEFAULTED ON ITS PROMISSORY NOTE

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

Mr. JACKSON of Illinois. Mr. Speaker, in 1963, Martin Luther King, Jr., said, ''In a sense we have come to our Nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

''It is obvious today that America has defaulted on this promissory note. Instead of honoring this sacred obligation, America has given us a bad check, and it has come back marked insufficient funds.''

Dr. King went on to say, ''As a nation, we can spend billions of dollars to put a man on the Moon and a war in Vietnam, but we can't put a man on his own two feet right here in America.''

Last week this Congress could not provide money for community health care centers. They couldn't find money for day-care programs, for community policing, for crumbling schools, but this week we found $700 billion to bail out incompetence on Wall Street. For months, President Bush has refused to sign appropriations bills that exceeded his budget request. This week he wants the Treasury, with bipartisan support of the Congress, to give him maybe up to $1 trillion.

Stop defaulting on the American Dream. Stop issuing promissory notes.

Mr. Speaker, I too have a dream: Let's bail out homeowners and Main Street before Wall Street.

CUBA

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

Ms. SOLIS. Mr. Speaker, I rise today to discuss the humanitarian aid situation in Cuba. Earlier this month, Cuba was struck by Hurricanes Gustav and Ike, which devastated the lives of about 11 million citizens of Cuba.

These hurricanes wiped out towns and destroyed about 500,000 homes, crops, roads, electrical service, water and other key infrastructure on that island. It's estimated that the damage will be anywhere from 4 to $10 billion. I just happened to be in south Florida this weekend and heard from many in the community, many Cuban Americans, who don't like the politics there, but understand that there has to be something done.

But because of a travel restriction implemented by the Bush administration in 2004, Cuban Americans in the United States are unable to send money back home or even travel. They are restricted by that travel. These restrictions do not reflect, in my opinion, the family values upon which our Nation was founded. Instead, they unfairly target families in need of this dire assistance.

We must temporarily lift these travel restrictions and remittances so that money can go to those families that are in so desperate need of assistance at this time. I ask for at least a temporary lifting of travel and remittances for at least 3 months.

McCAIN DEREGULATION AGENDA WOULD BE DISASTROUS FOR MIDDLE CLASS AMERICANS

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

Mr. PERLMUTTER. Mr. Speaker, while years of deregulation policies have caused the biggest financial crisis in decades, Senator McCAIN is touting himself as the greatest deregulator.

The Senator has called government regulations unnecessary and burdensome, and has said they should be eliminated. Now he wants to extend his deregulation agenda to the health insurance industry, writing in an opinion op-ed this month, that, ''Opening up the health insurance market to more vigorous nationwide competition, as we have done over the last decade in banking, would provide more choices of innovative products less burdened by the worst excesses of State-based regulation.''

For 8 years now, the Bush administration has turned a blind eye to all the trading, lending and borrowing that is now responsible for the Wall Street crisis.

Senator MCCAIN now wants to extend that same strategy to the health insurance industry? Our Nation's health care system has enough problems, and we don't need to exacerbate them by implementing Senator MCCAIN's dangerous new deregulation idea.

□ 1030

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2008, PART II

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6984) to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6984

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Aviation Administration Extension Act of 2008, Part II''.

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2008'' and inserting ''March 31, 2009''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2008'' and inserting ''March 31, 2009''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking ''September 30, 2008'' and inserting ''March 31, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2008'' and inserting ''April 1, 2009'', and

(2) by inserting ''or the Federal Aviation Administration Extension Act of 2008, Part II'' before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking the date specified in such paragraph and inserting ''April 1, 2009''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2008.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(C) by inserting after paragraph (5) the following:

''(6) $1,950,000,000 for the 6-month period beginning on October 1, 2008.''.

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2009, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 6-month period beginning on October 1, 2008, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2009 were $3,900,000,000; and

(B) then reduce by 50 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking ''September 30, 2008,'' and inserting ''March 31, 2009,''.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking ''September 30, 2008.'' and inserting ''April 1, 2009.''.

(b) Section 41743(e)(2) of such title is amended by striking ''2008'' and inserting ''2009''.

(c) Section 44302(f)(1) of such title is amended—

(1) by striking ''November 30, 2008,'' and inserting ''March 31, 2009,''; and

(2) by striking ''December 31, 2008,'' and inserting ''May 31, 2009,''.

(d) Section 44303(b) of such title is amended by striking ''March 31, 2009,'' and inserting ''May 31, 2009,''.

(e) Section 47107(s)(3) of such title is amended by striking ''October 1, 2008.'' and inserting ''April 1, 2009.''.

(f) Section 47115(j) of such title is amended by inserting ''and for the portion of fiscal year 2009 ending before April 1, 2009,'' after ''2008,''.

(g) Section 47141(f) of such title is amended by striking ''September 30, 2008.'' and inserting ''March 31, 2009.''.

(h) Section 49108 of such title is amended by striking ''October 1, 2008,'' and inserting ''March 31, 2009,''.

(i) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking ''fiscal year 2008,'' and inserting ''fiscal year 2009 before April 1, 2009,''.

(j) Section 186(d) of such Act (117 Stat. 2518) is amended by inserting ''and for the portion of fiscal year 2009 ending before April 1, 2009,'' after ''2008,''.

(k) Section 409(d) of such Act (49 U.S.C. 41731 note) is amended by striking ''September 30, 2008.'' and inserting ''September 30, 2009.''.

(l) The amendments made by this section shall take effect on October 1, 2008.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(3) by inserting after subparagraph (D) the following:

''(E) $4,516,364,500 for the 6-month period beginning on October 1, 2008.''.

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) $1,360,188,750 for the 6-month period beginning on October 1, 2008.''.

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (11)(K);

(2) by striking the period at the end of paragraph (12)(L) and inserting ''; and''; and

(3) by adding at the end the following:

''(13) $85,507,500 for the 6-month period beginning on October 1, 2008.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 6984.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 6984, the Federal Aviation Administration Extension Act, Part II. I want to thank Chairman OBERSTAR for bringing this legislation to the floor today, as well as Chairman RANGEL and Ranking Members MICA and PETRI.

The Aviation Trust Fund was created to fund the development and improvement of our airport and airway system, make critical investments to the air traffic control facilities, and to ensure the safety of the flying public.

The trust fund provides revenue for the airport improvement program, which provides grants for construction and safety projects at airports; the facilities and equipment account, which funds technical improvements to the air traffic control system; and a research, engineering and development account. The fund also partially pays for the salaries, expenses, and operations of the FAA.

This trust fund is currently operating under a short-term extension that expires on September 30, 2008. In

order to continue to provide essential safety and capacity improvement funds to our airports, we must pass this extension.

While the House passed H.R. 2881, the FAA Reauthorization Act of 2007, which is a long-term authorization for the FAA programs, the Senate has yet to pass its version of the bill. Until H.R. 2881 becomes law, it is important that we extend the FAA's programs on a short-term basis.

To ensure continued FAA operations, H.R. 6984 would extend not only the aviation taxes and expenditure authority, but also the AIP contract authority until March 30, 2009.

Specifically, H.R. 6984 provides $1.95 billion in AIP funding for airports, which is based on the level of AIP funding we authorized in H.R. 2881 for fiscal year 2009, and is consistent with the fiscal year 2009 congressional budget resolution. These additional funds will allow airports to proceed with necessary safety and capacity enhancement projects.

Mr. Speaker, aviation is too important to our Nation's economy, contributing $1.2 trillion in output and approximately 11.4 million U.S. jobs, to allow the taxes or funding for critical aviation programs to expire.

While our economy has slowed and economic factors have created difficult times for the airlines and their passengers, Congress can provide some stability to the aviation system by passing this extension this week. I urge my colleagues to support the bill.

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

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

Mr. Speaker, in September 2007, the House considered and passed the FAA Reauthorization Act of 2007, H.R. 2881, which reauthorizes the FAA for the next 4 years.

Unfortunately, however, the Senate has not come to any agreement on its bill and so we are here today considering a fifth extension. H.R. 6984 would extend the taxes, programs, and funding of the Federal Aviation Administration through March of 2009.

This bill extends FAA funding and contract authority for 6 months, funds the airport improvement program at $1.95 billion through March of next year, extends the war risk insurance program, extends the small community air service development program, and extends application of the rule for measuring highway miles to determine eligibility for essential air service subsidies.

The bill will ensure that our national aviation system continues to operate until a full FAA reauthorization can be enacted by the next Congress. As I have indicated many times since the passage of the House FAA reauthorization bill just over a year ago, we need to pass a long-term bill so we can meet the growing demands placed on our Nation's infrastructure. Modernizing our antiquated air traffic control system and repairing our crumbling infrastructure needs to be one of our top priorities when Congress reconvenes in 2009. In that connection, I would observe recent statistics which indicate that our friends in China are spending some 9 percent of their GNP on infrastructure. We here in the United States are spending about 2.5 percent, most of that on maintenance, and we are falling behind even in that regard. In 20 years, who is going to be better prepared to conduct a modern economy, somebody who is spending 9 percent of their GNP building first-class infrastructure, or someone who is barely maintaining what they already have?

We need to step up to bat. This bill will do us good in the aviation sector, but we have a big job ahead of us in infrastructure generally as a Nation.

Clearly, there is much work to be done. This 6-month extension gives us time to revisit the FAA reauthorization bill early in the 111th Congress. I urge our colleagues in the other body to take up a comprehensive FAA reauthorization package as early as possible in the next year.

I support this extension as the best alternative to keep the FAA and the national airspace system running safely until the 111th Congress can take up and pass a bipartisan, bicameral bill that the President can sign. We should all commit to quickly passing a 4-year bill as quickly as possible next year.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 6984, the "Federal Aviation Administration Extension Act of 2008, Part II".

The previous long-term Federal Aviation Administration ("FAA") reauthorization act, the Vision 100—Century of Aviation Reauthorization Act (P.L. 108–176) expired on September 30, 2007. On September 20, 2007, the House passed H.R. 2881, the "FAA Reauthorization Act of 2007", to reauthorize FAA programs for fiscal years 2008 through 2011.

Unfortunately, the Senate has been unable to complete action on a long-term FAA reauthorization bill. As a result, Congress has passed a series of short-term FAA extension acts. The current authority for aviation programs and taxes expires next week, on September 30.

H.R. 6984 provides a 6-month extension of aviation programs and taxes, through March 31, 2009.

H.R. 6984 provides $1.95 billion in contract authority for the Airport Improvement Program ("AIP"). The $1.95 billion provided for the first six months of fiscal year 2009 will enable airports to move forward with important safety and capacity projects, and is sufficient to meet all Letter of Intent ("LOI") commitments. When annualized, this level of AIP funding equals $3.9 billion, consistent with both the House and Senate FAA reauthorization bills, and the fiscal year 2009 Concurrent Budget Resolution.

The bill also authorizes appropriations for FAA Operations, Facilities and Equipment ("F&E"), and Research, Engineering, and Development ("RE&D") programs.

In addition, H.R. 6984 extends the aviation excise taxes through March 31, 2009. These taxes are necessary to support the Airport and Airway Trust Fund, which in recent years has provided about 80 percent of the FAA's budget. With an uncommitted cash balance of just $1.4 billion estimated as of the end of fiscal year 2008, any lapse in the aviation taxes could put the solvency of the Trust Fund at risk.

In addition to extending the aviation taxes, H.R. 6984 extends the FAA's authority to make expenditures from the Airport and Airway Trust Fund, through March 31, 2009.

To allow aviation programs to continue under the same terms and conditions as were in effect during the previous authorization period, H.R. 6984 also extends several other provisions of Vision 100.

I thank Chairman RANGEL, Chairman of the Committee on Ways and Means, for his assistance in ensuring the continued operation of aviation programs. I also thank my Committee colleagues, Ranking Member MICA, Subcommittee Chairman COSTELLO, and Subcommittee Ranking Member PETRI, for working with me on this critical legislation.

I strongly urge my colleagues to join me in supporting H.R. 6984.

Mr. CLYBURN. Mr. Speaker, I want to add a few words about the Disadvantaged Business Enterprise (DBE) and the Airport Concessions Disadvantaged Business Enterprise (ACDBE) Programs. These programs are critically important tools in our Nation's ongoing efforts to eliminate discrimination against minority and women owned businesses. Sadly, the evidence makes clear that race and sex discrimination are still realities for many of the business owners who are working hard to support their families, grow their businesses and contribute to our national economy.

Many disparity studies detailing discrimination against minority and women business owners have been released in every region of the country. While each study is a little bit different, taken together, these studies illustrate that discrimination impacts business owners in every minority group including African-Americans, Hispanic-Americans, Asian Americans and Native Americans. The studies also show discrimination against women of every racial group. While hundreds of such studies have been conducted, I will mention just six of the many airport-related studies that have been produced, including: Dallas/Fort Worth International Airport Board Disparity Study Final Report, MGT of America, October 17, 2000; Final Report: Broward County Small Disadvantaged Business Enterprise (SDBE) Disparity Study, MGT of America, Inc., April 3, 2001; The City of Phoenix, Minority-Women-Owned and Small Business Enterprise Program Update Study: Final Report, MGT of America, April 21, 2005; Race, Sex and Business Enterprise: Evidence from the State of Maryland, NERA Economic Consulting, March 8, 2006; Race, Sex and Business Enterprise: Evidence from Denver, CO, NERA Economic Consulting, May 5, 2006; and Final Report for Development and Revision of Small, Minority and Women Business Enterprise Program, Nashville International Airport, (BNA), Griffin and Strong, PC, September 19, 2007. Let me be clear, these six studies represent a fraction of the airport-related studies that have been conducted—and yet even this small cross-section demonstrates the national scope of the problem and the breadth of its impact. These studies are too long to insert in the record in their entirety under House rules. However, I would

note that these studies were submitted to the record on September 11, 2008 in a hearing before the U.S. Senate Committee on Small Business and Entrepreneurship.

Disparity studies provide us with both statistical and anecdotal evidence. In other words, these studies illustrate both the broad-based statistical impact of discrimination and the personal accounts of discrimination by those who suffer its effects. It is the combination of these two types of data that helps us see how discrimination works and the problems it causes. The anecdotal accounts of discrimination provided in these studies demonstrate the various different ways that discrimination happens. Sometimes, discrimination is caused by prime contractors that simply refuse to work with businesses that are not part of established business networks—the old boy network, if you will. Other times, discrimination occurs in the bid process through bid shopping, uneven and untimely notice, and intentionally deceitful practices by prime contractors that approach DBEs and ACDBEs and ask them to prepare elaborate quotes and bids with no intention of actually using their services.

In other situations, the discrimination happens in access to capital. Just last week on September 11, 2008, the Chair of the Airport Minority Advisory Council, Don O'Bannon, provided testimony before the Senate Small Business Committee outlining the severe difficulty that minority and women owned businesses confront when attempting to obtain working capital. This is not all. Different forms of discrimination reach into every aspect of the efforts by minority and women businesses to participate in airport-related business. There has been discrimination by suppliers, by government officials, by trade associations and in all of the more informal networks through which businesses obtain work. Of course, in the private sector where many of these businesses must obtain the lion's share of their work, there are rarely programs like the DBE and ACDBE programs and, as a result, discrimination has an even larger impact.

The bottom line is this: The DBE and ACDBE programs are still vital to leveling the playing field for minority and women entrepreneurs in airport-related industries. I look forward to working with my colleagues to maintain and strengthen these programs to ensure that we continue the critical work of leveling the playing field to ensure that all American businesses have a fair chance to participate in the airport-related business opportunities.

Mr. PETRI. Mr. Speaker, I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, I have no further requests for speakers, and so I yield back the balance of my time and urge passage of this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 6984.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5244, CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

Mr. WELCH of Vermont. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1476 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1476

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5244) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5244 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. The chairman of the Committee on Armed Services may insert in the Congressional Record at any time during the remainder of the second session of the 110th Congress such material as he may deem explanatory of defense authorization measures for the fiscal year 2009.

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

Mr. WELCH of Vermont. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on H. Res. 1476.

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

There was no objection.

Mr. WELCH of Vermont. Mr. Speaker, H. Res. 1476 provides for consideration of H.R. 5244, the Credit Cardholders' Bill of Rights Act of 2008 sponsored by Congresswoman MALONEY. This rule provides for 1 hour of general debate controlled by the Committee on Financial Services. It also provides one motion to recommit with or without instructions.

Mr. Speaker, it is entirely appropriate that today, with the extraordinary spectacle of Wall Street titans coming to Congress hat in hand asking taxpayers for $700 billion, that we take up consideration of a bill of rights for Americans who hold credit cards. It is impossible for any of us who care to observe not to see the connection between the need for stronger consumer protections in the credit card industry today and the careless, reckless dismantling of consumer protections in the housing and financial markets in the past 30 years now known by the infamous term of ''deregulation.''

Mr. Speaker, as we know, credit serves a vital function in our economy. You cannot have a functioning capitalist economy without a functioning credit system. But the question that we face as elected representatives of the people who sent us here is whether or not we will act to provide a critical consumer protection to the credit markets and the protection to consumers who depend on them, or will we continue to leave this laissez-faire to the rules made up as they go along by the people in charge on Wall Street.

If this Congress had insisted on upholding consumer protections on Wall Street, if it had not simply stood aside to the proponents of the wild west, anything-goes markets that eviscerated the regulations, and instead kept consumers safe and the markets stable and strong, then we may well have averted the crisis that this House is now considering.

Maybe we would not be facing this extraordinary threat to the strength of the middle class who is working hard, paying their bills, but hanging on by their fingernails.

The challenge our economy faces now is largely a result of Wall Street abusing the credit system that we all need. And now ballooning credit card debt presents a similar threat to American consumers and possibly the markets.

Today, the House of Representatives will have the opportunity to adopt legislation sponsored by Congresswoman MALONEY that would prevent the reoccurrence of a crisis in credit cards that is happening in our housing industry.

Let's just look at the situation of consumer credit as it exists today. In 2007, Mr. Speaker, 5.2 billion credit card solicitations were put in the mail, 36 solicitations per household. There are 1.22 billion credit cards in the United States. Outstanding consumer credit in the United States is approaching $1 trillion, $969.9 billion, to be precise, and the average credit card debt per household that carries a balance as opposed to those who simply use the credit card as a convenience to pay bills, that average balance is $17,103.

Does that sound sustainable and does this sound familiar?

Congresswoman MALONEY's bill, H.R. 5244, institutes essential and overdue protections for the market and for the consumer by guarding against growing unmanageable debt and provides critical safeguards for consumers who have been relentlessly taken advantage of by credit card companies.

Specifically, the bill, among other things, ends unfair and arbitrary interest rate increases. Credit card companies raise interest rates at will, bait and switch, ends unfair penalties for cardholders who pay on time, requires fair allocation of consumer payments so that the payments are attributed to the highest interest rate first, protects cardholders from due date gimmicks, prevents companies from using misleading terms and damaging consumer credit ratings, protects vulnerable consumers from high fee subprime credit cards, and bars issuing credit cards to vulnerable minors.

The bill is the beginning of important reform in credit cards; the beginning of increased protection for consumers of credit card companies. H.R. 5244 is one side of the consumer protection coin.

□ 1045

The other side of the coin, which we're not taking up today but will hopefully get to, is for merchants who pay fees to credit card companies for every single credit card transaction, the so-called ''interchange fees.''

Mr. Speaker, in the United States, our credit card interchange fees are the highest in the entire world, accounting for as much as 2 percent of the cost of every credit card transaction, in some cases, a good deal more. By comparison, those interchange fees in the United States are almost three times what they are in Australia, four times what consumers and businesses pay in the United Kingdom.

These bloated interchange fees are passed on to the consumer. The average American family, in fact, pays an extra $300 a year on items they purchase as a result of credit cards. For example, interchange fees can add more than 8 cents to the price of a gallon of gas every time you fill up.

I and others have introduced legislation that may be considered at some future time, H.R. 6248, the Credit Card Interchange Fees Act, which would require credit card companies to disclose their interchange rates, terms and conditions to consumers, businesses and the public. In addition, the bill would empower the Federal Trade Commission to review these rates and rules and prohibit any practices that violate consumer protection and anti-competitive laws.

Mr. Speaker, Chairman CONYERS on the Judiciary Committee also has important legislation being considered, the Credit Card Fair Fee Act. In the next Congress we'll have an opportunity to take up the Conyers bill and perhaps the Welch bill.

But today we have the opportunity to take up the first step, the work of Congresswoman MALONEY, where she has scores of cosponsors, where she's worked tirelessly to bring this legislation to the consideration of the floor. I urge my colleagues to support this rule and to support this underlying legislation.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman for extending me the time.

I rise in opposition to this new, record-breaking 62nd closed rule being offered by this Democrat-led Congress, and I object to the timing of bringing this underlying legislation to the floor at a particularly fragile and vulnerable time for American consumers, for American small businesses, and for the entire American economy.

As every Member of this House, in fact, probably every single person on this planet with a working television already understands and they're very acutely aware, the United States capital markets for commercial credit have been frozen. And later this week, this Congress is going to be asked to vote on a massive and currently unfinished proposal to try to stem this enormous threat to our economy and to prevent it from spilling over into everyday Americans' lives who are simply trying to make ends meet.

The enormity and complexity of this crisis and its corresponding legislative solutions makes me question why, Mr. Speaker, why, with all the other problems in our financial markets that require our immediate, fixed and unwavering attention, this House leadership would bring this bill to the floor under a closed rule, instead of focusing on the much larger problem that economists and editorial boards across this country believe has the potential to do catastrophic damage to global financial systems.

Additionally, Mr. Speaker, I'm confused as to why this Congress is choosing this path because, despite whether the House considers this Democrat majority's 62nd closed rule, or this legislation today, it makes no difference, absolutely no difference as to whether the issues contained in this legislation to protect consumers from unfair or deceptive practices will even be addressed in a timely fashion.

To protect consumers from questionable practices, the Federal Reserve has already proposed broad new rules. But rather than allowing the Fed to finish its job, this Congress thought it was important enough to pass a new law to give to them, and this Congress is passing a bill that preempts all of the work that Congress has asked these regulators to do, while doing nothing to strengthen the Federal Reserve's already existing consumer protection mandate.

Like every other Member of this House, I am concerned about the crushing economic impact that rising food and fuel prices are having on American families. I'm even more concerned that passing legislation like this will discourage investment in credit card lending to fewer consumers and smaller businesses getting access to the credit that they need to stay afloat.

Unlike the Democrat leadership bringing this bill to the House floor, I do not believe that it is wise policy to create a consumer credit crunch at the same time that our economy is already experiencing a massive commercial credit crunch. And I'm greatly concerned that current market conditions have the potential to greatly amplify the unintended consequences of this legislation at a time when families and small business need it the most. The ''it'' is credit.

Limiting the ability of consumer credit issuers to base their prices according to risk, as this legislation proposes to do, will only increase rates and fees for everyone, while also severely constricting the availability of credit to higher risk consumers altogether.

So, at a time when our constituents most need the flexibilities of these products, i.e., credit, this Democrat Congress is trying to preempt the focused efforts of three different regulators and restricting the access to credit card credit that is made available to American families and to small businesses.

Mr. Speaker, I believe a far more reasonable course of action would have been the one that was suggested by 14 members of the Financial Services Committee, a bipartisan group of seven Democrats and seven Republicans, when they asked the chairman of the committee to hold hearings on the Federal Reserve proposed rules before deciding whether passing legislation limiting consumer credit was necessary.

Mr. Speaker, I would like to insert into the RECORD a copy of this bipartisan letter to Chairman FRANK, as well as a copy of the administration's statement of administrative policy on this bill, which makes their concerns about unfair and deceptive practices as clear as their opposition to this underlying legislation that would ''result in less access to credit and higher interest rates for consumers.''

That is what the White House has said, and I will once again quote: This legislation will ''result in less access to credit and higher interest rates for consumers.''

Mr. Speaker, this comes at a particularly bad time, when consumers in our economy already have had enough stress to deal with without having to worry about unintended consequences of legislation passed by Congress that would make it even more difficult for families and small businesses to make ends meet.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 22, 2008.

STATEMENT OF ADMINISTRATION POLICY

H.R. 5244—CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

The Administration is concerned about unfair and deceptive credit card practices and supports efforts to protect consumers. Credit card plans have become more complex, and it is important that disclosures are transparent and clear so that consumers can understand their contracts and compare products. Transparency alone is insufficient to protect

consumers from all unfair credit card practices, and legislation likely to result in higher interest rates for consumers is not the answer; deceptive practices must also be prohibited.

The Federal Reserve, Office of Thrift Supervision, and National Credit Union Administration are currently finalizing regulations to prohibit unfair and deceptive credit card practices and make disclosures more transparent. The proposed regulations, which are expected to be finalized in December, address a number of goals of this bill. Those proposed regulations eliminate universal default, prohibit double-cycle billing, require advance notice of rate increases, and rein in over-the-limit fees. Regulations are better suited to addressing these problems than legislation because they can be adapted more readily to changes in market conditions. The proposed regulations are the result of extensive research and consumer input, have received extensive public comment, and should be finalized without legislation.

The Administration opposes H.R. 5244, particularly section 2 of the bill, because it would broadly constrain the ability of financial institutions to price risk, likely resulting in less access to credit and in higher interest rates for consumers. For the credit market to operate efficiently, creditors must have the flexibility to react to changes in customer risk and market conditions. Section 2 would restrict when lenders may change terms of the credit agreement, significantly constraining the ability of financial institutions to adapt to changing credit risks and market conditions.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 23, 2008.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On July 16, 2008 Federal Reserve Chairman Ben Bernanke testified before the Financial Services Committee and stated that the Federal Reserve had received over 20,000 comments on its proposed Unfair or Deceptive Acts or Practices rules for banks that issue credit cards. While we may support some of the policy changes these proposed rules address, we believe the Financial Institutions Subcommittee should carefully review these proposed policies and their impact on consumers and regulated industries. Therefore, we request that the Subcommittee hold a hearing on these proposed rules at its earliest convenience before further steps are taken on this important subject.

Sincerely,

Dennis Moore; Carolyn McCarthy; Timothy Mahoney; Michael N. Castle; Stephen C. LaTourette; Judy Biggert; Charlie Wilson; Ed Perlmutter; Gregory Meeks; Jon Gerlach; Christopher Shays; Shelley Moore Capito; Peter J. Roskam; Don Cazayoux.

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

Mr. WELCH of Vermont. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York, the chairwoman of the Subcommittee on Financial Institutions and Consumer Credit, and the sponsor of the bill, Mrs. MALONEY.

Mrs. MALONEY of New York. I thank the gentleman for yielding and for his leadership.

Mr. Speaker, I rise in support of the rule on H.R. 5244, the Credit Cardholders' Bill of Rights. The rule before us gives the House an opportunity to have a clear up-or-down vote on meaningful credit card reforms that will level the playing field between cardholders and credit card companies.

This legislation passed the House Financial Services Committee on July 31 on a vote of 39–27 and has the support of 155 cosponsors in this House.

For too long our constituents have found themselves on the wrong side of a very uneven playing field between them and their credit card companies. This bill restores fairness to credit cards and brings back the notion that a deal is a deal.

The bill that this rule will allow for consideration represents a work product that the committee and I started at the beginning of this Congress. We met with the stakeholders, issuers, consumer groups and the regulators and economists. We listened to real consumers and experts in consumer law and economics. We held six hearings in my subcommittee on the reforms contained in this bill and the reforms that are proposed by the Federal Reserve.

A year ago I held a round table which produced gold standard principles to guide voluntary issuer action. Several issuers announced changes in policy consistent with the principles, and I applaud their efforts.

In May, the Federal Reserve, the Office of Thrift Supervision, and the National Credit Union Administrator released proposed rules to prohibit unfair and deceptive acts and practices that track the key provisions of my legislation. These regulations have received an astonishing, record-breaking 56,000 comments from consumers in support, the largest ever in history.

But without legislation, regulations can be stopped or scaled back, and lucrative abuse of practices will continue, and issuers who gave them up will lose profits and their market share. We need legislation to level the playing field for consumers and issuers so that the normal forces of the free market can work together again.

The bill has been endorsed by 12 consumer groups. I would like to place their names in the RECORD and applaud their hard work. Labor unions, including the AFL–CIO, and especially the SEIU, and civil rights organizations, the Leadership Council on Civil Rights, the NAACP, and the National Council of La Raza. Editorials and op-eds endorsing the need for credit card reform have run in more than 55 newspapers across the Nation, and these editorials can be seen on my Website. Commentators from Pat Robertson of Christian broadcasters and Lou Dobbs of CNN have consistently supported this effort. Senator BARACK OBAMA has called for a Credit Cardholder's Bill of Rights, and Vice Presidential candidate Sarah Palin has said that Republicans should get on this issue and not leave it to Democrats. So it is a bipartisan effort.

Even four of the five banking regulators have called for the specific reforms contained in this bill. I say this because some on the other side may argue against this rule. But I want the American people to understand all of the work that has gone into this work product. This bill, this process has been open and bipartisan.

Today, with the rule now before us, we get to preserve the core principles of this legislation, and this rule gives us a chance to have a clean up-or-down vote on meaningful credit card reform. I support this rule and look forward to the underlying debate.

I would like to conclude by saying that it is now clear that in the area of consumer credit, the same lack of reasonable regulations, transparency and prudent lending has led to a level of pain on Main Street that matches or exceeds the pain on Wall Street. This is our chance to do something about it.

We are called upon to come forward with a $700 billion backstop for Wall Street. This legislation gives a backstop and support to Main Street.

I urge my colleagues to support this legislation.

H.R. 5244—THE CREDIT CARDHOLDERS' BILL OF RIGHTS

There are 155 Cosponsors, 153 Democrats, 2 Republicans.

Passed House Financial Services Committee on July 31st on vote of 39–27.

Endorsed by consumer groups, labor unions, civil rights organizations and editorial boards from across the nation.

Consumer Groups: U.S. Public Interest Research Group, Consumers Union, Consumer Action, Center for Responsible Lending, National Consumer Law Center, Dēmos: A Network for Ideas & Action, Consumer Federation of America, ACORN, National Association of Consumer Advocates, National Association of Neighborhoods, and National Fair Housing Alliance.

Labor Unions: American Federation of Labor and Congress of Industrial Organizations (AFL–CIO) and Service Employees International Union.

Civil Rights Organizations: Leadership Conference on Civil Rights, National Association for the Advancement of Colored People (NAACP), National Council of La Raza.

Editorial Boards: New York Times, Frederick News Post, Detroit Free Press, Minneapolis Star Tribune, Staten Island Advance, The Miami Herald, The Philadelphia Inquirer, San Gabriel Valley Tribune (California), Sun-Sentinel (Fort Lauderdale, Florida), The Boston Globe, The Herald (SC), Buffalo News (New York), Knoxville News-Sentinel (TN), The Columbus Dispatch (OH), The St. Petersburg Times (FL), Daily and Sunday Review (PA), The Lebanon Daily News (Pennsylvania), Asbury Park Press (New Jersey), Newsday (NY), The Charleston Gazette (W. VA), The Dallas Morning News, The Baltimore Sun, The Times Union (Albany, NY), The Toledo Blade (OH), The Burlington Free Press (Vermont), St. Paul Pioneer Press (Minnesota), Brattleboro Reformer (Vermont), The Ithaca Journal (New York), The Macon Telegraph (Georgia), The Kansas City Star, Pittsburgh Post-Gazette (Pennsylvania), The Denver Post, The Record (Bergen County, NJ), Lowell Sun (Massachusetts), The Oregonian (Portland, Oregon), The Columbus Dispatch (Ohio), St. Louis Post-Dispatch (Missouri), San Diego Union Tribune, Albuquerque Journal (New Mexico), Portland Press Herald (Maine), USA Today, The News & Observer (Raleigh, North Carolina), The Olympian (Washington), Morning Call (Allentown, Pennsylvania), The Cincinnati Enquirer (Ohio), The Seattle

Post-Intelligencer, Grand Rapid Press (Michigan), The Providence Journal (Rhode Island), The Detroit News (Michigan), The Roanoke Times (Virginia), Lancaster New Era (Pennsylvania), The Myrtle Beach Sun-News (South Carolina), and The State Journal-Register (Springfield, IL).

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 5 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding. We're often accused of, when a rule comes up, of bringing up something that doesn't relate to the rule at all or speaking on something completely different. I'm here because something has been added to this rule that shouldn't be in this rule at all that bears no relation to this rule.

□ 1100

In this rule, for a bill on credit cards, there was an attachment which would allow the chairman of the Armed Services Committee to insert a joint explanatory statement for the defense authorization act, that he would be allowed to file that at any time between now and the end of the 110th Congress. That's important because in the joint explanatory statement is when you learn sometimes about what earmarks have been added to the bill, and you're supposed to get that report and that explanation and statement before you consider the bill on the floor.

We will be considering the bill on the floor later today or tomorrow, I guess, under a suspension of the rules with no ability to amend or to question anything in the defense authorization bill. That bill, when it came to the House floor earlier this year, contained more than 500 earmarks.

This is the defense authorization bill that we learned of just a day before it came to the floor. It came to the floor under a closed rule—or under a rule which allowed me to offer just one amendment—more than 500 earmarks, one amendment. There were a lot of Democratic earmarks; there were a lot of Republican earmarks. The majority saw fit to only allow me to question one Republican earmark. No coincidence there.

And yet even worse—at least then we knew when the bill came to the floor we really couldn't do anything about it, but we knew which earmarks were in the bill. Now there's a possibility that there could be dozens, hundreds, maybe 10, we don't know. We don't know how many earmarks have been air-dropped into this legislation, or if any have, and we likely won't know—we just don't know because this rule on a credit card bill allows the chairman of the Armed Services Committee to file at any time between now and the end of the 110th Congress which earmarks were in the bill.

Theoretically, the President could even sign this legislation in a couple of weeks or a couple of months, and we would only learn after that what earmarks were in the bill or those earmarks, theoretically, could even be added after the President signs the bill into law. I don't know how that could be stopped under this rule.

I just wonder how the majority—and I would love to yield time to the Rules Committee to explain how we are doing this, how this squares with the statements earlier this year or earlier this Congress that, according to the majority, according to the Speaker of the House, we will bring transparency and openness to the budget process into the use of earmarks.

I would be glad to yield 30 seconds to the Rules Committee to explain why this provision was added to the rule.

Mr. WELCH of Vermont. I thank the gentleman from Arizona.

Here is my understanding. The gentleman raises, I think, a good point.

The Armed Services Committee is working, as I understand it, on a bipartisan Department of Defense authorization bill. My understanding is the conclusion of the people who are most responsible on both sides of the aisle for that, on our side, expect that the Senate will not participate in a conference, so it will be a single bill that would be presented to this body under suspension.

So my understanding is that the folks who represent us, both sides of the aisle on the Armed Services Committee, have come to the conclusion that given the way the other body is going to handle this, that this is the most practical and effective way to proceed.

Since it's coming up under suspension, it's going to take a two-thirds vote, obviously. So whatever the reasons are that Members may want to reject that, they're going to have an opportunity to do it.

I will go on if you want, but I don't want to take too much of your time.

Mr. FLAKE. I thank the gentleman.

We're being asked to take—it is our understanding that this will happen. We're probably to understand that, yeah, they'll file something before we do a suspension bill that we couldn't amend or question even if we didn't like what was in there.

Again, Mr. Speaker and Members here, this just doesn't square with the commitments that we have made on both sides of the aisle to have an open and transparent process. Like I said, it's bad enough to just learn before bills come to the floor that you've had a couple hundred earmarks added. But in this case, we're giving the authority to the authorizing committee to let us know about which air-dropped earmarks have been added after we pass the bill, after it's too late; theoretically, after the President even signs the legislation.

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

Mr. SESSIONS. I would like to yield the gentleman an additional 3 minutes.

Mr. FLAKE. Here, like I said, we're being asked to give authority to actually not explain which earmarks have been added until after the bill has passed. I just can't see how that represents good government in any sense, how in the world we can say that we are having an open and transparent process when we have bills that come like this.

Now with prior bills, we had a defense authorization bill that came to the floor a while ago that we only got the list of earmarks that were added after the deadline passed to file amendments to actually strike those earmarks.

So we have had a number of these cases throughout this Congress. But I can tell you nothing compares to this. Nothing compares to having an unrelated provision added to a credit card rule, a rule to a bill to allow the authorizing Committee of Armed Services to, up to the end of this Congress, to wait a couple of months after the bill passes—after a bill that was passed under suspension of rules, I might add—to add an explanation as to which earmarks are in the bill.

So I just want to register my objection there, and I would hope that Members would vote down this rule. We can't do business like this, particularly at a time when we have a financial meltdown, we have legislation on the floor this week to spend $700 billion. If that's not bad enough, here we have a situation where we're simply hiding—I don't know how else to say it—but hiding what we have done in the committees and on the floor and not letting Members of this body actually exercise the responsibility that we have here.

With that, I register my objection. I thank the gentleman for yielding, and I urge a ''no'' vote on the rule.

Mr. WELCH of Vermont. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, this credit card bill is extremely important, and I would like to just express appreciation to my colleague for having the vision to bring it forth.

People all over the country, the majority of the people around this country, are concerned about what is happening to them with regard to credit cards. I think that this is a week in which we need to all be concerned about what the consumers are feeling. In particular, I'm interested in the fact that we were not, at least in terms of statute, prohibiting what could happen to underage consumers.

In our committee, I produced a letter received by a 15-year-old boy offering him a credit card. The father of that boy works here on the Hill and brought the letter to the committee.

This bill, if approved, would provide that no credit card may be knowingly issued to or open-end credit plan established on behalf of a consumer who has not attained the age of 18 unless the consumer is emancipated under applicable State law.

Mr. Speaker, we have, in this country, right now over a billion credit cards. We have young people going to

college receiving credit cards. We had testimony before our committee that in colleges, the administration will quite often allow credit card companies to come in on enrollment day. They offer the students a sandwich at one of the local fast food restaurants in exchange for them applying for a credit card. This has got to stop.

China has almost a 22 percent savings rate. The United States is negative .6. We are training our kids to go off to college where that is becoming increasingly expensive and then go out and get a credit card without having any source of income.

This has to stop, and I would like to commend my colleague for introducing this legislation and for doing things that I think the public expects us to do as elected officials.

Mr. SESSIONS. Mr. Speaker, I would like to inquire of my colleague, the gentleman, Mr. WELCH, if he has additional speakers. I, at this time, do not appear to have any additional speakers.

Mr. WELCH of Vermont. I have at least two speakers at this point.

Mr. SESSIONS. Mr. Speaker, I would like to reserve the balance of my time.

Mr. WELCH of Vermont. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I rise as an enthusiastic supporter of the legislation that has been prepared by the gentlewoman from New York. Credit card abuse is rampant, and her legislation helps us to correct some of the most egregious abuses.

I have just come from the Subcommittee on Health on which I serve. It's well known that the number one item in terms of credit card debt is for medical bills and that health care costs are the number one cause of personal bankruptcy in this country.

When we wrote the bankruptcy bill a few years ago, what began as a reasonable reform to deal with problems with debtors became an entirely one-sided piece of legislation that ignored these rampant abuses in the credit card industry. So it's appropriate here, under new leadership and a Democratic Congress and the leadership of the gentlewoman from New York, we are finally belatedly addressing some of these abuses.

But all of this will be for naught unless this measure becomes part of the great Wall Street bailout that the President has proposed. Once again, the proposal being advanced from this administration, not unlike our old debate about the bankruptcy laws, is all one-sided: give to those who cause the problem, give taxpayer money to those who cause the problem, and let those who cause the problem decide how that money is distributed. It's all one-sided.

If such a bill in any form is to be passed—and I think there's great debate about the wisdom of approving anything in this area of the type that has been advanced—but if such a measure is to be approved, it is essential that we do just a little bit for the consumers who have been entrapped, in many cases, with massive amounts of credit card debt. And incorporating the modest but very important reforms that the gentlewoman from New York has advanced into this legislation is absolutely essential.

We need not negotiate just over the unsatisfactory proposal that was advanced by the Treasury Department.

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

Mr. WELCH of Vermont. Mr. Speaker, I will yield the gentleman an additional 30 seconds.

Mr. DOGGETT. We need not be limited by just trying to improve an unsatisfactory proposal advanced by the administration; we need to add to that negotiating list key consumer reforms like this so that the protection is just not for the wrongdoers on Wall Street, but it's for the average consumer struggling to make ends meet with a huge credit card debt. And I applaud the gentlewoman from New York for her leadership.

Mr. SESSIONS. Mr. Speaker, we reserve our time.

Mr. WELCH of Vermont. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota, a member of the Financial Services Committee, Mr. ELLISON.

Mr. ELLISON. Mr. Speaker, let me start by thanking Chairwoman MALONEY and Chairman FRANK for their continued commitment to this much-needed credit card reform legislation. I'm proud and honored to have worked with both of them to ensure the financial security of working families across America.

As co-chair of the Congressional Consumer Justice Caucus, I'm strongly in favor of H.R. 5244, the Credit Card Holder's Bill of Rights.

Mr. Speaker, today we have an opportunity to stand up for working families across America by passing legislation that will ensure the prosperity of the working class. And this legislation, Mr. Speaker, needs to be part of the financial markets' rescue plan. As we move forward to try to help people on Wall Street, we cannot leave alone the people on Main Street. Americans are suffering under tremendous weight of this credit crisis. We have to do something, and this is what we can do about it: giving people relief from these incredible abuses in the credit card industry.

The debt crisis inundating so many Americans is in large part due to the result of an industry with few regulations and little oversight. Consumers with credit cards nationwide are facing excessive credit card fees, sky-high interest rates, and unfair incomprehensible agreements that credit card companies can revise at will.

In short, American families are suffering while credit card companies are making record profits, Mr. Speaker. In 2007, credit card issuers imposed $18.1 billion—that's billion with a ''B''—in penalty fees on families carrying credit card balances for more than 50 percent since 2003. This accounts for nearly half of the $41 billion industry profits.

This year, credit card companies will break all record fees for late fees, over-limit charges, and other penalties pulling in more than $19 billion.

□ 1115

H.R. 5244 bans unfair and deceptive practices that have resulted in billions of dollars in fees drained from hard-working families for the credit card industry.

Also included in the bill is a ban on universal default. Last May, I introduced legislation to ban this unfair and ethical practice, and I'm pleased to see it included in the bill.

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

Mr. WELCH of Vermont. I yield the gentleman an additional 30 seconds.

Mr. ELLISON. Universal default is the popular term for a practice that allows creditors to increase the rate on your credit card to the default rate, even when you haven't missed a single payment on that card. This means that we're going to look at real reform with this important piece of legislation.

Mr. Speaker, I want to thank Chairwoman MALONEY, again, for her valiant advocacy, and this does need to be a part of the rescue package.

Mr. SESSIONS. Mr. Speaker, it's my understanding that the gentleman from Vermont is through with his speakers at this time, if I could confirm that.

Mr. WELCH of Vermont. That is correct.

Mr. SESSIONS. I thank the gentleman.

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

Mr. Speaker, since taking control of this House, this Democrat Congress has totally neglected its responsibility to address the domestic supply issues that have created the skyrocketing gas, diesel and energy costs that Americans are facing today, and no doubt, part of the credit crunch that we are facing today and credit card costs that Americans are facing today is as a result of the high cost of gasoline right now that all Americans are paying.

By going on vacation for 5 weeks over August, while I and 138 others of my Republican colleagues stayed in Washington to talk about real solutions for American families, this Democrat majority has proven that they do not believe that the energy crisis facing American families and business was important enough to cancel their summer beach plans or book tours to get the job done.

So, again, today, the Republicans are here on the floor of the House of Representatives asking each of our colleagues to vote with me to defeat the previous question. If the previous question is defeated, I will move to amend the rule to allow this House to take up a measure that will allow Members to be able to vote for a pro-energy bill and

prevent Members from going home to campaign for reelection without actually passing a bill which will pass and have meaningful reform so that we can lower the price of gasoline at the pump.

This legislation that I will be proposing that can be voted on today and that would turn into law would allow States to expand the exploration and extraction of natural resources along the Outer Continental Shelf. Not allowed in the Democrat bill that passed one week ago.

It would open the arctic energy slope and oil shale reserves to environmentally prudent exploration and extraction. Not included in the Democrats' bill of a week ago.

It would extend expiring renewable energy incentives. It would encourage the streamlining approval of new refining capacity and nuclear power facilities. Not included in the Democrat bill of a week ago.

It would encourage advanced research and development of clean coal, coal-to-liquid, and carbon sequestration technologies, which was not included in the Democrat bill a week ago.

Perhaps most of all, it would minimize drawn out legal challenges that unreasonably delay or prevent actual domestic energy production. Not included in the Democrats' bill of a week ago.

Mr. Speaker, this requirement would finally force the Democrat leadership to take positive, meaningful action to increase the supply of American energy. It would reduce the price at the pump for American families and use, what we term in the Republican Party, an all-of-the-above strategy combining increased supply of American-made energy, improved conservation and efficiency, and provide for new and expanding energy technologies to achieve American energy independence.

Mr. Speaker, I ask unanimous consent to have the text of the amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, we're here on the floor debating a bill today that may have unintended consequences of drying up the ability that families have and people have and small businesses have for getting credit.

I do acknowledge, I think every Member of this House acknowledges, that gasoline prices, energy prices are way too high. Food prices are way too high. But people who are trying to live their lives need the opportunity to have credit, the opportunity to be able to have a credit card, and to be able to place those expenses on their credit card, and then manage their own ability to pay back. That is the essence of what we should be about is trying to help people do that today.

Not about creating another credit card crunch. Not about creating credit cards where people don't know whether they're going to be able to get credit or not, and perhaps, more importantly, the opportunity for us to give this marketplace for American consumers stability where they know what they can count on and move forward to take care of their families and their small businesses.

Mr. Speaker, I would like to say also that we believe that the provisions that were put in the rule specifically addressing the earmark reform or earmarks is unacceptable. It's unacceptable to say that this House will quite likely be voting on a massive bill only to find out weeks later we'll find out what was in the bill and those earmarks that accompany that.

As the gentleman from Arizona (Mr. FLAKE) noted, that is disappointing. It's disappointing because this House was advised over 2 years ago that this would be the most honest, open, and ethical Congress in history.

Mr. Speaker, I have seen very little to no action on behalf of this new Democrat majority that is open about what they do, that is transparent in what they do. And once again, today, with a record shattering breaking new closed rule, we find that they aren't even willing to take ideas from people in their own party, and I think that's disappointing.

As we wind down this last week that we're here before the election, we find that there are new tricks of the trade that take place in this Rules Committee. I'm disappointed that this new Democrat majority continues that. I support the gentleman from Arizona (Mr. FLAKE) and what he said; and, Mr. Speaker, I would say that that's why I'm asking Members of this body not to support this rule and the underlying legislation.

I yield back my time, Mr. Speaker.

Mr. WELCH of Vermont. Mr. Speaker, I want to make three points.

First, in response to the concerns expressed by the gentleman from Arizona (Mr. FLAKE), I want to assure him, as well as my colleagues, that the Armed Services Committee intends today to file their explanatory statement. This is on the, incidentally, Duncan Hunter defense authorization bill. They want to file their explanatory statement before the bipartisan DOD authorization is considered on the floor. So Members are going to have an opportunity to read in the CONGRESSIONAL RECORD all the information that they want, including anything related to so-called ''earmarks.''

Second, I want to speak to the energy concerns that were discussed by the gentleman from Texas. I understand the argument he's making. It's been made by him and his colleagues, and in fact, many of the arguments that were made were incorporated into the energy legislation that did pass this House for an all-of-the-above approach to energy, and I can appreciate that some Members here do believe that drilling is the way to go and almost the only way to go. And I can understand the political appeal that has been embraced by my friends on the other side to use every occasion to speak, whether it is on a credit card bill, whether it's on a veterans bill, doesn't matter the nature of the bill that they want to give their pitch about oil. And they've done it. We've listened, and we've passed legislation that does incorporate all of the above.

But the third point I want to make is this: this legislation that has been brought to the floor by Congresswoman MALONEY raises a fundamentally, profoundly important question for this Congress. Are we going to stand by hands off while the credit industry, most recently exhibited by Wall Street, basically plunders our economy, picks the pockets of consumers, has their way, tramples on the rights of individuals and families, disregards the needs of the middle class, all in the name of whatever it is in and however much money it is they can make? Or is Congress going to assert its role as the representatives of the people and establish a level playing field so that people can have access to the credit that they need in a way that companies are going to make a fair profit, the old, the elderly, the people on the margin aren't going to be ripped off?

It's really that simple, and we can debate about what the fine points are in any kind of consumer protection legislation, and reasonable people can disagree on both sides of the aisle. But the fundamental question for this Congress is, are we going to do anything or not? And the whole reason we have this extraordinary spectacle of these Wall Street titans, billionaires, now coming in to Congress saying they're going broke and give us $700 billion, and oh, it's not for us, it's because we want the economy to work for the people who are on the dead-end side of these mortgages, why did that happen?

It happened because in many ways the Federal Trade Commission, the Federal Reserve, the Office of Thrift Supervision, the executive branch of government abdicated any responsibility that it had to stand up for people who needed an active government on their side.

What Congresswoman MALONEY's legislation says very simply is, Enough. Enough. Enough abuse. It's over; the free ride is over. We're going to have some fair rules, consumer protections. You get notice of what your bill is going to be. You can't change the interest rate arbitrarily. A contract is a contract both ways, and if there's an obligation to pay your credit card, which there is, there's an obligation on the part of the credit card company to abide by explicit terms and conditions in a contract.

So this legislation is a first step, in my view long overdue, for Congress to stand up and say that there are going to be some basic rules of fairness, some

basic rules of the road that are going to protect everyday citizens. Credit is essential to our economy, and that's a point my friend from Texas made and he's right, and it's a useful and important tool for individuals and families.

But there have to be fair rules, and one family up against a monolith of the credit card industry, there's got to be somebody on the side of that family, and that's got to be the United States Congress.

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

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1476 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution add the following new section:

SEC. 4. It shall not be in order in the House to consider a concurrent resolution providing for an adjournment of either House of Congress until comprehensive energy legislation has been enacted into law that includes provisions designed to—

(A) allow states to expand the exploration and extraction of natural resources along the Outer Continental Shelf;

(B) open the Arctic National Wildlife Refuge and oil shale reserves to environmentally prudent exploration and extraction;

(C) extend expiring renewable energy incentives;

(D) encourage the streamlined approval of new refining capacity and nuclear power facilities;

(E) encourage advanced research and development of clean coal, coal-to-liquid, and carbon sequestration technologies; and

(F) minimize drawn out legal challenges that unreasonably delay or prevent actual domestic energy production.

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

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Mr. WELCH of Vermont. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of H. Res. 1476, if ordered; and the motion to suspend the rules and pass S.J. Res. 45.

The vote was taken by electronic device, and there were—yeas 221, nays 192, not voting 20, as follows:

[Roll No. 619]

YEAS—221

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gillibrand
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Towns
Tsongas
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—192

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Cazayoux
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery

McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—20

Cooper
Cubin
Davis, Lincoln
Giffords
Gonzalez
Gordon
Graves
Herseth Sandlin
Hulshof
Jackson-Lee (TX)
Johnson (IL)
Moran (VA)
Neugebauer
Pearce
Pryce (OH)
Reyes
Rush
Salazar
Tierney
Udall (NM)

□ 1153

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

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 220, noes 194, not voting 19, as follows:

[Roll No. 620]

AYES—220

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gillibrand
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Towns
Tsongas
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOES—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Nunes
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Bean
Cooper
Cubin
Davis, Lincoln
Giffords
Gonzalez
Gordon
Hulshof
Jackson-Lee (TX)
Johnson (IL)
LaTourette
Moran (VA)
Neugebauer
Pearce
Pryce (OH)
Reyes
Rush
Tierney
Udall (NM)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1201

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GREAT LAKES-ST. LAWRENCE RIVER BASIN WATER RESOURCES COMPACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the Senate joint resolution, S.J. Res. 45.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 45.

The question was taken.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 390, nays 25, not voting 18, as follows:

[Roll No. 621]

YEAS—390

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Costa

Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillibrand
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—25

Altmire
Berry
Braley (IA)
Broun (GA)
Burton (IN)
Capuano
Cazayoux
Chandler
Childers
DeFazio
Doolittle
Ellison
Kaptur
Kucinich
Lewis (GA)
McCollum (MN)
McDermott
Melancon
Mollohan
Poe
Shuler
Stupak
Tancredo
Welch (VT)
Whitfield (KY)

NOT VOTING—18

Cooper
Cubin
Davis, Lincoln
Giffords
Gonzalez
Gordon
Hulshof
Jackson-Lee (TX)
Johnson (IL)
Lampson
Linder
Musgrave
Neugebauer
Pearce
Pryce (OH)
Reyes
Rush
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1209

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

So (two-thirds being in the affirmative) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

Mrs. MALONEY of New York. Madam Speaker, pursuant to House Resolution 1476, I call up the bill (H.R. 5244) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5244

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Credit Cardholders' Bill of Rights Act of 2008''.

SEC. 2. CREDIT CARDS ON TERMS CONSUMERS CAN REPAY.

(a) UNIVERSAL DEFAULT ELIMINATED.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after section 127A the following new section:

''§ 127B. Additional requirements for credit card accounts under an open end consumer credit plan

''(a) UNIVERSAL DEFAULT ELIMINATED FOR CREDIT ALREADY OUTSTANDING.—No creditor may use any adverse information concerning any consumer, including any information in any consumer report (as defined in section 603) or any change in the credit score of the consumer, as the basis for increasing any annual percentage rate of interest applicable to the outstanding balance on a credit card account of the consumer under an open end consumer credit plan at the time of any such increase, other than actions or omissions of the consumer that are directly related to such account.''.

(b) ANY-TIME ANY-REASON CHANGES IN TERMS ELIMINATED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (a) (as added by subsection (a)) the following new subsection:

''(b) ANY-TIME ANY-REASON CHANGES IN TERMS ELIMINATED.—

''(1) IN GENERAL.—No creditor may change any term of the contract or agreement applicable with respect to any credit card account of the consumer under an open end consumer credit plan until renewal of the contract or agreement except for the specific material reasons, and subject to specific limitations, that are contained in the contract or agreement with respect to such term at the time the account is opened.

''(2) EXCEPTION FOR INCREASES IN CREDIT LIMIT.—Paragraph (1) shall not apply with respect to any increase in the amount of credit authorized to be extended under an account described in such paragraph.''.

(c) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES AND RIGHT TO CANCEL ACCOUNT.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (b) (as added by subsection (b)) the following new subsection:

''(c) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES AND RIGHT TO CANCEL ACCOUNT.—

''(1) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES REQUIRED.—In the case of any credit card account under an open end consumer credit plan, no increase in any annual percentage rate of interest, for any reason other than an increase due to the expiration of any introductory percentage rate of interest, or due solely to a change in another rate of interest to which such rate is indexed, may take effect before the end of the 45-day period beginning on the date notice of such increase is sent to the cardholder.

''(2) RIGHT TO CANCEL WITHOUT INCREASE IN APR ON OUTSTANDING BALANCE.—Any consumer who receives a notice from a creditor pursuant to paragraph (1) with respect to a credit card account under an open end consumer credit plan shall have the right—

''(A) to cancel the credit card, by mail, telephone, or electronic communication and without penalty or the imposition of any fee with respect to such cancellation, at any time during the period beginning on the date the consumer receives the notice pursuant to paragraph (1) and ending on the date the consumer receives the third periodic statement with respect to such account after the effective date of the increase; and

''(B) to pay any outstanding balance on the credit card account that accrued before the effective date of the increase at the annual percentage rate and repayment period in effect before the notice was received.

''(3) NOTICE REQUIREMENTS.—

''(A) INITIAL NOTICE REQUIREMENT.—The notice required under paragraph (1) with respect to an increase in any annual percentage rate of interest shall—

''(i) be made in a clear and conspicuous manner; and

''(ii) contain a brief statement of the right of the consumer to cancel the account and pay the balance at the annual percentage rate in effect before the increase in accordance with paragraph (2) and the mailing address, telephone number, and Internet address and Worldwide Web site at which the consumer may make any such cancellation.

''(B) SUBSEQUENT NOTICES REQUIRED IN PERIODIC STATEMENTS.—Each periodic statement provided to the consumer with respect to the credit card account after a notice is provided under paragraph (1) until the third periodic

statement with respect to such account after the effective date of the increase shall also contain the information required in such notice.

''(C) PRO FORMA NOTICES DO NOT MEET NOTICE REQUIREMENT.—A notice that terms may change, or will change, for any or no reason does not constitute a notice for purposes of this subsection.

''(4) PAYMENT OF POST-INCREASE EXTENSIONS OF CREDIT.—If any consumer obtains an extension of credit on a credit card account on or after the effective date of the increase in the annual percentage rate for which a notice was provided in accordance with paragraph (1) and subsequently cancels the account under paragraph (2), the outstanding balance of such credit that was extended on or after the effective date of the increase shall be subject to repayment at the increased rate in effect at the time of the extension of credit.''.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after the item relating to section 127A the following new item:

''127B. Additional requirements for credit card accounts under an open end consumer credit plan.''.

SEC. 3. CLEAR EXPLANATION OF ACCOUNT FEATURES, TERMS, AND PRICING REQUIRED AT RELEVANT TIMES.

(a) DOUBLE CYCLE BILLING PROHIBITED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (c) (as added by section 2(c)) the following new subsection:

''(d) DOUBLE CYCLE BILLING PROHIBITED.—If an open end consumer credit plan provides a time period within which a consumer may repay the credit extended without incurring an interest charge, and the consumer repays all or a portion of such credit that is subject to such time period within the specified time period, the creditor may not impose or collect an interest charge on the portion of the credit that was repaid within such specified time period.''.

(b) LIMITATIONS RELATING TO ACCOUNT BALANCES ATTRIBUTABLE ONLY TO ACCRUED INTEREST.—Section 127B is amended by inserting after subsection (d) (as added by subsection (a)) the following new subsection:

''(e) LIMITATIONS RELATING TO ACCOUNT BALANCES ATTRIBUTABLE ONLY TO ACCRUED INTEREST.—

''(1) IN GENERAL.—If the outstanding balance on a credit card account under an open end consumer credit plan represents an amount attributable only to accrued interest on previously repaid credit extended under the plan—

''(A) no fee may be imposed or collected in connection with such balance; and

''(B) any failure to make timely repayments of such balance shall not constitute a default on the account.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as affecting—

''(A) the consumer's obligation to pay any accrued interest on a credit card account under an open end consumer credit plan; or

''(B) the accrual of interest on the outstanding balance on any such account in accordance with the terms of the account and this title.''.

(c) PAYOFF BALANCE REQUIRED ON EACH PERIODIC STATEMENT OF ACCOUNT.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (e) (as added by subsection (b)) the following new subsection:

''(f) EACH PERIODIC STATEMENT OF ACCOUNT REQUIRED TO PROVIDE NOTICE FOR OBTAINING PAYOFF BALANCE.—Each periodic statement provided by a creditor to a consumer with respect to a credit card account under an open end consumer credit plan shall contain the telephone number, Internet address, and Worldwide Web site at which the consumer may request the payoff balance on the account.''.

(d) CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE IS PROVIDED OF OPEN ACCOUNT.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (g) (as added by subsection (c)) the following new subsection:

''(g) CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE OF NEW ACCOUNT IS PROVIDED TO CONSUMER REPORTING AGENCY.—A creditor may not furnish any information to a consumer reporting agency (as defined in section 603) concerning a newly opened credit card account under an open end consumer credit plan until the credit card has been used or activated by the consumer.''.

(e) USE OF TERMS CLARIFIED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (g) (as added by subsection (d)) the following new subsection:

''(h) USE OF TERMS.—The following requirements shall apply with respect to the terms of any credit card account under any open end consumer credit plan:

''(1) 'FIXED' RATE.—The term 'fixed', when appearing in conjunction with a reference to the annual percentage rate or interest rate applicable with respect to such account, may only be used to refer to an annual percentage rate or interest rate that will not change or vary for any reason over the period clearly and conspicuously specified in the terms of the account.

''(2) PRIME RATE.—The term 'prime rate', when appearing in any agreement or contract for any such account, may only be used to refer to the bank prime rate published in the Federal Reserve Statistical Release on selected interest rates (daily or weekly), and commonly referred to as the H.15 release (or any successor publication).

''(3) DUE DATE.—

''(A) IN GENERAL.—Each periodic statement for any such account shall contain a date by which the next periodic payment on the account must be made to avoid a late fee or be considered a late payment, and any payment received by 5 P.M., Eastern Standard Time, on such date shall be treated as a timely payment for all purposes.

''(B) CERTAIN ELECTRONIC FUND TRANSFERS.—Any payment with respect to any such account made by a consumer on-line to the Web site of the credit card issuer or by telephone directly to the credit card issuer before 5 P.M., Eastern Standard Time, on any business day shall be credited to the consumer's account that business day.

''(C) PRESUMPTION OF TIMELY PAYMENT.—Any evidence provided by a consumer in the form of a receipt from the United States Postal Service or other common carrier indicating that a payment on a credit card account was sent to the issuer not less than 7 days before the due date contained in the periodic statement under subparagraph (A) for such payment shall create a presumption that such payment was made by the due date, which may be rebutted by the creditor for fraud or dishonesty on the part of the consumer with respect to the mailing date.''.

(f) PRO RATA PAYMENT ALLOCATIONS.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (h) (as added by subsection (e)) the following new subsection:

''(i) PRO RATA PAYMENT ALLOCATIONS.—

''(1) IN GENERAL.—Except as permitted under paragraph (2), if the outstanding balance on a credit card account under an open end consumer credit plan accrues interest at 2 or more different annual percentage rates, the total amount of each periodic payment made on such account shall be allocated by the creditor between or among the outstanding balances at each such annual percentage rate in the same proportion as each such balance bears to the total outstanding balance on the account.

''(2) ALLOCATION TO HIGHER RATE.—Notwithstanding paragraph (1), a creditor may elect, in any case described in such paragraph, to allocate more than a pro rata share of any payment to a portion of the outstanding balance that bears a higher annual percentage rate than another portion of such outstanding balance.''.

(g) TIMELY PROVISION OF PERIODIC STATEMENTS.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (i) (as added by subsection (f)) the following new subsection:

''(j) TIMELY PROVISION OF PERIODIC STATEMENTS.—Each periodic statement with respect to a credit card account under an open end consumer credit plan shall be sent by the creditor to the consumer not less than 25 calendar days before the due date identified in such statement for the next payment on the outstanding balance on such account.''.

SEC. 4. CONSUMER CHOICE WITH RESPECT TO OVER-THE-LIMIT TRANSACTIONS.

Section 127B of the Truth in Lending Act is amended by inserting after subsection (j) (as added by section 3(g)) the following new subsections:

''(k) OPT-OUT OF CREDITOR AUTHORIZATION OF OVER-THE-LIMIT TRANSACTIONS IF FEES ARE IMPOSED.—

''(1) IN GENERAL.—In the case of any credit card account under an open end consumer credit plan under which an over-the-limit-fee may be imposed by the creditor for any extension of credit in excess of the amount of credit authorized to be extended under such account, the consumer may elect to prohibit the creditor, with respect to such account, from completing any transaction involving the extension of credit, with respect to such account, in excess of the amount of credit authorized by notifying the creditor of such election in accordance with paragraph (2).

''(2) NOTIFICATION BY CONSUMER.—A consumer shall notify a creditor under paragraph (1)—

''(A) through the notification system maintained by the creditor under paragraph (4); or

''(B) by submitting to the creditor a signed notice of election, by mail or electronic communication, on a form issued by the creditor for purposes of this subparagraph.

''(3) EFFECTIVENESS OF ELECTION.—An election by a consumer under paragraph (1) shall be effective beginning 3 business days after the consumer notifies the creditor in accordance with paragraph (2) and shall remain effective until the consumer revokes the election.

''(4) NOTIFICATION SYSTEM.—Each creditor that maintains credit card accounts under an open end consumer credit plan shall establish and maintain a notification system, including a toll-free telephone number, Internet address, and Worldwide Web site, which permits any consumer whose credit card account is maintained by the creditor to notify the creditor of an election under this subsection in accordance with paragraph (2).

''(5) ANNUAL NOTICE TO CONSUMERS OF AVAILABILITY OF ELECTION.—In the case of any credit card account under an open end consumer credit plan, the creditor shall include a notice, in clear and conspicuous language, of the availability of an election by the consumer under this paragraph as a means of avoiding over-the limit fees and a higher amount of indebtedness, and the method for providing such notice—

''(A) in the periodic statement required under subsection (b) with respect to such account at least once each calendar year; and

''(B) in any such periodic statement which includes a notice of the imposition of an over-the-limit fee during the period covered by the statement.

''(6) NO FEES IF CONSUMER HAS MADE AN ELECTION.—If a consumer has made an election under paragraph (1), no over-the-limit fee may be imposed on the account for any reason that has caused the outstanding balance in the account to exceed the credit limit.

''(7) REGULATIONS.—

''(A) IN GENERAL.—The Board shall issue regulations allowing for the completion of over-the-limit transactions that for operational reasons exceed the credit limit by a de minimis amount, even where the cardholder has made an election under paragraph (1).

''(B) SUBJECT TO NO FEE LIMITATION.—The regulations prescribed under subparagraph (A) shall not allow for the imposition of any fee or any rate increase based on the permitted over-the-limit transactions.

''(1) OVER-THE-LIMIT FEE RESTRICTIONS.—With respect to a credit card account under an open end consumer credit plan, an over-the-limit fee may be imposed only once during a billing cycle if, on the last day of such billing cycle, the credit limit on the account is exceeded, and an over-the-limit fee, with respect to such excess credit, may be imposed only once in each of the 2 subsequent billing cycles, unless the consumer has obtained an additional extension of credit in excess of such credit limit during any such subsequent cycle or the consumer reduces the outstanding balance below the credit limit as of the end of such billing cycle.''.

SEC. 5. STRENGTHEN CREDIT CARD INFORMATION COLLECTION.

Section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''COLLECTION REQUIRED.—The Board shall'' and inserting ''COLLECTION REQUIRED.—

''(A) IN GENERAL.—The Board shall''.

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

''(B) INFORMATION TO BE INCLUDED.—The information under subparagraph (A) shall include, as of a date designated by the Board—

''(i) a list of each type of transaction or event for which one or more of the card issuers has imposed a separate interest rate upon a cardholder, including purchases, cash advances, and balance transfers;

''(ii) for each type of transaction or event identified under clause (i)—

''(I) each distinct interest rate charged by the card issuer to a cardholder, as of the designated date; and

''(II) the number of cardholders to whom each such interest rate was applied during the calendar month immediately preceding the designated date, and the total amount of interest charged to such cardholders at each such rate during such month;

''(iii) a list of each type of fee that one or more of the card issuers has imposed upon a cardholder as of the designated date, including any fee imposed for obtaining a cash advance, making a late payment, exceeding the credit limit on an account, making a balance transfer, or exchanging United States dollars for foreign currency;

''(iv) for each type of fee identified under clause (iii), the number of cardholders upon whom the fee was imposed during the calendar month immediately preceding the designated date, and the total amount of fees imposed upon cardholders during such month;

''(v) the total number of cardholders that incurred any interest charge or any fee during the calendar month immediately preceding the designated date; and

''(vi) any other information related to interest rates, fees, or other charges that the Board deems of interest.''; and

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

''(5) REPORT TO CONGRESS.—The Board shall, on an annual basis, transmit to Congress and make public a report containing estimates by the Board of the approximate, relative percentage of income derived by the credit card operations of depository institutions from—

''(A) the imposition of interest rates on cardholders, including separate estimates for—

''(i) interest with an annual percentage rate of less than 25 percent; and

''(ii) interest with an annual percentage rate equal to or greater than 25 percent;

''(B) the imposition of fees on cardholders;

''(C) the imposition of fees on merchants; and

''(D) any other material source of income, while specifying the nature of that income.''.

SEC. 6. STANDARDS APPLICABLE TO INITIAL ISSUANCE OF SUBPRIME OR ''FEE HARVESTER'' CARDS.

Section 127B of the Truth in Lending Act is amended by inserting after subsection (l) (as added by section 4) the following new subsection:

''(m) STANDARDS APPLICABLE TO INITIAL ISSUANCE OF SUBPRIME OR 'FEE HARVESTER' CARDS.—In the case of any credit card account under an open end consumer credit plan the terms of which require the payment of fees (other than late fees or over-the-limit fees) by the consumer in the first year the account is opened in an amount in excess of 25 percent of the total amount of credit authorized under the account, the credit card may not be issued to the consumer and the opening of the account may not be reported to any consumer reporting agency (as defined in section 603) until the creditor receives payment in full of all such fees, and such payment may not be made from the credit made available by the card.''.

SEC. 7. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall apply to all credit card accounts under open end consumer credit plans as of the end of the 1-year period beginning on the date of the enactment of this Act.

(b) REGULATIONS.—The Board of Governors of the Federal Reserve System, in consultation with all Federal agencies referred to in any provision of section 108 of the Truth in Lending Act, shall prescribe regulations, in final form, implementing the amendments made by this Act before the end of the 6-month period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore (Mrs. TAUSCHER). Pursuant to House Resolution 1476, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5244

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Credit Cardholders' Bill of Rights Act of 2008''.

SEC. 2. CREDIT CARDS ON TERMS CONSUMERS CAN REPAY.

(a) RETROACTIVE RATE INCREASES AND UNIVERSAL DEFAULT LIMITED.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after section 127A the following new section:

''§ 127B. Additional requirements for credit card accounts under an open end consumer credit plan

''(a) RETROACTIVE RATE INCREASES AND UNIVERSAL DEFAULT LIMITED.—

''(1) IN GENERAL.—Except as provided in subsection (b), no creditor may increase any annual percentage rate of interest applicable to the existing balance on a credit card account of the consumer under an open end consumer credit plan.

''(2) EXISTING BALANCE DEFINED.—For purposes of this subsection and subsections (b) and (c), the term 'existing balance' means the amount owed on a consumer credit card account as of the end of the fourteenth day after the creditor provides notice of an increase in the annual percentage rate in accordance with subsection (c).

''(3) TREATMENT OF EXISTING BALANCES FOLLOWING RATE INCREASE.—If a creditor increases any annual percentage rate of interest applicable to credit card account of a consumer under an open end consumer credit plan and there is an existing balance in the account to which such increase may not apply, the creditor shall allow the consumer to repay the existing balance using a method provided by the creditor which is at least as beneficial to the consumer as 1 of the following methods:

''(A) An amortization period for the existing balance of at least 5 years starting from the date on which the increased annual percentage rate went into effect.

''(B) The percentage of the existing balance that was included in the required minimum periodic payment before the rate increase cannot be more than doubled.

''(4) LIMITATION ON CERTAIN FEES.—If—

''(A) a creditor increases any annual percentage rate of interest applicable on a credit card account of the consumer under an open end consumer credit plan; and

''(B) the creditor is prohibited by this section from applying the increased rate to an existing balance,

the creditor may not assess any fee or charge based solely on the existing balance.''.

(b) EXCEPTIONS TO THE AMENDMENT MADE BY SUBSECTION (a).—Section 127B of the Truth in Lending Act is amended by inserting after subsection (a) (as added by subsection (a)) the following new subsection:

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—A creditor may increase any annual percentage rate of interest applicable to the existing balance on a credit card account of the consumer under an open end consumer credit plan only under the following circumstances:

''(A) CHANGE IN INDEX.—The increase is due solely to the operation of an index that is not under the creditor's control and is available to the general public.

''(B) EXPIRATION OR LOSS OF PROMOTIONAL RATE.—The increase is due solely to—

''(i) the expiration of a promotional rate; or

''(ii) the loss of a promotional rate for a reason specified in the account agreement (e.g., late payment).

''(C) PAYMENT NOT RECEIVED DURING 30-DAY GRACE PERIOD AFTER DUE DATE.—The increase is due solely to the fact that the consumer's minimum payment has not been received within 30 days after the due date for such minimum payment.

''(2) LIMITATION ON INCREASES DUE TO LOSS OF PROMOTIONAL RATE.—Notwithstanding paragraph (1)(B)(ii), the annual percentage rate in effect after the increase permitted under such subsection due to the loss of a promotional rate may not exceed the annual percentage rate that would have applied under the terms of the agreement after the expiration of the promotional rate.''.

(c) ADVANCE NOTICE OF RATE INCREASES.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (b) (as added by subsection (b)) the following new subsection:

''(c) ADVANCE NOTICE OF RATE INCREASES.—In the case of any credit card account under an open end consumer credit plan, no increase in any annual percentage rate of interest may take effect unless the creditor provides a written notice to the consumer at least 45 days before the increase takes effect which fully describes the changes in the annual percentage rate, in a complete and conspicuous manner, and the extent to which such increase would apply to an existing balance.''.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after the item relating to section 127A the following new item:

''127B. Additional requirements for credit card accounts under an open end consumer credit plan.''.

SEC. 3. ADDITIONAL PROVISIONS REGARDING ACCOUNT FEATURES, TERMS, AND PRICING.

(a) DOUBLE CYCLE BILLING PROHIBITED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (c) (as added by section 2(c)) the following new subsection:

''(d) DOUBLE CYCLE BILLING.—

''(1) IN GENERAL.—No finance charge may be imposed by a creditor with respect to any balance on a credit card account under an open end consumer credit plan that is based on balances for days in billing cycles preceding the most recent billing cycle.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply so as to prohibit a creditor from—

''(A) charging a consumer for deferred interest even though that interest may have accrued over multiple billing cycles; or

''(B) adjusting finance charges following resolution of a billing error dispute.''.

(b) LIMITATIONS RELATING TO ACCOUNT BALANCES ATTRIBUTABLE ONLY TO ACCRUED INTEREST.—Section 127B is amended by inserting after subsection (d) (as added by subsection (a)) the following new subsection:

''(e) LIMITATIONS RELATING TO ACCOUNT BALANCES ATTRIBUTABLE ONLY TO ACCRUED INTEREST.—

''(1) IN GENERAL.—If the outstanding balance on a credit card account under an open end consumer credit plan at the end of a billing period represents an amount attributable only to interest accrued during the preceding billing period on an outstanding balance that was fully repaid during the preceding billing period—

''(A) no fee may be imposed or collected in connection with such balance attributable only to interest before such end of the billing period; and

''(B) any failure to make timely repayments of the balance attributable only to interest before such end of the billing period shall not constitute a default on the account.

Such balance remains a legally binding debt obligation.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as affecting—

''(A) the consumer's obligation to pay any accrued interest on a credit card account under an open end consumer credit plan; or

''(B) the accrual of interest on the outstanding balance on any such account in accordance with the terms of the account and this title.''.

(c) ACCESS TO PAYOFF BALANCE INFORMATION.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (e) (as added by subsection (b)) the following new subsection:

''(f) PAYOFF BALANCE INFORMATION.—Each periodic statement provided by a creditor to a consumer with respect to a credit card account under an open end consumer credit plan shall contain the telephone number, Internet address, and Worldwide Web site at which the consumer may request the payoff balance on the account.''.

(d) CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE IS PROVIDED OF OPEN ACCOUNT.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (g) (as added by subsection (c)) the following new subsection:

''(g) CONSUMER RIGHT TO REJECT CARD BEFORE NOTICE OF NEW ACCOUNT IS PROVIDED TO CONSUMER REPORTING AGENCY.—

''(1) IN GENERAL.—A creditor may not furnish any information to a consumer reporting agency (as defined in section 603) concerning the establishment of a newly opened credit card account under an open end consumer credit plan until the credit card has been used or activated by the consumer.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed as prohibiting a creditor from furnishing information about any application for credit card account under an open end consumer credit plan or any inquiry about any such account to a consumer reporting agency (as so defined).''.

(e) USE OF TERMS CLARIFIED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (g) (as added by subsection (d)) the following new subsection:

''(h) USE OF TERMS.—The following requirements shall apply with respect to the terms of any credit card account under any open end consumer credit plan:

''(1) 'FIXED' RATE.—The term 'fixed', when appearing in conjunction with a reference to the annual percentage rate or interest rate applicable with respect to such account, may only be used to refer to an annual percentage rate or interest rate that will not change or vary for any reason over the period clearly and conspicuously specified in the terms of the account.

''(2) PRIME RATE.—The term 'prime rate', when appearing in any agreement or contract for any such account, may only be used to refer to the bank prime rate published in the Federal Reserve Statistical Release on selected interest rates (daily or weekly), and commonly referred to as the H.15 release (or any successor publication).

''(3) DUE DATE.—

''(A) IN GENERAL.—Each periodic statement for any such account shall contain a date by which the next periodic payment on the account must be made to avoid a late fee or be considered a late payment, and any payment received by 5 p.m., local time at the location specified by the creditor for the receipt of payment, on such date shall be treated as a timely payment for all purposes.

''(B) CERTAIN ELECTRONIC FUND TRANSFERS.—Any payment with respect to any such account made by a consumer on-line to the Web site of the credit card issuer or by telephone directly to the credit card issuer before 5 p.m., local time at the location specified by the creditor for the receipt of payment, on any business day shall be credited to the consumer's account that business day.

''(C) PRESUMPTION OF TIMELY PAYMENT.—Any evidence provided by a consumer in the form of a receipt from the United States Postal Service or other common carrier indicating that a payment on a credit card account was sent to the issuer not less than 7 days before the due date contained in the periodic statement under subparagraph (A) for such payment shall create a presumption that such payment was made by the due date, which may be rebutted by the creditor for fraud or dishonesty on the part of the consumer with respect to the mailing date.''.

(f) PRO RATA PAYMENT ALLOCATIONS.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (h) (as added by subsection (e)) the following new subsection:

''(i) PRO RATA PAYMENT ALLOCATIONS.—

''(1) IN GENERAL.—Except as permitted under paragraph (2), if the outstanding balance on a credit card account under an open end consumer credit plan accrues interest at 2 or more different annual percentage rates, the total amount of each periodic payment made on such account shall be allocated by the creditor between or among the outstanding balances at each such annual percentage rate in the same proportion as each such balance bears to the total outstanding balance on the account.

''(2) ALLOCATION TO HIGHER RATE.—Notwithstanding paragraph (1), a creditor may elect, in any case described in such paragraph, to allocate more than a pro rata share of any payment to a portion of the outstanding balance that bears a higher annual percentage rate than another portion of such outstanding balance.

''(3) SPECIAL RULES FOR ACCOUNTS WITH PROMOTIONAL RATE BALANCES OR DEFERRED INTEREST BALANCES.—

''(A) IN GENERAL.—Notwithstanding paragraph (1) or (2), in the case of a credit card account under an open end consumer credit plan the current terms of which allow the consumer to receive the benefit of a promotional rate or deferred interest plan, amounts paid in excess of the required minimum payment shall be allocated to the promotional rate balance or the deferred interest balance only if other balances have been fully paid.

''(B) EXCEPTION FOR DEFERRED INTEREST BALANCES.—Notwithstanding subparagraph (A), a creditor may allocate the entire amount paid by the consumer in excess of the required minimum periodic payment to a balance on which interest is deferred during the 2 billing cycles immediately preceding the expiration of the period during which interest is deferred.

''(4) PROHIBITION ON RESTRICTED GRACE PERIODS UNDER CERTAIN CIRCUMSTANCES.—If, with respect to any credit card account under an open end consumer credit, a creditor offers a time period in which to repay credit extended without incurring finance charges to cardholders who pay the balance in full, the creditor may not deny a consumer who takes advantage of a promotional rate balance or deferred interest rate balance offer with respect to such an account any such time period for repaying credit without incurring finance charges.''.

(g) TIMELY PROVISION OF PERIODIC STATEMENTS.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (i) (as added by subsection (f)) the following new subsection:

''(j) TIMELY PROVISION OF PERIODIC STATEMENTS.—Each periodic statement with respect to a credit card account under an open end consumer credit plan shall be sent by the creditor to the consumer not less than 25 calendar days before the due date identified in such statement for the next payment on the outstanding balance on such account, and section 163(a) shall be applied with respect to any such account by substituting '25' for 'fourteen'.''.

SEC. 4. CONSUMER CHOICE WITH RESPECT TO OVER-THE-LIMIT TRANSACTIONS.

Section 127B of the Truth in Lending Act is amended by inserting after subsection (j) (as added by section 3(g)) the following new subsections:

''(k) OPT-OUT OF CREDITOR AUTHORIZATION OF OVER-THE-LIMIT TRANSACTIONS IF FEES ARE IMPOSED.—

''(1) IN GENERAL.—In the case of any credit card account under an open end consumer credit plan under which an over-the-limit-fee may be imposed by the creditor for any extension of credit in excess of the amount of credit authorized to be extended under such account, the consumer may elect to prohibit the creditor, with respect to such account, from completing any transaction involving the extension of credit, with respect to such account, in excess of the amount of credit authorized by notifying the creditor of such election in accordance with paragraph (2).

''(2) NOTIFICATION BY CONSUMER.—A consumer shall notify a creditor under paragraph (1)—

''(A) through the notification system maintained by the creditor under paragraph (4); or

''(B) by submitting to the creditor a signed notice of election, by mail or electronic communication, on a form issued by the creditor for purposes of this subparagraph.

''(3) EFFECTIVENESS OF ELECTION.—An election by a consumer under paragraph (1) shall be effective beginning 3 business days after the creditor receives notice from the consumer in accordance with paragraph (2) and shall remain effective until the consumer revokes the election.

''(4) NOTIFICATION SYSTEM.—Each creditor that maintains credit card accounts under an open end consumer credit plan shall establish and maintain a notification system, including a toll-free telephone number, Internet address, and Worldwide Web site, which permits any consumer whose credit card account is maintained by the creditor to notify the creditor of an election under this subsection in accordance with paragraph (2).

''(5) ANNUAL NOTICE TO CONSUMERS OF AVAILABILITY OF ELECTION.—In the case of any credit card account under an open end consumer credit plan, the creditor shall include a notice, in clear and conspicuous language, of the availability of an election by the consumer under this paragraph as a means of avoiding over-the limit fees and a higher amount of indebtedness, and the method for providing such notice—

''(A) in the periodic statement required under subsection (b) with respect to such account at least once each calendar year; and

''(B) in any such periodic statement which includes a notice of the imposition of an over-the-limit fee during the period covered by the statement.

''(6) NO FEES IF CONSUMER HAS MADE AN ELECTION.—If a consumer has made an election under paragraph (1), no over-the-limit fee may be imposed on the account for any reason that has caused the outstanding balance in the account to exceed the credit limit.

''(7) REGULATIONS.—

''(A) IN GENERAL.—The Board shall issue regulations allowing for the completion of over-the-limit transactions that for operational reasons exceed the credit limit by a de minimis amount, even where the cardholder has made an election under paragraph (1).

''(B) SUBJECT TO NO FEE LIMITATION.—The regulations prescribed under subparagraph (A) shall not allow for the imposition of any fee or any rate increase based on the permitted over-the-limit transactions.

''(l) OVER-THE-LIMIT FEE RESTRICTIONS.—With respect to a credit card account under an open end consumer credit plan, an over-the-limit fee may be imposed only once during a billing cycle if, on the last day of such billing cycle, the credit limit on the account is exceeded, and an over-the-limit fee, with respect to such excess credit, may be imposed only once in each of the 2 subsequent billing cycles, unless the consumer has obtained an additional extension of credit in excess of such credit limit during any such subsequent cycle or the consumer reduces the outstanding balance below the credit limit as of the end of such billing cycle.

''(m) OVER-THE-LIMIT FEES PROHIBITED IN CONJUNCTION WITH CERTAIN CREDIT HOLDS.—Notwithstanding subsection (l), an over-the-limit fee may not be imposed if the credit limit was exceeded due to a hold unless the actual amount of the transaction for which the hold was placed would have resulted in the consumer exceeding the credit limit.''.

SEC. 5. STRENGTHEN CREDIT CARD INFORMATION COLLECTION.

Section 136(b) of the Truth in Lending Act (15 U.S.C. 1646(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''COLLECTION REQUIRED.—The Board shall'' and inserting ''COLLECTION REQUIRED.—

''(A) IN GENERAL.—The Board shall''.

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

''(B) INFORMATION TO BE INCLUDED.—The information under subparagraph (A) shall include, for the relevant semiannual period, the following information with respect each creditor in connection with any consumer credit card account:

''(i) A list of each type of transaction or event during the semiannual period for which 1 or more creditors has imposed a separate interest rate upon a consumer credit card accountholder, including purchases, cash advances, and balance transfers.

''(ii) For each type of transaction or event identified under clause (i)—

''(I) each distinct interest rate charged by the card issuer to a consumer credit card accountholder during the semiannual period ; and

''(II) the number of cardholders to whom each such interest rate was applied during the last calendar month of the semiannual period, and the total amount of interest charged to such accountholders at each such rate during such month.

''(iii) A list of each type of fee that 1 or more of the creditors has imposed upon a consumer credit card accountholder during the semiannual period, including any fee imposed for obtaining a cash advance, making a late payment, exceeding the credit limit on an account, making a balance transfer, or exchanging United States dollars for foreign currency.

''(iv) For each type of fee identified under clause (iii), the number of accountholders upon whom the fee was imposed during each calendar month of the semiannual period, and the total amount of fees imposed upon cardholders during such month.

''(v) The total number of consumer credit card accountholders that incurred any finance charge or any other fee during the semiannual period.

''(vi) The total number of consumer credit card accounts maintained by each creditor as of the end of the semiannual period.

''(vii) The total number and value of cash advances made during the semiannual period under a consumer credit card account.

''(viii) The total number and value of purchases involving or constituting consumer credit card transactions during the semiannual period.

''(ix) The total number and amount of repayments on outstanding balances on consumer credit card accounts in each month of the semiannual period.

''(x) The percentage of all consumer credit card accountholders (with respect to any creditor) who—

''(I) incurred a finance charge in each month of the semiannual period on any portion of an outstanding balance on which a finance charge had not previously been incurred; and

''(II) incurred any such finance charge at any time during the semiannual period.

''(xi) The total number and amount of balances accruing finance charges during the semiannual period.

''(xii) The total number and amount of the outstanding balances on consumer credit card accounts as of the end of such semiannual period.

''(xiii) Total credit limits in effect on consumer credit card accounts as of the end of such semiannual period and the amount by which such credit limits exceed the credit limits in effect as of the beginning of such period.

''(xiv) Any other information related to interest rates, fees, or other charges that the Board deems of interest.''; and

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

''(5) REPORT TO CONGRESS.—The Board shall, on an annual basis, transmit to Congress and make public a report containing estimates by the Board of the approximate, relative percentage of income derived by the credit card operations of depository institutions from—

''(A) the imposition of interest rates on cardholders, including separate estimates for—

''(i) interest with an annual percentage rate of less than 25 percent; and

''(ii) interest with an annual percentage rate equal to or greater than 25 percent;

''(B) the imposition of fees on cardholders;

''(C) the imposition of fees on merchants; and

''(D) any other material source of income, while specifying the nature of that income.''.

SEC. 6. STANDARDS APPLICABLE TO INITIAL ISSUANCE OF SUBPRIME OR "FEE HARVESTER" CARDS.

Section 127B of the Truth in Lending Act is amended by inserting after subsection (m) (as added by section 4) the following new subsection:

''(n) STANDARDS APPLICABLE TO INITIAL ISSUANCE OF SUBPRIME OR 'FEE HARVESTER' CARDS.—

''(1) IN GENERAL.—In the case of any credit card account under an open end consumer credit plan the terms of which require the payment of fees (other than late fees or over-the-limit fees) by the consumer in the first year the account is opened in an amount in excess of 25 percent of the total amount of credit authorized under the account, no payment of any fees (other than late fees or over-the-limit fees) may be made from the credit made available by the card.

''(2) RULE OF CONSTRUCTION.—No provision of this subsection may be construed as authorizing any imposition or payment of advance fees otherwise prohibited by any provision of law.''.

SEC. 7. EXTENSIONS OF CREDIT TO UNDERAGE CONSUMERS.

Section 127(c) of the Truth in Lending Act (15 U.S.C. 1637(c)) is amended by adding at the end the following new paragraph:

''(8) EXTENSIONS OF CREDIT TO UNDERAGE CONSUMERS.—

''(A) IN GENERAL.—No credit card may be knowingly issued to, or open end credit plan established on behalf of, a consumer who has not attained the age of 18, unless the consumer is emancipated under applicable State law.

''(B) RULE OF CONSTRUCTION.—For the purposes of determining the age of an applicant, the submission of a signed application by a consumer stating that the consumer is over 18 shall be considered sufficient proof of age.''.

SEC. 8. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall apply to all credit card accounts under open end consumer credit plans as of the end of the 1-year period beginning on the date of the enactment of this Act.

(b) REGULATIONS.—The Board of Governors of the Federal Reserve System, in consultation with the Comptroller of the Currency, the Director of the Office of Thrift Supervision, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, and the Federal Trade Commission, shall prescribe regulations, in final form, implementing the amendments made by this Act before the end of the 6-month period beginning on the date of the enactment of this Act, except that it is the sense of the Congress that no provision of this Act should impede the promulgation of regulations in final form under laws in effect on the day before such date of enactment and that such regulations should be prescribed in final form on or before December 31, 2008, and should apply to credit card transactions under any open end consumer credit plan after the end of the 30-day period beginning on the date such regulations are prescribed in final form.

The SPEAKER pro tempore. The gentlewoman from New York (Mrs. MALONEY) and the gentleman from California (Mr. CAMPBELL) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MALONEY of New York. Madam Speaker, I ask unanimous consent that

all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5244 and to insert extraneous material thereon.

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

There was no objection.

Mrs. MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 5244, the Credit Cardholders' Bill of Rights. I introduced this bill, together with Chairman FRANK. This important legislation has 155 cosponsors. A dozen national consumer groups have not only endorsed this legislation, but have made it one of their top priorities. The AFL–CIO and especially the SEIU have strongly supported the bill. Major civil rights groups saw this bill as necessary to stop abuses to their constituents.

Over 50 newspapers from all over the Nation published editorials and op-eds in support of credit card reform, from California to Florida and even my own hometown paper, The New York Times.

The Federal Reserve, whose first priority is protecting the safety and soundness of our financial institutions and our economy, has called the credit card practices addressed in this bill ''anticompetitive for markets and unfair and deceptive to consumers.'' Some 56,000 Americans wrote in in support of the proposed Federal rule, more than any in the history of the Fed, commenting in support of this bill.

Rarely do we get an opportunity to vote for legislation with such deep and widespread support. In the midst of the financial turmoil in our markets, Congress has been asked to provide $700 billion for Wall Street. Now we have a chance with this bill to do something for Main Street.

Credit cards are an essential part of our economy, but for too long card issuers have been allowed to do whatever they want, any time, for any reason. A deal is a deal, but what sort of a deal is it when one side gets to make all the decisions? This bill will get credit card practices back to basic principles of contractual fairness.

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No other industry is allowed to raise the price of a product after the consumer has bought it.

Also, the credit card bill of rights bans ''any time any reason'' rate increases on existing card balances. It bans double cycle billing which charges interest on debt already paid.

It gives consumers 45 days notice of any rate increases so cardholders can decide whether to pay off their balances and shop for another card. The bill makes sure that consumers who borrow high rate balances such as emergency cash advances can pay them off by requiring issuers to credit some part of the payments to the high rate balances.

The bill stops due date gimmicks that trick cardholders into paying late and racking up unjustified fees. It prevents subprime cards from trapping the most vulnerable cardholders in a cycle of debt, and it prohibits issuing cards to vulnerable minors.

The bill will demonstrate, once and for all, that Congress is protecting working Americans, as well as large institutions, from the current financial storm. Unfair credit card debt is as toxic to ordinary citizens as subprime debt obligations are to investment banks.

This is an issue that cuts across social and economic groups. Everyone has a credit card, and too many have a credit card story of getting hit with an unfair or deceptive practice.

I expect opponents of reform will argue that we should wait for the Federal Reserve to act or, as they put it, Congress should defer to the Fed; but this Congress and this majority cannot abdicate our responsibilities. This country cannot afford to wait for this administration and its regulators any longer. We need to take action now on this critical issue.

I urge my colleagues to support this bill. Enough is enough. It is time to help consumers.

Madam Speaker, I reserve the balance of my time.

Mr. CAMPBELL of California. Madam Speaker, I yield myself such time as I may consume.

There is already existing law on this subject. This is clearly a critical subject. There has been discussion about unfair and deceptive practices, and I don't think there is any disagreement that unfair and deceptive practices exist in the credit card industry. The question is, how do we deal with it and what do we do with it?

Right now there is existing law. The existing law says that the Federal Reserve is supposed to crack down through regulation on ''unfair and deceptive acts or practices.''

To that end, the Federal Reserve in May issued proposed regulations to do exactly that, to try to stop those things that they determined were, at that time, unfair and deceptive. As the lady from New York correctly pointed out, there have been tens of thousands of responses and input to the Federal Reserve on their proposed regulations. The Federal Reserve has said that they will make those regulations final prior to the end of the year, which by the way, is more likely to be sooner than this legislation could possibly pass both Houses and perhaps be signed by the President.

I don't know why at this point we would want to interfere with this process, which appears to be working well. Clearly it is working well because the proposed bill is pretty much identical to the proposed regulations that the Fed put out in May.

Now the Fed may make some changes to those regulations based on the tens of thousands of responses that they got, which is how that process works. For us to come in and intercede in that process and overrule that process is, first of all, wrong; and, second of all, sets a bad precedent.

The reason that we often, in this situation and other situations in Congress, allow the definitions of these sorts of things to be done by regulators is that things change quickly. Congress doesn't act quickly.

Next year, there could be new deceptive practices. There could be some things out there this year that are in the proposed regulations that have been determined to actually not be deceptive or perhaps to interfere with the marketplace. By doing this, we are stepping in, and we are defining what these things are, and that is not something I believe we should be doing when the existing law is in process and appears to be functioning correctly.

Second of all, it is well known the major issue that we will be dealing with this week is the financial crisis in which the country finds itself gripped. This is clearly a very, very serious financial crisis and a very serious issue.

What are the ramifications? What are the manifestations of this financial crisis? Right now, credit is contracting. Currently, it is happening in the corporate and business markets, but it is also already extending, and has been, to home loans, car loans and, yes, credit cards.

We are in a financial crisis in which the availability of credit to Americans everywhere, in all forms, is becoming more difficult to get and more expensive. Clearly, the solutions to this crisis go way beyond the scope of this bill that we have before us today. But one thing we don't want to do is to further constrict credit markets that are already constricting and further increase the interest rates to consumers that are already going up.

This bill, by stepping in directly in this way and interfering with the process that the Federal Reserve has in place, has the potential to do that. I would say that before people vote on this bill, I think they need to consider carefully that if it becomes more difficult for people to get credit in the future, if in the next weeks or months it becomes harder to even get a credit card or the interest rates thereon go up, do you want to be a part of pushing that credit out and pushing those rates up, or do you want to be a part of looking at the solution to those issues?

Let's remember that many of the credit card issuing companies are those companies that are on Wall Street and that are in trouble. They are not making any money right now.

Now we are not here, and the purpose of credit cards is not to ensure that they make money through their credit cards, that is not where I am going. That is the market at work. That is their problem; that is their issue. But the fact is that when companies don't make money on something, they do less of it or they charge more for it, and that is where we appear to be headed now.

I strongly urge my colleagues to oppose this bill and suggest that you consider that if this bill does not pass, that still unfair and deceptive practices will be reined in by the Federal Reserve's regulations before the end of the year in a rational manner and hopefully we will then proceed to deal with, later this week, the issue of trying to make sure that credit and credit cards will be available.

Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY of New York. I would say to my good friend on the other side of the aisle, doing nothing and hoping that the Fed will act is an abdication of our responsibility, and that is not the way of this Congress. The Fed has called it unfair and deceptive practices, they have called it anticompetitive, and we should act to correct these abuses.

Madam Speaker, I yield 2 minutes to my friend and colleague, KEITH ELLISON, the gentleman from Minnesota, who is cochair of the Consumer Justice Caucus and has had a leadership role in passing this bill.

Mr. ELLISON. Let me thank the gentlelady from New York, who has done absolutely heroic work on this bill, and let me echo her words: no more abdication from Congress. We are a coequal branch of Congress, and it is time for us to do our job.

Americans all over this country want to know what does the Congress care about the debt that they are drowning in because of these credit card practices. If the Fed says they are deceptive practices, who are we to just let them go on and step back and say, well, somebody else will do it.

No, it is time for the Congress to do something about it now. To do otherwise is to abdicate our responsibility. Nobody at the Fed holds an election certificate. All of us do. It is time to take this thing by the charge.

The fact is, about $8,000 worth of credit card debt is what Americans are holding on average for people who have a revolving balance. That is a burden that people cannot sustain. The fact is, we would not be in this situation if we had the active regulation that Americans expect from their government.

We have seen now nearly 30 years of stagnating wages. Americans have had flat wages, on average, if you look at folks who are working hard every day to put food on the table. Because the wages have been flat, we haven't had the savings to buy the things that we need.

What has been happening is people have gone to their credit cards, and as we have gone to the credit cards, the credit card companies, some of them, have been using unfair, deceptive practices that have got to be brought to a stop now. If the Fed says they are wrong, they are wrong.

We shouldn't have to wait on them to tell us what to do. We should do our job.

I just want to thank Chairwoman MALONEY and Chairman FRANK for bringing this bill to the floor now. I hope this bill can be wrapped into the rescue that is being contemplated for the financial meltdown that is going on now.

This is what we should be doing, and it needs to go into effect now. We need to deal with the credit crisis now, and credit cards must be a part of it.

Mr. CAMPBELL of California. Madam Speaker, I yield myself 30 seconds. I would say, if the Fed is so unable to deal with this problem, then why does this bill basically parrot exactly what the Fed did in May?

Madam Speaker, I would like to yield 4 minutes to my friend and colleague, and a member of the Financial Services Committee, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from California for yielding.

Let me first pay a compliment to the sponsor of the legislation. I worked with her through a number of the hearings on this situation with credit card companies. I think she heightened the awareness to do something about this. Maybe that's, in part, why the Federal Reserve has started to move forward. I think she deserves a great deal of credit for that.

Madam Speaker, I do not, however, support this legislation at this time for a lot of the reasons that have already been stated.

The Federal Reserve, as we all know, regulates in this area. This is not one of those unregulated banking areas. They have issued a rule on unfair and deceptive practices. They have received, as the gentlewoman has properly pointed out, over 50,000 comments concerning that. Those comments have come both in opposition to their rule and in support of it, and they are now going through all of that.

We anticipate that by the end of the year they will issue their final, what is known as UDAP, rules on this particular subject, dealing with these deceptive practices, which will guide the consumers, which will guide the credit card companies, in which a great deal of expertise and time has been put in. I am certain that a number of provisions that are in this legislation will be included in whatever the Fed people issue, but there also may be different ways of looking at problems, there may be different nuances. Frankly, I trust their expertise to be able to do that.

Plus, we have the ability as Congress, or at least the next Congress does, to come back and incorporate into law anything we feel should happen. I think by doing what we are doing now by trying to pass legislation at this point, regardless of whether it could pass in the Senate or not in the next few days, we are, indeed, taking the responsibility of doing something that the Fed is well prepared to handle. I think we should leave it to them to do that.

For that reason, I believe that this legislation should not have come up. I prefer not to oppose it, but in the circumstances that we are dealing with, I feel that we need to oppose it.

There are a few points here. There is a lot of competition out there and people can go from one credit card company to another. I do not necessarily think that we are abrogating our responsibility, as has been stated on the floor here, by not supporting this legislation at this time. As a matter of fact, I think we are doing the right thing as far as consumers, credit card companies and the economy is concerned.

I am also concerned about who is going to pay all of this. If some of these steps are taken and all of a sudden there are losses as far as the credit card industry is concerned, does that mean fees go up? Other people who were paying lower interest rates are going to pay higher interest rates? Will they charge more at the beginning? Various steps that I don't know if I have the economic sophistication to explain, but I have a gut reaction that the bottom line is that somebody is going to pay for it. They always do in some way or another, and that could be many consumers who are presently being responsible in terms of how they are handling their debt circumstances.

□ 1230

So for all of these reasons, it is my judgment that this is legislation better not done at this time. Could it come back in the spring in the form of incorporating what the Fed has done or incorporating and polishing what the Federal Reserve issues in their rules, yes, that would be something that we should do. I think we all agree there should be steps taken in this situation.

But I trust those who have received all of these comments and looked at all of this and have all of the expertise to make the decisions. I would hope that Members of Congress would withhold voting for this at this time and see what the Federal Reserve is going to issue.

I would just add, the statement was made by the sponsor, I believe, that hoping that the Fed will act is an abrogation of our responsibility. The Fed has acted. They have issued a rule. They are getting comments. They are going to issue a final rule. I don't think there is any doubt in anyone's mind that the Fed has acted in this circumstance, so I urge defeat of this legislation if it is going to move forward.

Mrs. MALONEY of New York. I yield such time as he may consume to the Chair of the Committee on Financial Services, BARNEY FRANK, and congratulate him on his hard work on this piece of legislation and so many other areas.

Mr. FRANK of Massachusetts. I thank the gentlewoman who has been the spark plug here. I think it is an important day, that we are dealing in a rational way with credit card legislation.

I appreciate the reasonable tone of my friend from Delaware. We disagree some. I don't think anyone could reasonably characterize this as some assault on the free enterprise system. It

understands the importance of credit cards and tries to work within that framework.

It is important to note that what this bill does is essentially protect consumers against retroactive unfairness. When it comes to rate setting, this bill, to the disappointment of some, doesn't limit future rates. As far as the future is concerned, if proper notice is given, this bill is not restrictive. It does deal essentially with retroactivity and with honoring the consumers' wishes.

The thing I want to address is one thing which seems to be a little upside down, and that is we should defer to the Federal Reserve. I want to say to some of my Republican friends, that sounds a little odd to me after hearing for years that the people must be allowed to decide, that we shouldn't defer to unelected bureaucrats. The notion that we, the elected Representatives, should defer to the Federal Reserve not on monetary policy but on a public policy matter involving what institutes fairness with credit cards, it is not an argument that I have often heard on that side.

Now I understand there is nothing in the Constitution or the rules of the House that requires consistency, but I would hope we would at least note there is an element of convenience in the invocation of this argument at this point, let's defer to the Federal Reserve. No, let's exercise the powers given to us under the Constitution. And there has been a lot of talk about the Federal Reserve doing too much. Well, I think sometimes they have to act because we don't. But here we are willing to do it.

But again, I want to stress the reasonableness of these proposals. They deal with retroactivity and unfair billing practices. If a credit card company follows the rules set here, they are not prohibited or restricted going forward with setting whatever conditions they think ought to be set. That, I think, is the essence of fairness, and I hope the bill is passed. I again congratulate the gentlewoman from New York for taking the lead.

Mr. CAMPBELL of California. How much time remains?

The SPEAKER pro tempore. The gentleman from California has 19 minutes and the gentlewoman from New York has 20 minutes.

Mr. CAMPBELL of California. Madam Speaker, I yield myself 2 minutes to respond to the chairman of the Financial Services Committee.

I would argue that this bill already defers to the Federal Reserve because it basically parroted the proposed regulations that the Federal Reserve put out in May. So this bill basically says okay, we are going to take what you guys proposed and we are going to make it law, not regulation which can be changed, not making any changes based on the 50,000 or 40,000, we are going to make it law.

Second, on this side we are not deferring to the Federal Reserve; we are deferring to existing law. And the will of the people based on existing law was that it is best that these sorts of determinations and definitions, which is what is unfair and what is deceptive, be handled on a regulatory basis, than that it is that Congress come back every year or 2 years or 6 years or whatever and try and determine what is new out there in the marketplace that is now determined to be unfair.

I reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I thank the gentleman for his comments, but I introduced my bill in February after many legislative hearings and meetings that involved Members on the other side of the aisle, stakeholders, consumers, and everyone concerned about this problem. We drafted and put in our bill in February. In May, the Federal Reserve came back with recommendations that mirrored our bill almost completely.

I would like to point out to him that the Federal Reserve is not in the Constitution, and we didn't leave it up to the regulators in the foreclosure crisis. We passed a bill to help homeowners stay in their homes. As we have seen Wall Street under attack, we are not leaving things up to the regulators. We passed legislation giving new direction to the Treasury to help the GSEs, investment banks, and insurers. So you are very selective on your comments that we should step back and let the Fed do everything.

I now recognize an outstanding member of our committee, the gentleman from Texas (Mr. HINOJOSA) who is co-chair of the Literacy Caucus on the Financial Services Committee.

Mr. HINOJOSA. Madam Speaker, I rise in strong support of H.R. 5422. I want to commend Chairwoman MALONEY for introducing H.R. 5422, the Credit Cardholders' Bill of Rights Act. I am proud to be a cosponsor of this legislation which is supported by many organizations, including the National Council of La Raza, LULAC, MALDEF, and many others.

As chairman of the Subcommittee on Higher Education, I am concerned that thousands of students each year do not enroll in higher education institutions because of financial barriers. I am equally concerned about the amount of debt that students are incurring while attending institutions of higher education.

I have been working diligently with our Democratic leaders to make college more affordable and accessible. We are tackling that issue as well as trying to ensure that students graduate with the least amount of debt possible.

I am interested in the relationship between institutions of higher education and credit card companies. Many receive revenue from credit card deals. I want to know the nature of the deals, how much the credit card companies make from those deals, how they market those credit cards to students, and whether the institutions approach the credit card companies or vice versa. We need to address this issue and find out how widespread the practice is and whether it is national in scope.

This legislation will eliminate unfair and arbitrary interest rate increases, end unfair penalties to cardholders who pay on time, and require the fair allocation of consumer payments. Moreover, it will help college students reduce their debt.

Madam Speaker, I want to take this opportunity to again thank Chairwoman MALONEY for introducing the Credit Cardholders' Bill of Rights legislation, and I support it.

Mr. CAMPBELL of California. Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I recognize the gentleman from North Carolina, WALTER JONES, for 1 minute, an outstanding member of the Committee on Financial Services.

Mr. JONES. Mrs. MALONEY, thank you for your hard work on this important legislation.

I stand here with great pride and respect that I support this legislation. Approximately 145 million Americans, about half the population, own credit cards. Americans in the year 2001 paid $50 billion in finance charges; $50 billion.

A GAO study on credit cards found there are many new types of fees, new types of fees on cards, and they have risen much faster than inflation. The GAO also found that fees and penalties are buried in statements making it hard to understand when they will be levied on cardholders.

Madam Speaker, I don't know how anyone could be opposed to the American people fully understanding the charges on their credit card bills, and that is exactly why I stand here today in strong support and I ask my colleagues on the Republican side to join in supporting this bill.

Mr. CAMPBELL of California. Madam Speaker, I continue to reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I recognize the gentleman from North Carolina (Mr. PRICE) for 3 minutes.

Mr. PRICE of North Carolina. Madam Speaker, I rise to engage in a colloquy with the Chair of the subcommittee. I thank her for bringing this bill to the floor and her hard work in protecting the interests of credit card holders.

As the House considers this bill, I want to make this body aware of a related bill I have introduced, along with a number of cosponsors, the Credit Card Repayment Act, H.R. 1510, which would require lenders to give cardholders more information on their monthly statements. For example, how long would it take the consumer to pay off their entire balance making only the minimum monthly payment, and how much would they pay over that time, including principal and interest?

The bill has been endorsed by the Center for Responsible Lending, the

Consumer Federation of America, Consumer Action, and the National Council of La Raza. The bill is not part of the legislation we are considering today, but these kinds of disclosure requirements complement the bill currently on the floor, and they can be a valuable part of our efforts to help protect consumers. I ask the chairwoman to work with me to incorporate these provisions into the legislation as it moves forward.

I would appreciate the chairwoman's response, but I first yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. And I want to thank the gentlewoman from New York and the gentleman from North Carolina. While most credit card holders know it is difficult to pay off the balance while only making the minimum payment, they do not know the actual cost. Consumers have a right to know the true cost of making minimum payments, and I look forward to working with my colleagues to implement these important changes.

Mr. PRICE of North Carolina. I am happy to yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend, the gentleman from North Carolina. I am embarrassed to admit that I have been periodically suggesting this provision since I was on the Banking Committee 18 years ago. It is a deceptive billing practice, and all we are asking is that the consumer know how much they will wind up paying and how long it will take them to pay it. And if they knew they would be paying much more than the original purchase, and they will be paying it for the rest of their lives, they might do the right thing. It would be the right thing for the committee to pass this kind of legislation at the next opportunity.

Mr. PRICE of North Carolina. I yield to the chairwoman of the subcommittee.

Mrs. MALONEY of New York. I thank the gentleman for his comments. I have been a supporter of transparency and fairness for consumers in the financial services area since I came to Congress. I believe consumers should have complete information so they can decide how to manage their money more efficiently and better.

I commend the gentleman from North Carolina for his efforts to provide consumers with robust information, and I would be happy to work with him on including these provisions.

Mr. PRICE of North Carolina. I thank the gentlewoman.

Mr. CAMPBELL of California. Madam Speaker, I yield myself 2 minutes just for a brief response.

In listening to the arguments on the other side, it sounds as though they are debating for changing certain things in credit cards as though we are debating against that. We are not.

What we are here saying is simply that this kind of thing is better done by regulation than it is by proscriptive statute, which is what this bill would do. And actually, it would be more effective in protecting the consumers if there is a regular regulatory process and review and so forth, not just this year but ongoing forward, than if Congress keeps stepping in and interfering with and, in fact, probably slowing down that particular regulatory review and process.

That is what we are talking about here, in addition to the fact that the other very important thing to keep in mind is that we have the availability of this credit going forward given the current crisis in which we find ourselves.

I reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, in response to my good friend's comments, the bill is very close to the rule, and opponents of the bill also oppose the rule. Industry opposes my bill and has filed arguments opposing the rule. The OCC opposes the bill and also opposes the Fed rule. The Federal Reserve and two other regulators support the substance of the bill. The administration opposes provisions of my bill that are identical to the Fed rule.

So it would be one thing if you supported the regulations you so passionately argue we should be waiting for; it is another thing to argue that we should wait for something that those who oppose protecting consumers, giving them information and providing fairness in the contractual agreement between credit card issuers and consumers.

I now yield 2 minutes to my good friend from the great State of Colorado, MARK UDALL, who has been a leader in this debate and has had constituents who have come before the committee to testify. We thank him for his leadership.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

□ 1245

Mr. UDALL of Colorado. I thank the chairwoman for yielding me time, and I rise in strong support of this legislation. The bill's purpose is to require more fair play for people with credit cards.

For many Americans, consumer credit is more than a convenience. They rely on it for everyday needs. And for them it's a necessity. But they aren't always treated fairly by the companies that issue the credit cards that they use.

As the chairwoman pointed out, I've heard from many people in my State of Colorado asking me to help level the playing field. They work to do the right thing and pay their bills on time, and they deserve to be treated in good faith by the credit card companies.

That's the reason I've been working to make some commonsense changes in the rules for credit cards over these last two Congresses. I introduced a bill in 2006, and then reintroduced it again this year. And I'm proud that it won the support of an array of consumer groups, as well as 39 cosponsors from congressional districts across the country.

Most of the provisions in my bill have been included in this bill, H.R. 5244, the Credit Cardholders Bill of Rights. This is a good, solid bill that will bring real reform without arbitrary rate caps or price controls that could backfire and make credit less available.

Now later this week we'll be debating on how to respond to the problems in the credit markets. This debate will focus on a financial market crisis that's brought on, in part, by the reckless practices of lenders who thought the use of complicated financial engineering would make risky loans safe.

Across the country, people worry that we will be too concerned about rescuing the reckless and not concerned enough about fairness for hard working Americans who may be called upon to pay the tab. So it's appropriate, as we prepare for that debate, that we start by acting and bringing greater fairness to the millions of Americans who need and use credit cards.

I urge passage of the bill. I thank the chairwoman again for her leadership on this important measure.

Madam Speaker, as a proud cosponsor of this legislation, I rise in strong support of it as a way to add some common-sense rules to the laws governing issuance of credit cards.

Later this week, we will be debating how to respond to problems in the credit markets. As we all know, that debate will focus on a financial-market crisis brought on, in large part, by reckless practices of lenders who thought the use of complicated financial "engineering" would make risky loans safe.

Understandably, many in Colorado and across the country are concerned that Congress may be too concerned about rescuing those who took excessive risks and not concerned enough about fairness for hard-working American taxpayers who will be called on to pay the tab.

So it is appropriate, as we prepare for that debate, that we start by acting to bring greater fairness to the millions of Americans who need and use credit cards. I have heard from constituents across Colorado, asking me to help even the playing field on this issue.

They benefit from the widespread availability of consumer credit, and their use of that credit has been important to our economy. In fact, for many Americans, consumer credit is more than a convenience. It is something that many people need to use to pay for their everyday needs. For them, it is a necessity.

Of course, another word for credit is debt—and credit card debt has increased considerably in recent years. Overall, during the last decade, total credit-card debt rose by about 70 percent, and this clearly has an effect on consumers.

Some polls have reported that about 70 percent of surveyed families said the quality of their lives is adversely affected by the extent of their debts, and young people are more worried about going deeply into debt than about a terrorist attack.

Some have argued that much of this debt was caused by recklessness and an erosion

of financial responsibility. That was one of the main arguments advanced in support of the recent changes in the bankruptcy laws.

But while there was something to that argument, it was not the whole story and it put too much emphasis on borrowers alone. Instead of just focusing on borrowers, Congress should also do more to promote responsibility by those who provide the credit—and one place to start is with credit card companies.

That's the reason I have been working to make some common-sense changes in the rules for credit card companies.

I first introduced a bill to do that back in 2006, and reintroduced it again last year with our colleague, the gentleman from Missouri, Mr. CLEAVER. I'm proud it won the support of an array of consumer groups as well as 39 cosponsors from Congressional Districts across the country.

Now, I have joined as an original cosponsor of H.R. 5244, the Credit Cardholders' Bill of Rights, which includes many provisions based on my bill.

It includes protection against arbitrary interest rate increases. It will prevent cardholders who pay on time from being unfairly penalized. It will bar excessive fees and will require more fairness in the way payments are handled. And it would prohibit the use of "universal default" clauses—provisions that allow card issuers to impose a new, higher interest rate on a credit card account if there has been any change for the worse in the cardholder's credit score—even if the change is unrelated to the credit card account.

In short, H.R. 5244 is a good, solid bill that will bring real reform without arbitrary rate caps or price controls that could backfire and make credit less available.

It deserves passage today and prompt enactment into law.

Mr. CAMPBELL of California. I reserve the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I yield 2 minutes to LORETTA SANCHEZ, who has been involved in the drafting and the movement of this bill. I congratulate her on her leadership.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I want to thank Mrs. MALONEY of New York for coming up with this, for working with so many of us, because we have heard from so many of the people we represent asking for just some better and fairer types of practices for credit cards. I rise today as a cosponsor of this bill.

While the economic crisis on Wall Street is on the front page of every newspaper, many American families are actually dealing with their own crisis at home, and that is this crisis of how they get credit and how they manage credit.

Credit card debt in the United States has reached a record high, nearly $1 trillion, and unfortunately, many Americans are subjected to these excessive credit card fees and unfair interest rate increases with no warning, among other misleading and questionable tactics.

This legislation today would end practices that would require credit card companies to provide 45 days' notice before interest rate increases, and mailing billing statements 25 calendar days before the due date, instead of only 14.

In addition, this bill would prohibit double cycling billing so that companies cannot charge consumers interest on debt that they actually have already paid on time.

This legislation provides consumers with needed protections, while allowing credit card companies to balance the financial risk of the consumers they lend to. I think that's what's important, that the credit card companies also have to take responsibility for the type of credit risk that they're taking on.

We're talking so much today about credit risks. Well, this is one of the areas that is incredibly important. This has been going on for too long. Credit card companies just give credit to anybody, and they're really not taking the responsibility of what type of risk is there.

We have to protect the access to credit, but we also have to take into account and protect Americans against some of these bad practices.

Mr. CAMPBELL of California. I continue to reserve the balance of my time.

Mrs. MALONEY of New York. May I inquire as to how much time remains.

The SPEAKER pro tempore. The gentlewoman from New York has 8 minutes remaining. The gentleman from California has 15½ minutes remaining.

Mrs. MALONEY of New York. I yield 1 minute to KEITH ELLISON, Congressman ELLISON from Minnesota.

Mr. ELLISON. Madam Speaker, the gentleman from California has made the point that if this bill passes, that interest rates will go up and that credit availability will decline. Is the Congressman saying that credit card companies will retaliate against consumers with higher rates if Congress proscribes practices that even the Fed considers deceptive?

Mr. CAMPBELL of California. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from California.

Mr. CAMPBELL of California. Yes. What I said was that they may. And it would not be a retaliatory basis. It would be because the credit markets are currently in great turmoil. And because they are in great turmoil already, credit is restricting and the rates are going up. That is happening not just with credit card debt, but with car loan debt.

Mr. ELLISON. Reclaiming my time, so for practices the Fed says are deceptive, if they are proscribed, you believe that is something that the credit card companies will react with interest rate increases on consumers for?

Mr. CAMPBELL of California. No. What I am saying is that we should, as I've said——

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

Mr. CAMPBELL of California. Madam Speaker, I yield myself a minute just to respond to that, that what we have here is that the unfair and deceptive practices should stop. The Federal Reserve is probably going to do that. But by stepping in now, they will be considering all of the responses they got, and by the way, the lady from New York mentioned about the credit card companies are against the Federal Reserve proposal. I'm sure they are. But the Federal Reserve will make the decision they believe is right based on the statute which says they are supposed to crack down on those unfair and deceptive practices. And they will do that.

But what we don't want to do is send more messages to the marketplace now that we are stepping in to do things that may include some things that aren't unfair and deceptive, or that may mess with the financial markets because they are very, very fragile at the moment.

I reserve the balance of my time.

Mrs. MALONEY of New York. In response to my good friend and colleague, there is no evidence to support that claim. The argument that this will raise the cost of credit and restrict access to credit is an assertion that has absolutely no basis in fact. We asked the industry, at our six hearings, for some evidence to support this claim, and they had none.

The Federal Reserve and the General Accounting Office have said in reports that there is no evidence to support the argument that these abuses have lowered rates or increased access to credit. And these reports are on my Web site and also on the industry's Web site.

Getting rid of anticompetitive practices will increase access to credit. The Federal Reserve has called these practices anticompetitive. Getting rid of them will not hurt the market. Getting rid of these practices will help competition and increase, not decrease, access to credit.

As I mentioned earlier, we had a roundtable where many of the issuers participated, and some of them voluntarily started following the proposals, voluntarily. And they tried to move to the higher goal standards, and they were turning their backs on these unfair and deceptive practices. But they found that they were losing profit and market share. So we need to level the playing field not only for consumers, but for the industry itself.

I would now like to yield 2 minutes to my distinguished colleague from Connecticut, CHRISTOPHER SHAYS, who is a member of the Financial Services Committee.

Mr. SHAYS. Thank you, Madam Speaker, and to my colleague, CAROLYN MALONEY, for introducing this bill and encouraging me to cosponsor it. I'm grateful I did, and I'm here to encourage its passage.

I rise in support of the Credit Cardholders Bill of Rights.

Loose mortgage underwriting standards and interest rate resets have helped cause the housing market to deteriorate. This could have been avoided

had we acted earlier by establishing reasonable safeguards.

With this legislation, we are acting responsibly, in my judgment, to address a credit problem. In an effort to make credit easily available, credit has been overextended, and many consumers can't afford significant interest rate increases.

Consumers need fair, accurate, and transparent information to make informed choices regarding their credit card company or bank. This legislation gives consumers several long overdue protections, which include preventing sudden interest rate increases on existing loans, stopping the practice of universal default, and ensuring consumers have time to pay their bills.

I hope we synchronize our efforts with the Federal Reserve to set some reasonable limits on consumer credit to protect our economy.

Mr. CAMPBELL of California. I reserve the balance of my time.

Mrs. MALONEY of New York. I yield 1 minute to my colleague, Congressman ELLISON.

Mr. ELLISON. Madam Speaker, thank you again for allowing me to address this final point.

This issue that I put to our colleague and friend, Mr. CAMPBELL, regarding whether or not deceptive practices, practices that have been deemed to be deceptive by the Fed and that are proscribed in this legislation today, whether these things will result in rate increases or lack of availability.

In fact, they will do the opposite, Madam Speaker. They will provide transparency, they'll provide fair rules, and most importantly, they will help to keep good lenders good.

If you have a good lender, a good credit card company who is playing fair and acting ethically, and yet their competitors are allowed to engage in universal default and things like this, the net result will be that they will be at a competitive disadvantage when they don't do these unethical practices, things that the Fed has deemed to be unfair. So it's very important that we keep a nice level playing field and maintain the high standards in the industry.

This is actually a bill that will help the credit card industry because it will send a signal that the rules are fair, even, and ethics are the priority.

Mr. CAMPBELL of California. Madam Speaker, I would like to point out that Fed Governor Randy Kroszner, in testimony, said that he did believe that the regulations promulgated by the Fed would, in fact, raise interest rates for some and restrict credit for some, talking about his own proposed regulations. So there is at least some authoritative belief that that will happen.

I would now like to yield 4 minutes to a member of the Financial Services Committee, the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from California for his leadership, for what he's doing on this bill. He's a remarkable talent, and we're well served by Mr. CAMPBELL.

Madam Speaker, I rise in opposition to this bill that's before this body. Given the current instability in our credit markets and, Madam Speaker, given the pressing need for this United States Congress to focus on the financial services bailout that is now before us, this bill is simply not what the United States Congress should be debating today. In fact, this bill is just another example of how this Congress far too often charges ahead without full contemplation of the consequences of its actions.

In today's global marketplace, Madam Speaker, consumers are paying for products and services more and more with credit and debit cards, rather than with cash payments. It's a completely different way today that we have of doing business. In fact, electronic payments now account for more than half of all consumer purchases here in the United States.

With the increasing role that credit cards play in the everyday lives of most Americans, it's both timely, and appropriate that we update and improve standards to protect those American consumers from unfair and deceptive credit card practices.

I also believe, Madam Speaker, that it's imperative that we improve access to useful, understandable and complete disclosure about the terms and conditions that govern credit card use here in our country.

□ 1300

The Federal Reserve Board has made a proposal. They proposed a rule known as Regulation Z which prescribes uniform methods for computing the cost of credit for disclosing credit terms and for resolving errors on certain types of credit accounts. This proposed rule is virtually identical to H.R. 5244, the Credit Card Holder's Bill of Rights Act of 2008.

While both Regulation Z and this bill are offered with the best of intentions, both could have very serious unintended consequences, and they could pose potentially significant, unnecessary costs on consumers and the United States economy. Goodness knows we don't need that right now.

Madam Speaker, Congress should absolutely allow the Federal Reserve Board's rulemaking process to play out before we rush to codify this proposed rule into law. The public comment periods, the public notice both serve a very important role that I think we all agree that will ensure that this government carefully considers every angle before we jump to regulatory change.

I'm very actually sorry to see the House Financial Service Committee hastily move to implement H.R. 5244 before the rulemaking process even had time to play out. It seems like that's the game now in Washington, DC: rush to judgment. Quick, hasty moves before the public even has time to weigh in. That's not democracy at its best, Madam Speaker, because this action shut out the comments of consumers. It shut out nonprofit organizations. It shut out industry representatives. It's certainly not in the best interests of credit card holders.

We all know that when Congress moves too quickly and bypasses important parts of the process, that it often does more harm than good. Take a look at this week. Take a look at what we're about to do: put the American consumer on the hook for almost another trillion dollars in bad debt.

This Congress has a responsibility to the people that we serve and to businesses to analyze this proposal's overall effectiveness and the effect on the cost of credit and market liquidity. Let's remember, the underlying, underpinning of this current crisis is the lack of liquidity. In other words, money into the marketplace. And that's very true today.

Ironically, the premise of this new $700 billion bailout is to restore that form of liquidity.

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

Mr. CAMPBELL of California. I would like to yield the lady 1 more minute.

Mrs. BACHMANN. Why would Congress dismiss outside input from the experts? Are we so smart that we don't need that outside input? I think experience proves otherwise, Madam Speaker. Should we not hear from those who are impacted most from these stressful times? We are imprudent, to say the least, if we do not allow for that comment.

I could not support this bill, Madam Speaker, when it moved out of committee because it was imprudent to jump ahead; and given this new instability that's broke out in the last 2 weeks, I absolutely in good conscience cannot support this measure now. Congress should exercise prudence—wouldn't that be a novel idea?—and allow the Federal Reserve Board to finalize this proposal before we codify it with a vote of Congress.

I want to thank you, Madam Speaker. I want to thank the gentleman for his absolutely supreme work that he's doing on this bill.

Mrs. MALONEY of New York. In response to my good friend on the other side of the aisle, this has not been a rush to judgment. Democrats have been working on this bill for well over 2 years. My subcommittee has held 6 hearings, numerous meetings, roundtable discussions with consumers and issuers. The gentlelady claims that Reg Z is the bill. Reg Z is not at all the same as this bill. Reg Z from the Federal Reserve deals just with disclosure, and the Federal Reserve has said disclosure is not enough. They have called the practices unfair, deceptive, and anti-competitive, and have come forward with recommendations that, in many ways, resemble the bill that is before us today.

I reserve the balance of my time.

Mr. CAMPBELL of California. Madam Speaker, may I inquire as to how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 10 minutes remaining. The gentlewoman from New York has 2 minutes remaining.

Mr. CAMPBELL of California. Madam Speaker, I would like to yield 5 minutes to the gentleman from Texas (Mr. HENSARLING), also a member of the Financial Services Committee.

Mr. HENSARLING. I thank the gentleman for yielding. I thank him for his leadership.

I certainly understand the intent and the purpose of the gentlelady's bill, and her intent is good. Unfortunately, I believe the policy is bad.

It is entitled the Credit Card Bill of Rights Act. I fear, if enacted, it will prove to be a ''credit card bill of wrongs'' for credit card holders all over America. I view it as a most decisively anti-consumer piece of legislation.

Madam Speaker, I believe that this piece of legislation helps turn back the clock to a different era in America where there is little competition for credit cards, where a third fewer Americans had access to credit cards which so many now view as a necessity of everyday economic life. Those people in this previous era who did have credit cards universally paid a high, high interest rate.

I believe this bill also represents another assault on our personal economic freedoms and will exacerbate the credit crunch that we see today. Why would we want to bring a bill to the floor that could make credit even less accessible and more expensive at a time when Americans are struggling to pay their bills?

This bill ultimately would limit the ability in some instances to charge interest; it would limit the ability in some respects to change terms; limit the ability to impose certain late fees; limit the ability to impose over-the-limit fees. Essentially, it erodes what we call risk-based pricing.

And what has risk-based pricing and competition brought us? Number one, what we have seen is where interest rates used to be in the 20 percent range, they have now fallen below the 15 percent range. We have seen a virtual disappearance in our entire economy of the dreaded annual fees, which typically most cards had charged anywhere from $20 to $50. We have seen a flowering, a myriad of benefits that are now available from product protection to free plane tickets because of the competition, and an unprecedented surge in credit card use from under 300 million a day to almost 700.

Credit cards are just an absolutely vital tool for the small business in America, which is the job engine in our Nation. Madam Speaker, I hear from a lot of hardworking small business people in my district, the Fifth Congressional District of Texas that I am proud to represent. I hear from the Mayhall family that runs a small business in Athens, Texas. They write, ''Dear Congressman. I run a small business, and I do not have very good credit. I have four credit cards which have very low limits. I try not to use them very often, but sometimes the cash flow isn't there, and I have to have something for my business. Without access to this credit, I would not be able to purchase the items for my business when I need it.

''Please do not make it more difficult for me to run my business. I have enough problems.''

I don't want to tell the Mayhall family of Athens, Texas, that maybe their small business just won't have access to one of those credit cards any more. I don't want to have to tell them that they may have to pay more. That simply isn't right.

Now I don't come here today to defend credit card companies and all of their practices. There is one certain credit card company that my wife and I just refuse to do business with. We don't like them. We've changed our main credit cards several times because we didn't like some of the provisions. But we had that choice, Madam Speaker. We had that choice in a competitive economy.

We should also mention a phrase that is rarely used in the Halls of Congress, and that is ''individual responsibility.'' We all bear some individual responsibility for knowing what is in our credit card bills.

Now listen. If we don't know what the terms are, either, one, we've been misled by a credit card company—and, Madam Speaker, it happens. There are some misleading and fraudulent practices, and they need to be cracked down on. That's why we have the Truth in Lending Act, that's why we have the Unfair and Deceptive Practices Act, that's why we have the Fair Debt Collections Practices Act, the Fair Credit Billing Act, and others.

Another reason that we don't know the terms, Madam Speaker, is because we didn't read them, in which case we have ourselves to blame. Another reason that people don't know their terms is because they're incomprehensible. We can't understand them because of too many crazy government mandates that give us voluminous disclosure written in legalese as opposed to effective disclosure written in English.

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

Mr. CAMPBELL of California. I yield the gentleman 1 more minute.

Mr. HENSARLING. Madam Speaker, again, don't take my word for it, but the nonpartisan Congressional Research Service has written that if restrictive proposals like these were to become law, ''credit card issuers could also respond in a variety of ways. They may increase loan rates across the board on all borrowers, making it more expensive for both good and delinquent borrowers to use revolving credit. Issuers may also increase minimum monthly payments, reduce credit limits, or reduce the number of credit cards issued to people with impaired credit.''

Madam Speaker, we have seen a similar piece of legislation across the pond in the U.K. Britain decided that credit card default fees were too high. They ordered credit card issuers to cut them or face legal action, and guess what happened? Two of the three biggest issuers imposed annual fees on their credit card holders, 19 have raised interest rates, and we have seen studies that 60 percent of new credit applicants are being rejected. I don't want to repeat that experience in the United States of America in the midst of a credit crunch.

We should reject this legislation.

Mrs. MALONEY of New York. Madam Speaker, I have no further speakers. Does the gentleman from California have any further speakers?

Mr. CAMPBELL of California. I have one more speaker, a repeat speaker, and then I am prepared to close after that.

I would like to yield 2 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I again thank the gentleman from California for yielding.

I would like to take up a couple of points that the sponsor of the bill raised.

One is the credit card companies in general oppose what is happening at the Federal Reserve and thereby also oppose her legislation which is here. That may be accurate to a degree, but there are a couple of factors in this. One is that many of the better credit card companies—''better'' being the ones that are paying attention to the practices—have already made a number of the changes proposed both by the Federal Reserve and what is in this legislation.

Secondly, I certainly support the concepts of this legislation as well as support what has been recommended in the unfair and deceptive practices rule which hopefully will get even better with the 50,000-plus comments that will come out here again in the fall. I think that's a matter of good consumer adjustment that needed to be made.

I also hope that consumers in general will understand the significance of understanding what they're dealing with. What bothers me sometimes is people don't understand all of their practices, but we need to make sure it's clear before them. And so I, and I think many others on this side and even some of the better credit card companies, would be very supportive of a lot of these changes which are being made.

The other thing that concerns me somewhat is the statement that there is no evidence that this legislation may raise the cost of credit. That may be a correct statement. But I think it is also correct to say there is no evidence that it will not raise the cost of credit. I think that's a logical conclusion. If

you take away money in one way or another, they're going to have to make up for it, and they're probably going to do that by looking at fees charged, interest rates, or whatever it may be.

My bottom line is you are probably going to see increases if indeed the changes as proposed in this legislation are made.

Again, I would urge the bill to be withdrawn. I don't expect it today, but I would urge the bill to be withdrawn so we can allow the Federal Reserve to make its opinions known and then proceed from there.

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

The gentleman from California is recognized for 2 minutes.

Mr. CAMPBELL of California. Madam Speaker, for the reasons we have articulated, this is not the way to do this, nor is it the time to do it. This bill is very well intentioned, and I applaud my colleague from New York for her commitment to this issue and, frankly, for her tenacity with this issue.

But this bill, make no mistake, will not help consumers. It will hurt consumers. Unfair and deceptive practices will be dealt with on a regulatory basis as they should be by the Federal Reserve. And then hopefully this Congress will act this week in a bipartisan and reasoned manner to try and deal with the financial crisis so that credit availability for people is continued and assured. And then we can deal with this continuing issue, and it will be a continuing issue without the current environment of the potential shutdown of credit to availability. It is not the way. It is not the time to do this.

I urge a ''no'' vote.

I yield back the balance of my time.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 2 minutes.

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Mrs. MALONEY of New York. Madam Speaker, I would like to respond to my good friend and colleague on the other side of the aisle, Mr. CASTLE, for whom I have great respect, and we have worked together productively in many ways. If you support these reforms, as you have so stated, then you should vote for them, and you should not vote for delay and weakening by waiting for some action that may happen in the future. If you support these reforms that have been called unfair and deceptive, then I hope you will join us in a bipartisan effort to correct the system.

Now many of my colleagues on the other side of the aisle have said that we should not act. But how in the world can we not act now? We are providing a $700 billion rescue for banks. How can we not provide basic fairness to consumers and some help and rescue to Main Street?

These practices have been called by the Fed unfair and deceptive and anticompetitive. We are helping consumers and the market by getting rid of them. The current situation makes it more urgent that we do so, not less.

Many, many people worked long and hard on this bill, and I would like to first and foremost thank the chairman of this committee, BARNEY FRANK, for his consistent support and input; the 155 cosponsors of this legislation; other members of the Financial Services Committee that took a leadership role, KEITH ELLISON, EMANUEL CLEAVER, LINCOLN DAVIS; also MARK UDALL, PETER WELCH, and LOUISE SLAUGHTER for their leadership on the issue; WALTER JONES and CHRIS SHAYS who were supportive from the beginning; the many consumer groups without whom we could not have gotten the broad base of support for this legislation; the labor unions, the AFL–CIO, especially the SCIU, which made this a top priority, civil rights groups; and certainly, the staff: my own staff, Eleni Constantine and Edward Mills, who have poured their heart and intelligence into this effort for 2 years; and the staff of the full committee, Michael Beresik, Patience Singleton, Charles Yi and Rick Maurano. Thank you for your efforts.

I urge very, very strong support for this long overdue reform.

Mr. LANGEVIN. Madam Speaker, I rise in strong support of H.R. 5244, the Credit Cardholders' Bill of Rights Act. As a cosponsor of this legislation, I believe it is a sensible approach to reforming major credit card abuses and improving consumer protections for cardholders.

Credit cards have become an integral part of the American economy, offering consumers instant access to a convenient, flexible source of financing. Unfortunately, more and more Americans are turning to their credit cards to help pay medical and utility bills, buy groceries, and make ends meet in this troubled economy. Credit card debt now consumes a sizeable portion of the average family's income. To make matters worse, the playing field between card companies and consumers has become very one-sided in recent years. A credit card agreement is a contract between a card company and a cardholder, but these companies have taken advantage of their customers with deceptive billing practices and hidden fees. Meanwhile, money that families are forced to devote to these unfair rates and charges is money that is not being spent on goods and services that could help bolster our struggling economy.

Cardholders deserve more bargaining power, and the Credit Cardholders' Bill of Rights Act helps level the playing field. Cardholders are entitled to accurate information and the right to make decisions about their own credit. This bill will ban interest rate increases on an existing balance unless the borrower is 30 days overdue and require card companies to give cardholders notification 45 days before any interest rate increase. This legislation also protects vulnerable consumers from fee-heavy subprime cards and prohibits issuing cards to minors. H.R. 5244 would also ban ''universal default'', where a card company raises the interest rate on one card if the cardholder misses a payment on a separate credit card or their credit score lowers. All of the provisions in this bill are the result of careful study and analysis over the past year, and I believe this deliberative approach has produced a very balanced and moderate bill.

Madam Speaker, instead of looking the other way while Americans fall deeper into debt, Congress must protect their financial interests and put an end to the tricks and traps made by credit card companies that undermine a competitive market. The balanced reforms in the Credit Cardholders' Bill of Rights will help do just that, while also helping to foster fair competition and the values of the free market. I encourage all my colleagues to vote for H.R. 5244.

Mr. DINGELL. Madam Speaker, I am proud to be an original cosponsor of the Credit Cardholders' Bill of Rights Act of 2008, which will ban some of the worst credit card industry practices, provide important protections for consumers, and implement important reforms that will benefit working families.

The events of the past week have highlighted the problems caused by a lack of transparency and regulatory oversight in the financial industry. The same problems that have caused the current crisis on Wall Street also plague the credit card industry. Millions of Americans are struggling with the increased costs of groceries, gasoline, healthcare expenses, and other essential goods and services, while at the same time the average American worker has actually experienced a decline in real wages since President Bush took office. Many of these families are stretched thin, and have had to use credit cards to finance unforeseen expenses such as car repairs, or emergency room bills. Far too often these families are being forced to pay unfair late fees and arbitrary rate increases, or are being taken advantage of by high-fee subprime lenders.

The legislation before us today requires nothing more from the credit card companies than to treat customers who pay their bills on time fairly. Sadly, the credit card industry has increasingly resorted to unfair practices to exact late fees and higher interest charges from credit cardholders. In fact penalties have increased by more than 50 percent during the Bush Administration, and now make up more than half of the industry's $40 billion profits.

For example, this legislation will end the practice known as ''universal default,'' where a credit card company uses information about a cardholder's financial status, such as a change in his or her credit rating, to raise the cardholder's interest rate even though the cardholder has not defaulted or made any late payments to the credit card company. The bill will also ban what is known as ''double cycle billing,'' which is the collection of interest on amounts already paid. H.R. 5244 will also offer cardholders the right to cancel a card when faced with a rate increase so long as he or she agrees to pay off the existing balance at the rate they agreed to when they borrowed it.

This legislation is an important step towards reining in some of the worst excesses of the Bush administration's hands-off approach to the financial industry. I encourage my colleagues to support H.R. 5244, and protect consumers from further abuse against the most unscrupulous credit card industry practices.

Mr. BLUMENAUER. Madam Speaker, I opposed the 2005 Bankruptcy Act in part because of its egregious support for abusive credit card practices. H.R. 5244 works to

knock down some of those supports. This bill represents one step toward fixing some of the worst aspects of that bankruptcy bill and one step towards resolving the challenges facing our nation's consumers and I support it.

It is outrageous that as the financial crisis has spread, credit card companies have imposed higher delinquency fees. Double-cycle billing, unfair penalties, and arbitrary rate increases likely are also part of the credit card industry's response.

This bill would put a stop to many of the most egregious practices by credit card companies. This bill ends ''double-cycle billing,'' where consumers pay interest and fees even where they have paid their obligation fully and on time. This bill also requires that cards allocate consumer payments proportionally to debt carrying different interest rates—rather than allocating the payment to the debt carrying the lowest interest rate.

In short, I support this bill because it provides added protections for consumers, and I will continue to work to end abusive credit card and bankruptcy practices.

Ms. HERSETH SANDLIN. Madam Speaker, the House is considering today the Credit Cardholders' Bill of Rights. I believe it is critically important to ensure fairness and transparency for consumers engaged in credit card transactions, and I support many of the commonsense provisions included in this bill designed to prevent unfair and deceptive practices.

However, while ensuring basic consumer protections, we should also consider the full implications of potential new regulation for consumers. I have joined with the other members of the South Dakota delegation in expressing our concerns on this subject to the regulatory agencies that are already fully engaged in crafting new credit card regulations addressing many of the same issues addressed in this legislation.

We are concerned that, if enacted, this legislation would prohibit issuers of nonprime credit cards from charging deposits or fees to the card for the issuance of credit. Although well intentioned, this provision could have the unintended consequence of unnecessarily limiting credit for many of the more than 70 million consumers who are considered nonprime, and for whom subprime credit cards may be the only available source of credit. In a time of economic instability and decreasing credit availability, it is essential to consider the full potential impact of limiting access to credit.

Furthermore, the Federal Reserve Board of Governors and other agencies with significant expertise in this area are already working to implement new credit card regulations targeting many of the same practices this legislation seeks to address. These regulations are expected to be finalized before the end of this year and will reflect over 50,000 comment letters received by these agencies from consumers and representatives of the financial service industry. It should also be recognized that many issuers of credit cards have already initiated good faith steps to impose greater fairness, transparency and consumer protections in their industry.

For these reasons, while I fully support the goal of ensuring fairness in the credit card industry and protecting consumers from unfair and deceptive practices, I cannot support today's bill, which I believe should be improved before being passed by the House. As the legislative and regulatory processes progress, I will continue to work to ensure Congress fully considers the potential effect of these provisions on millions of consumers.

Mr. BACA. Madam Speaker, I rise as a proud cosponsor of the H.R. 5244, Credit Card Holder's Bill of Rights.

Access to fair and affordable credit cards is important for families entering the financial market for the first time, as well as those that rely on cards in times of financial emergency.

Credit card reform is vital to the Latino community.

Like most Americans, Latino families rely on credit to help them manage their monthly finances and purchase assets that will move them firmly into the middle-class.

Currently, 22 percent of Latinos do not have enough credit information available to generate a credit score, and more than one-third do not maintain traditional banking or savings accounts.

Because creditors generally rely on automated data mining, the fact that Latinos and immigrants are less likely to have robust credit files leaves them at a disadvantage.

As a result, issuers do not solicit our communities with their best priced credit cards. Instead, they offer high fee cards, with higher rates, and engage in other practices that regularly trap families in cycles of debt.

The Latino community is often targeted by ''affinity'' cards, cards that claim to be looking out for Latinos, but end up taking their money as an advanced loan scam, leaving consumers with no credit history and more fees than the card is worth.

Shopping for safe credit cards has become impossible, with mail solicitation rates rising 30 percent since 2006.

According to a Federal Trade Commission survey, 14.3 percent of Hispanics are victims of credit fraud, compared to 6.4 percent of non-Hispanic Whites.

Therefore, Latinos are hard hit by unfair credit card industry practices. Hispanic credit card users are more likely to be struggling to manage their debt, and are more susceptible to adverse industry practices.

Common abusive practices such as universal default, retroactive fees, no advance notice of changes in terms, and double-cycle billing make it hard for families playing by the rules to get ahead.

The Credit Card Holder's Bill of Rights, H.R. 5244, is important to Latinos and families across America for many reasons.

H.R. 5244 stops credit cards from changing their terms arbitrarily—instead, the bill requires up-front disclosures of all reasons for an increase in fees or changes in contract terms.

H.R. 5244 requires card companies to apply consumer payments to the highest interest balances first, making payments proportional and fair. Currently, many credit card companies apply payments first to lower-rate balances, preventing consumers from paying-off higher interest rate balances until the lowest rates are paid-off. This practice creates a situation where fees and finance charges accrue on the higher-cost balances, beginning a cycle of debt for many families.

H.R. 5244 stops universal default. Universal default is an unfair practice of many card companies, in which a consumer's rates can retroactively increase on a card that they have a perfect payment record with, if they have a decline in their credit score, or issues with an unrelated credit card. Minimum monthly payments can skyrocket, affecting a family's ability to successfully manage their debt and maintain financial stability.

H.R. 5244 ends unfair late fees on payments that were received on-time. Clearly outlined due dates that can not arbitrarily change will be made explicit to the consumer and companies must mail bills 25 days before their due dates.

The complaints of over 30,000 Americans have flooded the Federal Reserve Board in the last 2 months, urging the Board to make their recent credit card proposals permanent. H.R. 5244 will codify the Board's recent proposals so that they cannot be weakened. Congress can send a strong message of approval to the Board, encouraging them not to weaken their proposed protections for the American consumer.

I urge my colleagues to support this bill.

Mr. VAN HOLLEN. Madam Speaker, I am proud to stand, as an original sponsor, in strong support of the Credit Cardholders' Bill of Rights Act of 2008, a bill to prohibit creditors from using adverse information about a consumer or his credit as the basis for increasing his interest rate or fees.

Even in the best economic times, unexpected credit card fees can make it difficult for many strapped consumers to stay afloat. In the worst of times, these fees can push them over the edge into bankruptcy. For Americans struggling to keep pace with rising food costs and falling home values, this legislation equips consumers with significant new powers to help protect them from punitive credit card rate charges and fees.

The bill requires advance notice of credit card account rate increases and prohibits companies from imposing interest on credit repaid within the interest-free repayment time period.

The bill authorizes a consumer who receives a notice about a rate change to cancel the credit card without penalty or the imposition of any fee and allows consumers to pay any outstanding balance that accrued before the effective date of the rate increase.

The bill also authorizes a consumer to opt-out of over-the-limit fee programs and imposes restrictions on the frequency of over-the-limit fees.

Madam Speaker, this important bill comes before this House at an important time for American consumers. Our constituents need these protections. I urge my colleagues to join me in support of this bill.

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

Pursuant to House Resolution 1476, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CASTLE. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CASTLE. Yes, in its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Castle moves to recommit the bill H.R. 5244 to the Committee on Financial Services with instructions to report the same back to the House promptly with the following instructions:

Page 26, after line 9, insert the following new section:

SEC. 9. TRIGGER FOR ENACTMENT.

No provision of the Act shall take effect until a study to be completed by the Board of Governors of the Federal Reserve System makes a determination that the provisions of the Act will not result in a reduction in the availability of credit covered by this Act to small businesses, veterans, or minorities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware is recognized for 5 minutes in support of his motion.

Mr. CASTLE. Madam Speaker, I hope that we listened to the motion carefully. It pertains to the issue that's been raised a couple times in the discussion, the matter of credit.

And what we are simply trying to do in this is to make sure that there is not a reduction in the availability of credit covered by this act to certain groups, small businesses, veterans or minorities. There is a concern that as you start to make some of these shifts that you could have a credit increase, and even though the committee held several hearings on the bill before us today, not a single witness could reassure the committee that this bill would not result in a reduction of credit.

Given the current state of our financial system with available credit staying locked up on the sidelines, credit cards are becoming increasingly important to make ends meet for seniors, small businesses, and average Americans.

Should this bill be signed into law without an appropriate effort to evaluate the impacts, Congress will have been an accomplice to the reduction in credit.

This motion to recommit simply asks the Federal Reserve to study the effects of the bill, and if the conclusion is that this will damage our economy and reduce credit, then we would not enact these sweeping provisions.

There are more than 4 million minority-owned small businesses in America. SBA data shows that some 15 percent of the capital used to open a minority-owned small business comes from the use of credit cards. There are nearly 10.4 million firms owned by women employing 12.8 million people. However, these women-owned businesses had to make an average of four attempts to obtain bank loans or lines of credit and 22 attempts to obtain equity capital. So clearly the need is there.

Eleven percent of the capital for women-owned businesses comes from the use of credit cards. What if that number is reduced or eliminated due to a provision in the bill? The economy obviously would take a direct hit.

I would also point out in closing, Madam Speaker, that this hopefully is a motion to recommit that could be supported by everybody, even those in favor of the legislation, on the basis that we need to establish whether or not there's going to be a credit hit with respect to all this before such legislation would go into place.

I would encourage support from all the Members of the House for the motion to recommit.

I yield back the balance of my time.

Mrs. MALONEY of New York. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Mrs. MALONEY of New York. Madam Speaker, I would like to ask the gentleman on the other side of the aisle if he would be open to a UC change to change the term ''promptly'' in the bill to ''forthwith.'' If this UC is agreed to, I would support it and accept the motion.

I yield to the gentleman from Delaware.

Mr. CASTLE. At this time, we will not accept the suggestion. I appreciate the kind offer, however, of the sponsor.

Mrs. MALONEY of New York. Then regretfully I oppose your motion to recommit because it would effectively kill the bill because we are in the last week of session, and it is yet another delay tactic. If this was a serious concern, you would have raised this in the committee, and it is obviously just another effort to kill the bill.

We are being called upon to help Wall Street. We should also help Main Street, and I would urge my colleagues to understand that this bill has been supported not only by 155 of their colleagues but over 52 major publications across this country in editorials or op-eds, every single consumer organization in this country, and three of the regulators, including the Federal Reserve.

Rarely are my colleagues on the other side of the aisle given an opportunity to vote against stopping unfair, deceptive, and anticompetitive practices that have been endorsed and called upon by many in this country to stop.

I urge a ''no'' vote on this motion to recommit. It is an effort to kill the bill. It is an effort not to help consumers, and it is an effort that would roll us backwards. They say they're for it. Well, we're giving them an opportunity to vote for consumers with this bill.

I urge a ''no'' vote on the motion to recommit. It kills the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. CASTLE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend on H.R. 6897.

The vote was taken by electronic device, and there were—yeas 198, nays 219, not voting 16, as follows:

[Roll No. 622]

YEAS—198

Aderholt
Akin
Alexander
Altmire
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Childers
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Inglis (SC)
Issa
Johnson (IL)
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NAYS—219

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro

Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Gillibrand
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—16

Bachmann
Braley (IA)
Cooper
Cubin
Davis, Lincoln
Feeney
Gordon
Hulshof
Hunter
Johnson (GA)
Johnson, Sam
Musgrave
Neugebauer
Pryce (OH)
Reyes
Weller

□ 1345

Messrs. ACKERMAN and DOYLE and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Messrs. GALLEGLY, BURTON of Indiana, WELDON of Florida, FLAKE, CANNON, MILLER of Florida, KING of New York, YOUNG of Alaska and Mrs. DRAKE changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. WELLER of Illinois. Madam Speaker, on rollcall No. 622, I was inadvertently detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. MALONEY of New York. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 312, noes 112, not voting 9, as follows:

[Roll No. 623]

AYES—312

Abercrombie
Ackerman
Aderholt
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, David
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Forbes
Foster
Frank (MA)
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Goode
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—112

Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Brady (TX)
Broun (GA)
Burton (IN)
Calvert
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Davis (KY)
Davis, Tom
Deal (GA)
Doolittle
Dreier
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gingrey
Gohmert
Goodlatte
Granger
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hobson
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
King (NY)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Latham
Latta
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McHenry
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Nunes
Paul
Pearce
Pence
Pitts
Poe
Price (GA)
Putnam
Reynolds
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shuster
Smith (NE)
Smith (TX)
Souder
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Walberg
Weldon (FL)
Westmoreland
Wilson (SC)

NOT VOTING—9

Braley (IA)
Cooper
Cubin
Davis, Lincoln
Gordon
Hulshof
Neugebauer
Pryce (OH)
Reyes

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1358

Messrs. BOOZMAN, McCAUL of Texas, and PICKERING changed their vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FILIPINO VETERANS EQUITY ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 6897, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. FILNER) that the House suspend the rules and pass the bill, H.R. 6897, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 23, not voting 18, as follows:

[Roll No. 624]

YEAS—392

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

NAYS—23

Akin
Broun (GA)
Buyer
Campbell (CA)
Coble
Davis, David
Deal (GA)
Duncan
Everett
Flake
Foxx
Gingrey
Goode
Goodlatte
Kingston
Lamborn
Mica
Price (GA)
Scalise
Stearns
Taylor
Weldon (FL)
Westmoreland

NOT VOTING—18

Braley (IA)
Cooper
Cubin
Cummings
Davis, Lincoln
Dingell
Doggett
Gonzalez
Gordon
Hulshof
Neugebauer
Obey
Pryce (OH)
Radanovich
Reyes
Rush
Stark
Velázquez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1405

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BRALEY of Iowa. Mr. Speaker, on rollcall 622, the motion to recommit H.R. 5244, the Credit Cardholders Bill of Rights Act of 2008, I was not present. If I had been there, I would have voted ''nay.''

On rollcall 623, on passage of H.R. 5244, the Credit Cardholders Bill of Rights Act of 2008, I was not present. If I had been there, I would have voted ''aye.''

On rollcall 624, H.R. 6897, the Filipino Veterans Equity Act 2008, I was not present. If I had been there, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. NEUGEBAUER. Mr. Speaker, due to a family matter, I was absent for the following rollcall votes held September 22 and September 23, 2008. Had I been present, I would have voted as indicated for each rollcall listed: rollcall vote 616: ''nay,'' rollcall vote 617: ''nay,'' rollcall vote 618: ''yea,'' rollcall vote 619: ''nay,'' rollcall vote 620: ''no,'' rollcall vote 621: ''yea,'' rollcall vote 622: ''yea,'' rollcall vote 623: ''no,'' rollcall vote 624: ''yea.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on the postponed questions will be taken later.

PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6983) to amend section 712 of the Employee Retirement Income Security Act of 1974, section 2705 of the Public Health Service Act, and section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6983

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008''.

SEC. 2. MENTAL HEALTH PARITY.

(a) AMENDMENTS TO ERISA.—Section 712 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185a) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) FINANCIAL REQUIREMENTS AND TREATMENT LIMITATIONS.—

''(A) IN GENERAL.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health or substance use disorder benefits, such plan or coverage shall ensure that—

''(i) the financial requirements applicable to such mental health or substance use disorder benefits are no more restrictive than the predominant financial requirements applied to substantially all medical and surgical benefits covered by the plan (or coverage), and there are no separate cost sharing requirements that are applicable only with respect to mental health or substance use disorder benefits; and

''(ii) the treatment limitations applicable to such mental health or substance use disorder benefits are no more restrictive than

the predominant treatment limitations applied to substantially all medical and surgical benefits covered by the plan (or coverage) and there are no separate treatment limitations that are applicable only with respect to mental health or substance use disorder benefits.

''(B) DEFINITIONS.—In this paragraph:

''(i) FINANCIAL REQUIREMENT.—The term 'financial requirement' includes deductibles, copayments, coinsurance, and out-of-pocket expenses, but excludes an aggregate lifetime limit and an annual limit subject to paragraphs (1) and (2).

''(ii) PREDOMINANT.—A financial requirement or treatment limit is considered to be predominant if it is the most common or frequent of such type of limit or requirement.

''(iii) TREATMENT LIMITATION.—The term 'treatment limitation' includes limits on the frequency of treatment, number of visits, days of coverage, or other similar limits on the scope or duration of treatment.

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan with respect to mental health or substance use disorder benefits (or the health insurance coverage offered in connection with the plan with respect to such benefits) shall be made available by the plan administrator (or the health insurance issuer offering such coverage) in accordance with regulations to any current or potential participant, beneficiary, or contracting provider upon request. The reason for any denial under the plan (or coverage) of reimbursement or payment for services with respect to mental health or substance use disorder benefits in the case of any participant or beneficiary shall, on request or as otherwise required, be made available by the plan administrator (or the health insurance issuer offering such coverage) to the participant or beneficiary in accordance with regulations.

''(5) OUT-OF-NETWORK PROVIDERS.—In the case of a plan or coverage that provides both medical and surgical benefits and mental health or substance use disorder benefits, if the plan or coverage provides coverage for medical or surgical benefits provided by out-of-network providers, the plan or coverage shall provide coverage for mental health or substance use disorder benefits provided by out-of-network providers in a manner that is consistent with the requirements of this section.'';

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health or substance use disorder benefits, as affecting the terms and conditions of the plan or coverage relating to such benefits under the plan or coverage, except as provided in subsection (a).'';

(3) in subsection (c)—

(A) in paragraph (1)(B)—

(i) by inserting ''(or 1 in the case of an employer residing in a State that permits small groups to include a single individual)'' after ''at least 2'' the first place that such appears; and

(ii) by striking ''and who employs at least 2 employees on the first day of the plan year''; and

(B) by striking paragraph (2) and inserting the following:

''(2) COST EXEMPTION.—

''(A) IN GENERAL.—With respect to a group health plan (or health insurance coverage offered in connection with such a plan), if the application of this section to such plan (or coverage) results in an increase for the plan year involved of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan (as determined and certified under subparagraph (C)) by an amount that exceeds the applicable percentage described in subparagraph (B) of the actual total plan costs, the provisions of this section shall not apply to such plan (or coverage) during the following plan year, and such exemption shall apply to the plan (or coverage) for 1 plan year. An employer may elect to continue to apply mental health and substance use disorder parity pursuant to this section with respect to the group health plan (or coverage) involved regardless of any increase in total costs.

''(B) APPLICABLE PERCENTAGE.—With respect to a plan (or coverage), the applicable percentage described in this subparagraph shall be—

''(i) 2 percent in the case of the first plan year in which this section is applied; and

''(ii) 1 percent in the case of each subsequent plan year.

''(C) DETERMINATIONS BY ACTUARIES.—Determinations as to increases in actual costs under a plan (or coverage) for purposes of this section shall be made and certified by a qualified and licensed actuary who is a member in good standing of the American Academy of Actuaries. All such determinations shall be in a written report prepared by the actuary. The report, and all underlying documentation relied upon by the actuary, shall be maintained by the group health plan or health insurance issuer for a period of 6 years following the notification made under subparagraph (E).

''(D) 6-MONTH DETERMINATIONS.—If a group health plan (or a health insurance issuer offering coverage in connection with a group health plan) seeks an exemption under this paragraph, determinations under subparagraph (A) shall be made after such plan (or coverage) has complied with this section for the first 6 months of the plan year involved.

''(E) NOTIFICATION.—

''(i) IN GENERAL.—A group health plan (or a health insurance issuer offering coverage in connection with a group health plan) that, based upon a certification described under subparagraph (C), qualifies for an exemption under this paragraph, and elects to implement the exemption, shall promptly notify the Secretary, the appropriate State agencies, and participants and beneficiaries in the plan of such election.

''(ii) REQUIREMENT.—A notification to the Secretary under clause (i) shall include—

''(I) a description of the number of covered lives under the plan (or coverage) involved at the time of the notification, and as applicable, at the time of any prior election of the cost-exemption under this paragraph by such plan (or coverage);

''(II) for both the plan year upon which a cost exemption is sought and the year prior, a description of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan; and

''(III) for both the plan year upon which a cost exemption is sought and the year prior, the actual total costs of coverage with respect to mental health and substance use disorder benefits under the plan.

''(iii) CONFIDENTIALITY.—A notification to the Secretary under clause (i) shall be confidential. The Secretary shall make available, upon request and on not more than an annual basis, an anonymous itemization of such notifications, that includes—

''(I) a breakdown of States by the size and type of employers submitting such notification; and

''(II) a summary of the data received under clause (ii).

''(F) AUDITS BY APPROPRIATE AGENCIES.—To determine compliance with this paragraph, the Secretary may audit the books and records of a group health plan or health insurance issuer relating to an exemption, including any actuarial reports prepared pursuant to subparagraph (C), during the 6-year period following the notification of such exemption under subparagraph (E). A State agency receiving a notification under subparagraph (E) may also conduct such an audit with respect to an exemption covered by such notification.'';

(4) in subsection (e), by striking paragraph (4) and inserting the following:

''(4) MENTAL HEALTH BENEFITS.—The term 'mental health benefits' means benefits with respect to services for mental health conditions, as defined under the terms of the plan and in accordance with applicable Federal and State law.

''(5) SUBSTANCE USE DISORDER BENEFITS.—The term 'substance use disorder benefits' means benefits with respect to services for substance use disorders, as defined under the terms of the plan and in accordance with applicable Federal and State law.'';

(5) by striking subsection (f);

(6) by inserting after subsection (e) the following:

''(f) SECRETARY REPORT.—The Secretary shall, by January 1, 2012, and every two years thereafter, submit to the appropriate committees of Congress a report on compliance of group health plans (and health insurance coverage offered in connection with such plans) with the requirements of this section. Such report shall include the results of any surveys or audits on compliance of group health plans (and health insurance coverage offered in connection with such plans) with such requirements and an analysis of the reasons for any failures to comply.

''(g) NOTICE AND ASSISTANCE.—The Secretary, in cooperation with the Secretaries of Health and Human Services and Treasury, as appropriate, shall publish and widely disseminate guidance and information for group health plans, participants and beneficiaries, applicable State and local regulatory bodies, and the National Association of Insurance Commissioners concerning the requirements of this section and shall provide assistance concerning such requirements and the continued operation of applicable State law. Such guidance and information shall inform participants and beneficiaries of how they may obtain assistance under this section, including, where appropriate, assistance from State consumer and insurance agencies.'';

(7) by striking ''mental health benefits'' and inserting ''mental health and substance use disorder benefits'' each place it appears in subsections (a)(1)(B)(i), (a)(1)(C), (a)(2)(B)(i), and (a)(2)(C); and

(8) by striking ''mental health benefits'' and inserting ''mental health or substance use disorder benefits'' each place it appears (other than in any provision amended by the previous paragraph).

(b) AMENDMENTS TO PUBLIC HEALTH SERVICE ACT.—Section 2705 of the Public Health Service Act (42 U.S.C. 300gg–5) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) FINANCIAL REQUIREMENTS AND TREATMENT LIMITATIONS.—

''(A) IN GENERAL.—In the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides both medical and surgical benefits and mental health or substance use disorder benefits, such plan or coverage shall ensure that—

''(i) the financial requirements applicable to such mental health or substance use disorder benefits are no more restrictive than

the predominant financial requirements applied to substantially all medical and surgical benefits covered by the plan (or coverage), and there are no separate cost sharing requirements that are applicable only with respect to mental health or substance use disorder benefits; and

''(ii) the treatment limitations applicable to such mental health or substance use disorder benefits are no more restrictive than the predominant treatment limitations applied to substantially all medical and surgical benefits covered by the plan (or coverage) and there are no separate treatment limitations that are applicable only with respect to mental health or substance use disorder benefits.

''(B) DEFINITIONS.—In this paragraph:

''(i) FINANCIAL REQUIREMENT.—The term 'financial requirement' includes deductibles, copayments, coinsurance, and out-of-pocket expenses, but excludes an aggregate lifetime limit and an annual limit subject to paragraphs (1) and (2),

''(ii) PREDOMINANT.—A financial requirement or treatment limit is considered to be predominant if it is the most common or frequent of such type of limit or requirement.

''(iii) TREATMENT LIMITATION.—The term 'treatment limitation' includes limits on the frequency of treatment, number of visits, days of coverage, or other similar limits on the scope or duration of treatment.

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan with respect to mental health or substance use disorder benefits (or the health insurance coverage offered in connection with the plan with respect to such benefits) shall be made available by the plan administrator (or the health insurance issuer offering such coverage) in accordance with regulations to any current or potential participant, beneficiary, or contracting provider upon request. The reason for any denial under the plan (or coverage) of reimbursement or payment for services with respect to mental health or substance use disorder benefits in the case of any participant or beneficiary shall, on request or as otherwise required, be made available by the plan administrator (or the health insurance issuer offering such coverage) to the participant or beneficiary in accordance with regulations.

''(5) OUT-OF-NETWORK PROVIDERS.—In the case of a plan or coverage that provides both medical and surgical benefits and mental health or substance use disorder benefits, if the plan or coverage provides coverage for medical or surgical benefits provided by out-of-network providers, the plan or coverage shall provide coverage for mental health or substance use disorder benefits provided by out-of-network providers in a manner that is consistent with the requirements of this section.'';

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) in the case of a group health plan (or health insurance coverage offered in connection with such a plan) that provides mental health or substance use disorder benefits, as affecting the terms and conditions of the plan or coverage relating to such benefits under the plan or coverage, except as provided in subsection (a).'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting before the period the following: ''(as defined in section 2791(e)(4), except that for purposes of this paragraph such term shall include employers with 1 employee in the case of an employer residing in a State that permits small groups to include a single individual)''; and

(B) by striking paragraph (2) and inserting the following:

''(2) COST EXEMPTION.—

''(A) IN GENERAL.—With respect to a group health plan (or health insurance coverage offered in connection with such a plan), if the application of this section to such plan (or coverage) results in an increase for the plan year involved of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan (as determined and certified under subparagraph (C)) by an amount that exceeds the applicable percentage described in subparagraph (B) of the actual total plan costs, the provisions of this section shall not apply to such plan (or coverage) during the following plan year, and such exemption shall apply to the plan (or coverage) for 1 plan year. An employer may elect to continue to apply mental health and substance use disorder parity pursuant to this section with respect to the group health plan (or coverage) involved regardless of any increase in total costs.

''(B) APPLICABLE PERCENTAGE.—With respect to a plan (or coverage), the applicable percentage described in this subparagraph shall be—

''(i) 2 percent in the case of the first plan year in which this section is applied; and

''(ii) 1 percent in the case of each subsequent plan year.

''(C) DETERMINATIONS BY ACTUARIES.—Determinations as to increases in actual costs under a plan (or coverage) for purposes of this section shall be made and certified by a qualified and licensed actuary who is a member in good standing of the American Academy of Actuaries. All such determinations shall be in a written report prepared by the actuary. The report, and all underlying documentation relied upon by the actuary, shall be maintained by the group health plan or health insurance issuer for a period of 6 years following the notification made under subparagraph (E).

''(D) 6-MONTH DETERMINATIONS.—If a group health plan (or a health insurance issuer offering coverage in connection with a group health plan) seeks an exemption under this paragraph, determinations under subparagraph (A) shall be made after such plan (or coverage) has complied with this section for the first 6 months of the plan year involved.

''(E) NOTIFICATION.—

''(i) IN GENERAL.—A group health plan (or a health insurance issuer offering coverage in connection with a group health plan) that, based upon a certification described under subparagraph (C), qualifies for an exemption under this paragraph, and elects to implement the exemption, shall promptly notify the Secretary, the appropriate State agencies, and participants and beneficiaries in the plan of such election.

''(ii) REQUIREMENT.—A notification to the Secretary under clause (i) shall include—

''(I) a description of the number of covered lives under the plan (or coverage) involved at the time of the notification, and as applicable, at the time of any prior election of the cost-exemption under this paragraph by such plan (or coverage);

''(II) for both the plan year upon which a cost exemption is sought and the year prior, a description of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan; and

''(III) for both the plan year upon which a cost exemption is sought and the year prior, the actual total costs of coverage with respect to mental health and substance use disorder benefits under the plan.

''(iii) CONFIDENTIALITY.—A notification to the Secretary under clause (i) shall be confidential. The Secretary shall make available, upon request and on not more than an annual basis, an anonymous itemization of such notifications, that includes—

''(I) a breakdown of States by the size and type of employers submitting such notification; and

''(II) a summary of the data received under clause (ii).

''(F) AUDITS BY APPROPRIATE AGENCIES.—To determine compliance with this paragraph, the Secretary may audit the books and records of a group health plan or health insurance issuer relating to an exemption, including any actuarial reports prepared pursuant to subparagraph (C), during the 6-year period following the notification of such exemption under subparagraph (E). A State agency receiving a notification under subparagraph (E) may also conduct such an audit with respect to an exemption covered by such notification.'';

(4) in subsection (e), by striking paragraph (4) and inserting the following:

''(4) MENTAL HEALTH BENEFITS.—The term 'mental health benefits' means benefits with respect to services for mental health conditions, as defined under the terms of the plan and in accordance with applicable Federal and State law.

''(5) SUBSTANCE USE DISORDER BENEFITS.—The term 'substance use disorder benefits' means benefits with respect to services for substance use disorders, as defined under the terms of the plan and in accordance with applicable Federal and State law.'';

(5) by striking subsection (f);

(6) by striking ''mental health benefits'' and inserting ''mental health and substance use disorder benefits'' each place it appears in subsections (a)(1)(B)(i), (a)(1)(C), (a)(2)(B)(i), and (a)(2)(C); and

(7) by striking ''mental health benefits'' and inserting ''mental health or substance use disorder benefits'' each place it appears (other than in any provision amended by the previous paragraph).

(c) AMENDMENTS TO INTERNAL REVENUE CODE.—Section 9812 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (a), by adding at the end the following:

''(3) FINANCIAL REQUIREMENTS AND TREATMENT LIMITATIONS.—

''(A) IN GENERAL.—In the case of a group health plan that provides both medical and surgical benefits and mental health or substance use disorder benefits, such plan shall ensure that—

''(i) the financial requirements applicable to such mental health or substance use disorder benefits are no more restrictive than the predominant financial requirements applied to substantially all medical and surgical benefits covered by the plan, and there are no separate cost sharing requirements that are applicable only with respect to mental health or substance use disorder benefits; and

''(ii) the treatment limitations applicable to such mental health or substance use disorder benefits are no more restrictive than the predominant treatment limitations applied to substantially all medical and surgical benefits covered by the plan and there are no separate treatment limitations that are applicable only with respect to mental health or substance use disorder benefits.

''(B) DEFINITIONS.—In this paragraph:

''(i) FINANCIAL REQUIREMENT.—The term 'financial requirement' includes deductibles, copayments, coinsurance, and out-of-pocket expenses, but excludes an aggregate lifetime limit and an annual limit subject to paragraphs (1) and (2),

''(ii) PREDOMINANT.—A financial requirement or treatment limit is considered to be predominant if it is the most common or frequent of such type of limit or requirement.

''(iii) TREATMENT LIMITATION.—The term 'treatment limitation' includes limits on the frequency of treatment, number of visits,

days of coverage, or other similar limits on the scope or duration of treatment.

''(4) AVAILABILITY OF PLAN INFORMATION.—The criteria for medical necessity determinations made under the plan with respect to mental health or substance use disorder benefits shall be made available by the plan administrator in accordance with regulations to any current or potential participant, beneficiary, or contracting provider upon request. The reason for any denial under the plan of reimbursement or payment for services with respect to mental health or substance use disorder benefits in the case of any participant or beneficiary shall, on request or as otherwise required, be made available by the plan administrator to the participant or beneficiary in accordance with regulations.

''(5) OUT-OF-NETWORK PROVIDERS.—In the case of a plan that provides both medical and surgical benefits and mental health or substance use disorder benefits, if the plan provides coverage for medical or surgical benefits provided by out-of-network providers, the plan shall provide coverage for mental health or substance use disorder benefits provided by out-of-network providers in a manner that is consistent with the requirements of this section.'';

(2) in subsection (b), by amending paragraph (2) to read as follows:

''(2) in the case of a group health plan that provides mental health or substance use disorder benefits, as affecting the terms and conditions of the plan relating to such benefits under the plan, except as provided in subsection (a).'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) SMALL EMPLOYER EXEMPTION.—

''(A) IN GENERAL.—This section shall not apply to any group health plan for any plan year of a small employer.

''(B) SMALL EMPLOYER.—For purposes of subparagraph (A), the term 'small employer' means, with respect to a calendar year and a plan year, an employer who employed an average of at least 2 (or 1 in the case of an employer residing in a State that permits small groups to include a single individual) but not more than 50 employees on business days during the preceding calendar year. For purposes of the preceding sentence, all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as 1 employer and rules similar to rules of subparagraphs (B) and (C) of section 4980D(d)(2) shall apply.''; and

(B) by striking paragraph (2) and inserting the following:

''(2) COST EXEMPTION.—

''(A) IN GENERAL.—With respect to a group health plan, if the application of this section to such plan results in an increase for the plan year involved of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan (as determined and certified under subparagraph (C)) by an amount that exceeds the applicable percentage described in subparagraph (B) of the actual total plan costs, the provisions of this section shall not apply to such plan during the following plan year, and such exemption shall apply to the plan for 1 plan year. An employer may elect to continue to apply mental health and substance use disorder parity pursuant to this section with respect to the group health plan involved regardless of any increase in total costs.

''(B) APPLICABLE PERCENTAGE.—With respect to a plan, the applicable percentage described in this subparagraph shall be—

''(i) 2 percent in the case of the first plan year in which this section is applied; and

''(ii) 1 percent in the case of each subsequent plan year.

''(C) DETERMINATIONS BY ACTUARIES.—Determinations as to increases in actual costs under a plan for purposes of this section shall be made and certified by a qualified and licensed actuary who is a member in good standing of the American Academy of Actuaries. All such determinations shall be in a written report prepared by the actuary. The report, and all underlying documentation relied upon by the actuary, shall be maintained by the group health plan for a period of 6 years following the notification made under subparagraph (E).

''(D) 6-MONTH DETERMINATIONS.—If a group health plan seeks an exemption under this paragraph, determinations under subparagraph (A) shall be made after such plan has complied with this section for the first 6 months of the plan year involved.

''(E) NOTIFICATION.—

''(i) IN GENERAL.—A group health plan that, based upon a certification described under subparagraph (C), qualifies for an exemption under this paragraph, and elects to implement the exemption, shall promptly notify the Secretary, the appropriate State agencies, and participants and beneficiaries in the plan of such election.

''(ii) REQUIREMENT.—A notification to the Secretary under clause (i) shall include—

''(I) a description of the number of covered lives under the plan involved at the time of the notification, and as applicable, at the time of any prior election of the cost-exemption under this paragraph by such plan;

''(II) for both the plan year upon which a cost exemption is sought and the year prior, a description of the actual total costs of coverage with respect to medical and surgical benefits and mental health and substance use disorder benefits under the plan; and

''(III) for both the plan year upon which a cost exemption is sought and the year prior, the actual total costs of coverage with respect to mental health and substance use disorder benefits under the plan.

''(iii) CONFIDENTIALITY.—A notification to the Secretary under clause (i) shall be confidential. The Secretary shall make available, upon request and on not more than an annual basis, an anonymous itemization of such notifications, that includes—

''(I) a breakdown of States by the size and type of employers submitting such notification; and

''(II) a summary of the data received under clause (ii).

''(F) AUDITS BY APPROPRIATE AGENCIES.—To determine compliance with this paragraph, the Secretary may audit the books and records of a group health plan relating to an exemption, including any actuarial reports prepared pursuant to subparagraph (C), during the 6-year period following the notification of such exemption under subparagraph (E). A State agency receiving a notification under subparagraph (E) may also conduct such an audit with respect to an exemption covered by such notification.'';

(4) in subsection (e), by striking paragraph (4) and inserting the following:

''(4) MENTAL HEALTH BENEFITS.—The term 'mental health benefits' means benefits with respect to services for mental health conditions, as defined under the terms of the plan and in accordance with applicable Federal and State law.

''(5) SUBSTANCE USE DISORDER BENEFITS.—The term 'substance use disorder benefits' means benefits with respect to services for substance use disorders, as defined under the terms of the plan and in accordance with applicable Federal and State law.'';

(5) by striking subsection (f);

(6) by striking ''mental health benefits'' and inserting ''mental health and substance use disorder benefits'' each place it appears in subsections (a)(1)(B)(i), (a)(1)(C), (a)(2)(B)(i), and (a)(2)(C); and

(7) by striking ''mental health benefits'' and inserting ''mental health or substance use disorder benefits'' each place it appears (other than in any provision amended by the previous paragraph).

(d) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretaries of Labor, Health and Human Services, and the Treasury shall issue regulations to carry out the amendments made by subsections (a), (b), and (c), respectively.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to group health plans for plan years beginning after the date that is 1 year after the date of enactment of this Act, regardless of whether regulations have been issued to carry out such amendments by such effective date, except that the amendments made by subsections (a)(5), (b)(5), and (c)(5), relating to striking of certain sunset provisions, shall take effect on January 1, 2009.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers ratified before the date of the enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the later of—

(A) the date on which the last of the collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of the enactment of this Act), or

(B) January 1, 2009.

For purposes of subparagraph (A), any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

(f) ASSURING COORDINATION.—The Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury may ensure, through the execution or revision of an interagency memorandum of understanding among such Secretaries, that—

(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which two or more such Secretaries have responsibility under this section (and the amendments made by this section) are administered so as to have the same effect at all times; and

(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.

(g) CONFORMING CLERICAL AMENDMENTS.—

(1) ERISA HEADING.—

(A) IN GENERAL.—The heading of section 712 of the Employee Retirement Income Security Act of 1974 is amended to read as follows:

''SEC. 712. PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.''.

(B) CLERICAL AMENDMENT.—The table of contents in section 1 of such Act is amended by striking the item relating to section 712 and inserting the following new item:

''Sec. 712. Parity in mental health and substance use disorder benefits.''.

(2) PHSA HEADING.—The heading of section 2705 of the Public Health Service Act is amended to read as follows:

''SEC. 2705. PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.''.

(3) IRC HEADING.—

(A) IN GENERAL.—The heading of section 9812 of the Internal Revenue Code of 1986 is amended to read as follows:

"SEC. 9812. PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.".

(B) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 100 of such Code is amended by striking the item relating to section 9812 and inserting the following new item:

''Sec. 9812. Parity in mental health and substance use disorder benefits.''.

(h) GAO STUDY ON COVERAGE AND EXCLUSION OF MENTAL HEALTH AND SUBSTANCE USE DISORDER DIAGNOSES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that analyzes the specific rates, patterns, and trends in coverage and exclusion of specific mental health and substance use disorder diagnoses by health plans and health insurance. The study shall include an analysis of—

(A) specific coverage rates for all mental health conditions and substance use disorders;

(B) which diagnoses are most commonly covered or excluded;

(C) whether implementation of this Act has affected trends in coverage or exclusion of such diagnoses; and

(D) the impact of covering or excluding specific diagnoses on participants' and enrollees' health, their health care coverage, and the costs of delivering health care.

(2) REPORTS.—Not later than 3 years after the date of the enactment of this Act, and 2 years after the date of submission the first report under this paragraph, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

SEC. 3. DELAY IN APPLICATION OF WORLDWIDE ALLOCATION OF INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2010'' and inserting ''December 31, 2012''.

(b) TRANSITION.—Paragraph (7) of section 864(f) of such Code is amended by striking ''30 percent'' and inserting ''85 percent''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. STARK) and the gentleman from New Jersey (Mr. ANDREWS) each be permitted to control 6½ minutes of my time.

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

There was no objection.

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

Mr. Speaker, I rise today in support of the passage of H.R. 6983, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, a comprehensive bill which will establish full mental health and addiction care parity.

We live in a time when discrimination in any form against any person should not be tolerated. One out of every five adults in the U.S. suffers from mental health or substance abuse disorders on an annual basis, and yet studies show that people with mental illnesses continue to face insurers and employers unwilling to provide them the same level of care they would for a medical problem.

The legislation before us will fully ensure equity in the coverage for mental illness and substance abuse disorders by requiring that group health plans with mental health coverage offer that coverage without the imposition of discriminatory financial requirements or discriminatory treatment limitations.

I want to recognize two of my colleagues, Representative PATRICK KENNEDY and Representative JIM RAMSTAD, who have worked tirelessly to bring this bill to the floor. We can't delay any longer. I strongly urge my colleagues to vote in favor of the passage of this important legislation.

I reserve the balance of my time.

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

Mental health deserves serious attention. We all share in this concern. The debate around mental health parity hinges on that principle, does government really know what is best? Isn't it better to allow consumers choice and not a one-size-fits-all government-dictated mandate? People should be able to decide if they want to pay more for health insurance.

We have been here before, and, from what I am told, this isn't the only time or possibility even this week that we will be considering a government-dictated mental health mandate.

Earlier this year, the House passed H.R. 1424, a bill that served as the House mental health parity bill for purposes of negotiation with the Senate. At the time, CBO estimated that H.R. 1424 would have increased premiums for group health insurance by an average of about four-tenths of 1 percent before accounting for the responses of health plans, employers and workers to the higher premiums. Those responses would include reductions in the number of employees enrolling in employer insurance, changes in the types of health plans that are offered, including eliminating coverage for mental health benefits and/or substance benefits, and reductions in the scope or generosity of health benefits, such as increased deductibles or higher copayments.

I opposed H.R. 1424 for these and other reasons regarding the offsets presented at that time, as well as many of my colleagues on Energy and Commerce.

The bill before us today is not H.R. 1424. It may be confusing to see this stand-alone mental health parity bill here today, since I know we just passed one a few months ago. After a little digging, I soon realized that this bill is a cut-and-paste of the same agreed-upon text from the tax extenders bill originating in the Senate to be sent over to this body to consider possibly as early as today or tomorrow. So what the majority has done is take language negotiated directly with the Senate without any House Democrats in the room and dropped into another stand-alone bill.

One has to wonder why we are considering this bill today, when the exact same language is on its way over to us pursuant to an agreement between the majority and the Senate. Is this just another political gimmick by the Democrat leadership?

This is a prime example of what happens when Democrats stop leading on issues and start politicking. The Democrat do-nothing Congress is doing something today. Instead of addressing outstanding issues our country faces, such as a need for real energy reform, they are hard at work to put in front of us a bill that already passed the House this year and will be arriving momentarily from the Senate. Are we really supposed to pass the same bill three times this year? That is not progress. That is a waste of taxpayer time.

Mr. Speaker, I reserve the balance of our time.

Mr. ANDREWS. Mr. Speaker, I am pleased at this time to yield 2 minutes to the chairman of the Education and Labor Committee, the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in very strong support of this legislation. It is an important piece of legislation. It does some very important things for families and individuals with mental health problems.

H.R. 6983 amends the Employer Retirement Income Security Act to prohibit employers and group health plans from imposing mental health or substance abuse treatment limitations, financial requirements or out-of-network coverage limitations, unless comparable limitation requirements are imposed upon medical surgical benefits.

Under this provision, if a mental health plan permits individuals to go to an emergency room for a medical condition without prior authorization or an out-of-network hospital or treatment center at in-network rates for a medical condition, then the plan must apply the same rules to an individual suffering from mental illness or substance abuse.

However, if a group plan does offer mental health or substance abuse benefits, there must be equity between the mental health or substance abuse coverage and all comparable medical and surgical benefits in the plan. Nothing

in H.R. 6983 is intended to preempt the stronger State mental health and substance abuse parity laws.

Having said that, I want to pay tribute to two of our colleagues. JIM RAMSTAD, who has been tireless in his effort to see this measure become law, and hopefully with our actions today it will be on its way to the President's desk and become law. I just want to thank you on behalf of so many families, not just my constituents who have mental health illness problems in their families, but so many families in America and individuals, for your work on this legislation.

And to PATRICK KENNEDY, our colleague who again has just done a remarkable job of rounding up support and votes for this legislation and getting to people to explain it to them, to get them to understand it and appreciate the problems that these families have when they try to get services from the insurance plans, from their health networks, and the barriers that are erected in front of them.

Hopefully this legislation will do what it is supposed to do to make sure that they can get treatment, they can get care, and they don't have to run all of the gauntlet that they today encounter with those barriers.

So to Congressman RAMSTAD, thank you so very much for all of your work, and to PATRICK KENNEDY, thank you so very, very much for all of your advocacy on this legislation.

□ 1415

Mr. TERRY. Mr. Speaker, the Energy and Commerce Committee is not taking a position saying or encouraging other Members to vote for or against this bill. Our frustration is with the process on this bill.

At this time, I want to, seeing no other Energy and Commerce speakers here, yield the balance of my time to Mr. RAMSTAD of the Ways and Means Committee.

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota will control the time.

There was no objection.

Mr. RAMSTAD. I thank the gentleman for yielding.

Mr. Speaker, we would not be having the debate here today without the compassionate leadership of the late Senator Paul Wellstone.

I want to thank the Speaker and majority leader, as well as Chairmen RANGEL, STARK, GEORGE MILLER, DINGELL, PALLONE and ANDREWS, for their key support.

The issue before us today is not just another public policy issue. The issue today before us is a matter of life and death for 54 million Americans suffering the ravages of mental illness and 26 million Americans suffering from chemical addiction.

Last year alone, more than 30,000 Americans committed suicide from untreated depression and 150,000 Americans died as the direct result of chemical addiction. On top of the tragic loss of lives, untreated addiction and mental illness cost our economy $550 billion last year, according to the Wall Street Journal. In fact, the Journal cited $70 billion was lost from our economy because of untreated depression alone.

I am alive and sober today only because of the access that I had to treatment following my last alcoholic blackout on July 31, 1981. I woke up that day in a jail cell in Sioux Falls, South Dakota, and I am living proof that treatment works and recovery is possible. But far too many people in our country don't have the same access to treatment that I and other Members of Congress, other Federal employees have.

A major barrier for thousands of Americans is insurance discrimination, plain and simple, against people in health plans who need treatment for mental illness or chemical addiction. The legislation my friend from Rhode Island (Mr. KENNEDY) and I have authored, H.R. 6983 before us today, would end this discrimination by prohibiting health insurers from placing discriminatory restrictions on treatment for people with mental illness or addiction.

No more inflated deductibles or copayments that don't exist for physical diseases. No more limited treatment stays that don't apply to physical ailments, no more discrimination against people with mental illness or chemical addiction.

I just want to say a word about the chief sponsor of this legislation, Mr. KENNEDY, who has worked tirelessly on this bill. We have worked together for many years now on this legislation since he first came to the House. I want to publicly acknowledge and thank Mr. KENNEDY, who has not only worked hard on this legislation, but has been an inspiration to literally hundreds of thousands of Americans as we traveled this country to 14 States, holding field hearings on this important legislation.

Simply stated, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, which has, by the way, 274 cosponsors from both sides of the aisle, simply stated, provides equal treatment for diseases of the brain with the body. Diseases of the brain should be treated the same as diseases of the body.

There is no government mandate. Nobody is mandated to insure anybody for treatment for mental illness or chemical addiction. There is no mandate in this bill. All it says is if your policy includes coverage for mental illness or addiction, then you cannot be discriminated against, that is, those ailments must be treated the same as physical ailments.

Providing treatment equity is not only the right thing to do, it's the cost-effective thing to do. Believe me, we have over the last 12 years assembled all the empirical data in the world, all the actuarial studies in the world, and they all showed the same thing, that equity for mental health and addiction treatment will save, not cost, but save, literally, billions of dollars nationally.

At the same time, treatment parity will not raise premiums more than two-tenths of 1 percent. That's according to the Congressional Budget Office. Let me repeat that. Premiums will not raise more than two-tenths of 1 percent.

So, in other words, for the price of a cheap cup of coffee per month, I am not talking about a fancy restaurant, I am talking about Pete's Diner, where many of us go, millions of people could receive treatment for chemical addiction and mental illness. In fact, 16 million people of the 26 million people in health plans could receive treatment under this bill.

When my friend from Rhode Island and I traveled this country holding field hearings on this legislation, we heard, literally, hundreds and hundreds of stories of human suffering that ripped your heart out, broken families, tragic deaths, ruined careers, shattered dreams, all because insurance companies would not provide access to treatment for mental illness and addiction for people who were in health plans. We could change that here today.

It's time to end the discrimination against people who need treatment for mental illness and addiction. It's time to prohibit health insurers from placing discriminatory barriers on treatment. It's time to join the coalition of insurance companies, yes, I said insurance companies. More than 10 of them now support this, as well as the major business groups who support parity. They know it's cost effective, they know parity saves health care dollars. It's time to make this bipartisan legislation the law of the land.

The people of America cannot wait any longer for Congress to act.

Mr. David Wellstone
Son of the late Senator Paul Wellstone
Co-Founder, Wellstone Action

STATEMENT FOR THE RECORD IN SUPPORT OF THE PASSAGE OF THE PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008, SEPTEMBER, 2008

I am pleased to speak in support of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. This legislation is critically important to the future of health care, and it is also very close to my heart. During my father's time in the Senate, he never stopped fighting for fairness in coverage and treatment for mental illness and substance use disorders. My family and I are grateful for the tribute that the Senate and the House have paid to my father's legacy by naming the bill after him, as well as his close colleague, Sen. Pete Domenici.

My brother and I founded Wellstone Action to carry on my father's work, and through this organization, thousands of people are trained each year to run for office and to develop grassroots skills in organizing and leadership. But nothing represents my father's passion and commitment more than his work to pass legislation that would end the discrimination against those with mental illness and substance use disorders. This

legislation is a major achievement and will do so much to end that discrimination.

For some time, I have been coming to Washington to speak on behalf of this legislation, but the fight for parity has a long history with many milestones: the 1996 federal law; the 1999 Executive Order that gave federal employees mental health and addiction parity benefits; the many successes at the state level to strengthen their parity laws; the times that Congress came very close to passing the expansion of the federal law; and the endorsement by President Bush in 2002. For my father, these milestones were very personal. His dedication stemmed from his personal observations of the terrible conditions in psychiatric institutions when his brother was hospitalized in the 1950s. These conditions, and the eventual catastrophic financial toll that my grandparents had to bear, inspired my father to do everything he could to make things right for those in similar circumstances.

The legislation that my father and Sen. Domenici passed in 1996 was groundbreaking and important, for it established in law an important first principle of parity: that those with mental illness should not be discriminated against in insurance coverage. But my father knew that it was not enough, and that is why this legislation is so necessary. It is the critically important next step toward ending the persistent discrimination against people who suffer from mental illness and addiction.

In the House, the tireless leadership of Congressman Patrick Kennedy and Congressman Jim Ramstad has been extraordinary, especially with the groundbreaking inclusion of substance use disorders in the parity bill and their protection of the rights of patients. They and the House Leadership, especially Speaker Nancy Pelosi and Majority Leader Steny Hoyer, should be proud of their efforts to make this legislation one that will strongly protect the needs of millions of Americans who have mental illness and substance use disorders. In the House, the efforts by the Chairmen of the Energy and Commerce, Ways and Means, and Education and Labor Committees should be proud of their successful efforts to fight for the rights of those with these illnesses. And, as I know well, nothing is accomplished without the unflagging commitment of hundreds of dedicated staff and advocates who have worked so hard to right the wrong of discrimination that has existed for so long in our country.

I also want to extend my deep gratitude to former First Lady Rosalynn Carter for her many years of leadership on this issue and many other problems related to mental illness. She and my father worked closely together on parity for many years, and he was always grateful for her support and leadership.

We know that mental illness is a real, painful, and sometimes fatal disease. It is also a treatable disease. My father used to say that the gap between what we know and what we do is lethal. Available medications and psychological treatments, alone or in combination, can help most people who suffer from mental illness and addiction. But without adequate treatment, these illnesses can continue or worsen in severity. Suicide is the third leading cause of death of young people in the U.S. Each year, 32,000 Americans take their lives, hundreds of thousands attempt to do so, and in 90% of these situations, the cause is untreated mental illness. This legislation will save lives. It will also go a long way toward ending the stigma that is behind the discrimination.

People have asked me why I am so involved in this issue. My first response is, ''Because of my father, of course''. I loved him and I miss him, and I have learned that many others here in Washington and throughout the country miss him too, especially his courage and his compassion. He fought hard for those who had no voice, and he had a strong personal commitment to helping those with mental illness and addiction. After he died, Congressional members honored him and my family by promising to name the parity bill after him, and this meant a great deal to my family. But I also knew the kind of man my father was, and the kind of parity bill he would have wanted finally passed into law, and I wanted to help ensure that the final bill was one worthy of his name. The safeguards for patients that have been included in this final bill, such as protections of stronger state laws, out of network benefits, oversight of diagnosis coverage, and transparency of medical necessity, are essential to a strong law. This Congress can be remembered as the one that had the courage and leadership to pass a strong parity bill, one where everyone's voices had a chance to be heard.

I, along with millions of Americans, look forward to the day when people with mental illness and substance use disorder receive decent, humane, and timely care. The passage of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 brings us so much closer to this day.

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

Mr. STARK. Mr. Speaker, I yield myself such time as I may consume, and I will be brief.

I am here to establish my ranking among distinguished Members like Chairman DINGELL, Chairman PALLONE, Chairman MILLER, Chairman ANDREWS, Ranking Member MCCRERY, Ranking Member CAMP and all of my colleagues. We all get the title today as pieces of parsley on a platter of fish. We are here to garnish the work that JIM RAMSTAD and PATRICK KENNEDY, led by former Senator Wellstone and Senator DOMENICI, have accomplished with diligent hard work. Without it, we would not be here to protect the people and add the protection that people need.

I urge my colleagues to support the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, H.R. 6893, to honor PATRICK and JIM for the marvelous work they have done.

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

Mr. RAMSTAD. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Connecticut, who has been a long supporter of parity, Mr. SHAYS.

Mr. SHAYS. Mr. Speaker, I rise in support of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. Twenty-five percent of the U.S. adult population suffers from mental disorders or substance abuse disorders.

Yet despite the prevalence of mental disorders, there continues to be widespread misinformation and ignorance surrounding the condition. We need to ensure those who have treatment have access to care. At the same time, we need to increase biomedical research into the causes of and treatments for mental illness.

It is estimated 98 percent of private health insurance plans discriminate against patients seeking treatment for mental illness by requiring higher copayments, allowing fewer doctor visits or days in the hospital, or requiring larger deductibles than imposed on other medical illnesses. With passage of this legislation, we will end these discriminatory practices and bring mental health care on par with care for physical ailments.

I congratulate my friends, Congressman RAMSTAD and Congressman KENNEDY, for all their efforts to help the mentally ill.

I urge adoption of this legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island, who has worked so tirelessly as a chief sponsor of this bill, Mr. KENNEDY.

Mr. KENNEDY. Mr. Speaker, I rise in support of H.R. 6983, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.

I would like to acknowledge the hard work of Chairmen DINGELL, RANGEL and MILLER, as well as subcommittee Chairmen STARK, PALLONE and ANDREWS, without whose unflagging commitment to this bill we would not be so close to sending it to the President's desk.

I would also like to thank Speaker of the House NANCY PELOSI, and our majority leader, STENY HOYER, and the whole Democratic leadership for their consistent support in making this bill a top priority.

I most would like to thank my good friend, JIM RAMSTAD. JIM is leaving this year, and there will be no greater testament to his devotion to those with mental illness and substance abuse disorders than to see this bill signed into law by President Bush this year.

Mr. Speaker, I have a letter in support of this bill from former First Lady Rosalynn Carter, who has been such a champion for this issue, and I will insert it into the RECORD.

STATEMENT FOR THE RECORD IN SUPPORT OF THE PASSAGE OF THE PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008 BY MRS. ROSALYNN CARTER, FORMER FIRST LADY OF THE UNITED STATES, CHAIRWOMAN, CARTER CENTER'S MENTAL HEALTH TASK FORCE, ATLANTA, GEORGIA

I am pleased to have the opportunity to express my strong support for the passage of a critical health issue facing millions of Americans: parity for the treatment of mental illnesses and substance use disorders.

I have been working on mental health issues for more than 35 years. When I began no one understood the brain or how to treat mental illnesses. Today everything has changed—except stigma, of course, which holds back progress in the field.

Because of research and our new knowledge of the brain, mental illnesses now can be diagnosed and treated effectively, and the overwhelming majority of those affected can lead normal lives—being contributing citizens in our communities.

I join many individuals and hundreds of national organizations calling for an end to the fundamental, stigmatizing inequity of providing far more limited insurance coverage for mental health care than for treatment of any other illnesses. Again, I join

forces with my friend Betty Ford in urging action on this important issue.

Jimmy and I founded The Carter Center 25 years ago, and I have a very good mental health program there. Annually we bring together leaders to take action on major mental health issues of concern to the nation. We have focused many times on stigma and discrimination and the importance of insuring adequate, equitable coverage for people with mental illnesses.

To me, it is unconscionable in our country and morally unacceptable to treat 20 percent of our population (1 in every 5 people in our country will experience a mental illness this year) as though they were not worthy of care. We preach human rights and civil rights and yet we let people suffer because of an illness they didn't ask for and for which there is sound treatment. Then we pay the price for this folly in homelessness, lives lost, families torn apart, loss of productivity, and the costs of treatment in our prisons and jails.

I have always believed that if insurance covered mental illnesses, it would be all right to have them. This may be why the stigma has remained so pervasive—because these illnesses are treated differently from other health conditions.

All mental illnesses are potentially devastating. But today living a life in recovery from a mental illness is not only possible, but expected. We had an intern at The Carter Center this spring, for example, who has obsessive compulsive disorder and depression. While she was in high school, she once spent two solid weeks in her house, unable to leave or be with her friends. I am happy to say that she received treatment, is a college graduate with Phi Beta Kappa honors, and just got a job in Washington, DC. Without resources and support, she could still be sick and shut in her home, which is what happens to so many who do not get the help they need because of lack of the ability to pay for services. We as a country lose all the many contributions of these wonderful people.

I have the pleasure of being friends with Tom Johnson, the former publisher of the Los Angeles Times and former CEO of CNN and a person who has struggled with depression. He has been interested in the mental health benefits offered by employers in Atlanta. He and two other prominent CEOs in the Atlanta community—all of whom have suffered from severe depression and are now great leaders—have had an enormous impact on businesses in the area.

Through the research of people like Howard Goldman and Richard Frank, we know that parity in insurance benefits for behavioral health care has no significant increase in total costs when coupled with management of care. We also know that a number of enlightened companies such as AT&T, Delta Air Lines, Eastman Kodak, General Motors, and IBM have provided comprehensive coverage for their employees. (Report to the Office of Personnel Management, by Washington Business Group on Health)

Since the mental health commission we held during Jimmy's presidency, there have been several major reports released including the first Surgeon General's Report on Mental Health, President Bush's New Freedom Commission on Mental Health, and the Institute of Medicine included mental and substance use conditions in its series of reports on the quality of American health care. All of the reports reinforce the statement that effective treatments are available, but most people who need them do not get them.

The whole nation has learned a lot about the importance of mental health issues through the events of Hurricane Katrina and the needs of our returning soldiers and National Guard troops. We support our troops in the field, and it is critical that we continue to support them when they come home.

Finally, I would like to comment on the number of states that have moved ahead with parity. These have been long-fought battles with some states managing wonderful successes. It is so important that stronger state parity laws continue to improve the lives of people with mental illness and addiction. It is also critically important that plans not override the intent of this legislation by discriminating against those with certain diagnoses of mental illness and addiction in their coverage. I am glad to see that this legislation includes efforts to keep a close watch on this issue. The intent of this law is fairness, not discrimination.

After waiting for 15 years, we finally have mental health and addiction parity legislation in sight. If this legislation is passed, many of our citizens will be healthier, and our nation will be stronger, more resilient, and more productive.

On behalf of the millions of people affected by mental illnesses, I applaud your efforts to pass the mental health and addiction parity legislation. I know the work has been hard, but the benefits to our nation will be enormous.

We are bringing to the floor today a bill that is fully paid for, bipartisan, bicameral and a compromise, a mental health parity bill that has long been coming to this floor. It is the result of extensive negotiations between the House, the Senate, and is supported by the chairmen of the relevant House committees and subcommittees, as well as Senators KENNEDY, ENZI and DOMENICI.

We cannot afford one more day without parity, because each day five United States soldiers take their lives because of suicide. We cannot afford one more day without parity because each year $1.3 billion is lost because of those workdays due to mental disorders, more than arthritis, stroke, heart attack and cancer combined.

The World Health Organization in this chart shows you. It's hard for anyone to really understand until you see it in this chart.

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

Mr. RAMSTAD. I yield the gentleman 2 additional minutes.

Mr. KENNEDY. If you look at the comparison in illnesses by lost days, burden of illness, mental illness is amongst the worst; sure, cancer; sure, arthritis; sure, heart disease, but these are illnesses that capture people usually at the end of life. Mental illnesses, addictive disorders, really paralyze people from their beginning of life throughout their life. That's why it's such a burden of illness in our society.

It catches us in the Justice Department. Drug-related crime in our country costs us $107 billion a year. We cannot afford not to have parity because 80 percent of our trauma admissions in our emergency rooms are alcohol and drug related. We cannot afford not to have parity, because by denying an individual's treatment to their diseases, we are denying them the opportunity to live out their full potential and live a full and fulfilling life.

Treatment works, as my good friend from Minnesota has said. It has worked for those who have had the opportunity to seek it.

If you are a Member of Congress, you have treatment opportunities. Like my friend from Minnesota said, he has had it; I have had it. Recovery is possible.

We need to end the stigma against those with mental illness, but it isn't going to happen until we first outlaw, outlaw, the embedded discrimination in our laws. That is what we are about to do today by passing this legislation. We simply cannot afford to wait one more day.

In fact, just today the Administration released a Statement of Administration Policy concerning an identical policy provision in the Senate tax extenders bill which reads, "the Administration supports passage of mental health parity legislation included in the Senate amendments to H.R. 6049 that eliminates disparities between mental health benefits and medical and surgical benefits without significantly increasing health coverage costs." The mental health parity legislation that statement refers to is identical to the bill we are considering on the floor today.

In March, we passed H.R. 1424, the Paul Wellstone Mental Health and Addiction Equity Act. At that time, some of my colleagues on the other side of the aisle expressed a preference for the Senate mental health parity bill. I would urge those members to join with us now to pass this compromise bill.

Mr. Speaker, it is past time that we enact mental health parity into law.

Enacting mental health parity will affect nearly every individual in this country who has watched a friend or family member struggle with mental illness or addiction, or who has battled the disease themselves.

The bill we are passing today is one more step in the long struggle to ensure that all Americans have a chance to realize their dreams.

I ask all of my colleagues to join me in putting an end to the discrimination against mental illness. I urge a yes vote for H.R. 6983.

□ 1430

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

Mr. Speaker, I just want to take this opportunity, like the previous speaker, to thank Senators DOMENICI and KENNEDY. It has been a real privilege to work with such committed public servants on this legislation, and also the chief cosponsor in the House, the gentleman from Rhode Island, who just spoke so eloquently about this legislation.

I want to say, as I have said many times before as I have traveled this country, were the gentleman from Rhode Island's uncle, President Kennedy, still alive today, and were President Kennedy to write a sequel to his book "Profiles in Courage," there would be a complete chapter about his nephew, the gentleman from Rhode Island, PATRICK KENNEDY, because not only has he been right on the policy and has done a tremendous job over the past several years fighting for parity, but also his personal story, which he

shared with people all across this Nation, has literally inspired hundreds of thousands of people to get help. He has been a real profile in courage and a pleasure to work with.

At this time, Mr. Speaker, I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, the person who is being helped and touched by this bill is someone we all know. He is a person who comes home from work and is confronted with the heartache that his son or daughter is dealing with the ravages of clinical depression. And they are worried about it, but they feel secure because they say at least we are insured. At least we can take care of her.

Then they find out that there is a $10,000 deductible before the insurance company will pay for the visits. Or they find out there is a $5,000 limit on how much care can be received.

If their daughter had broken her knee, there would be a $100 deductible and no limit on the care. But because she is dealing with clinical depression or a substance abuse problem or another mental illness, they are conscripted and limited. This person is who will be helped by the efforts of Mr. KENNEDY and Mr. RAMSTAD.

This bill is long overdue, and it will save the system money. More importantly, it will bring justice and fairness to people like the family I talked about in these remarks here today.

I congratulate Mr. KENNEDY and Mr. RAMSTAD on bringing together this broad coalition. I urge both Republicans and Democrats to vote ''yes'' on this worthy legislation.

I reserve the balance of my time.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. STARK. Mr. Speaker, at this time I would like to yield 1½ minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, it is time to remove the stigma and to destroy the barriers for individuals struggling with mental illness and addiction. Experienced by many of our returning brave soldiers, on the front page of USA Today, finally we have a breakthrough here.

A society of denial results in stigmatizing the admonition of emotional problems. For far too long we focused on the external injuries to the body and ignored the maladies of the mind. For too long it seemed as if we could not treat what we could not see. But modern medicine and science is showing us that these are real diseases with real treatments. It shows us that there is hope, as stated by Mr. KENNEDY and Mr. RAMSTAD.

Mr. Speaker, this is a civil rights issue. Parity removes the discrimination against a population that has been discriminated against and stigmatized. This is a humanitarian issue. Without parity, we allow those with illnesses to continue to suffer.

In closing, I would like to say that Paul Wellstone was a great and admirable man. He was a champion for this legislation. Today we honor him by passing this bill. The time is right. Let's pass this today.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield 1 minute to my friend from Pennsylvania (Mr. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I rise for the purpose of a colloquy with the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS, I rise today in favor of a health care system that works for those in need. I am proud that this legislation promotes fairness for those with mental illness. I am also proud that it will not preempt stronger State laws, laws such as Pennsylvania Act 106 which has saved countless lives in our Commonwealth.

I stand with a leading Republican State representative from my district, Gene DiGirolamo, a leading advocate for mental health parity and someone who has worked tirelessly for health care laws that are fair and just.

Mr. ANDREWS, just to clarify, does the parity legislation leave intact Pennsylvania's Act 106 protections for those seeking treatment of substance abuse and similar protections in other States?

Mr. ANDREWS. If the gentleman will yield, that is correct. This bill will not preempt in any way the services and benefits provided to citizens of Pennsylvania Act 106 and similar legislation in other States. Some examples of the types of State laws that are not preempted by this bill include State laws that mandate minimum coverage, State laws that control access to benefits, and State laws that require access to out-of-network providers.

Mr. PATRICK J. MURPHY of Pennsylvania. I thank the gentleman from New Jersey, and I urge my colleagues to vote in support of this bill.

Mr. RAMSTAD. I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I am proud to rise in support of H.R. 6983, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, which will permanently reauthorize and improve the Mental Health Parity Act of 1996. This legislation will put mental health and mental illness and substance-related disorders on the same footing as other medical and surgical disorders for health insurance benefits.

I would observe that we have much to thank our colleagues for. I particularly want to commend my colleagues, Representatives KENNEDY and RAMSTAD and Senators KENNEDY and DOMENICI, for their tireless efforts in crafting this important piece of legislation. They have been unwavering in their commitment to end the discrimination against those with mental health and substance abuse disorder.

I also want to congratulate and thank my friends, Mr. ANDREWS and Mr. PALLONE of New Jersey; and Mr. BARTON of Texas and Mr. DEAL, the ranking members of the Commerce Committee and of our Health Subcommittee and a superb staff on both the side of the majority and minority of the Commerce Committee.

I urge my colleagues to support the bill as it will create true parity of coverage for mental health and substance abuse disorders. I speak as one who has had to deal with the problem of mental health within the family of which I am a part, and I know the terrifying and awful consequences that exist not only to the person involved but to the whole family. So I hope that this legislation will go a long way to addressing the concerns millions of Americans have with regard to this terrifying disease.

I want to urge my colleagues to support this legislation, and note that in accordance with PAYGO rules, the bill is paid for with a worldwide interest allocation tax provision that delays a tax break for American companies that operate overseas. It is a good bill. I urge passage by the House.

Mr. RAMSTAD. Mr. Speaker, who has the right to close?

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. PALLONE) has the right to close.

Mr. RAMSTAD. Are there speakers remaining?

Mr. STARK. I have two or three speakers remaining.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. STARK. Mr. Speaker, I recognize for 1½ minutes the distinguished gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, I first became involved with mental health services over 50 years ago when my beloved late wife, Vicki, worked in the network of child guidance clinics in Oakland County, Michigan. Those clinics tried to fill huge gaps in mental health services which in most cases were not covered by any insurance.

Since then the battle has ensued to provide mental health services on a parity with all other services in health insurance, private and public, including Medicare.

Twelve years ago, Congress and President Clinton came together to approve legislation that put this country on the road to mental health parity. It was a vital first step.

Today, we take another important step towards genuine mental health parity. Fifteen percent of Americans have no health insurance at all. Even Americans who do have health insurance often find themselves unable to receive care because of discriminatory policies in their health plans that require them to pay more and receive less for mental health care than for

other services. This bill will change that.

This bill is another milestone in the long battle that must continue until everyone has full access to mental health services in our beloved Nation.

The SPEAKER pro tempore. The Chair will advise the gentleman from Minnesota that he has 6½ minutes remaining. The gentleman from New Jersey (Mr. ANDREWS) has 2 minutes remaining. The gentleman from New Jersey (Mr. PALLONE) has 2 minutes remaining. And the gentleman from California (Mr. STARK) has 2½ minutes remaining.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I thank the authors of this wonderful piece of legislation, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act. This action is long, long overdue.

As Chair of the Mental Health Caucus here in Congress, we have been working and dealing with this issue for over 10 years. Mental health and addiction services are decades behind other services. We must recognize that the brain is part of the body and it also has rights. Stigma has always been a part of what has prevented us from being able to move forward to work for the benefit of the people.

It used to be businesses indicated that family leave was going to be a detriment and costly. It turned out not to be. This has that same effect. It is going to be a saver.

It is my deepest hope that this will open the gates for further legislation addressing mental health, whether addiction or other issues. Suicide is the third leading cause of death in young people aged 10 to 24. It can lead to academic failure, family conflicts, substance abuse, violence, incarceration and alarming rates of suicide.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. RAMSTAD. I yield the gentlelady an additional minute.

Mrs. NAPOLITANO. I thank the gentleman.

The cost to society, to businesses and our families is unacceptable, and we need to move forward. Seventy-nine percent of those treated experience reduction of symptoms. We will continue to see these things crop up, whether it is veterans returning from Iraq, catastrophic happenings in our country such as 9/11, the hurricanes, the floods, the fires, all of that is going to cause us to continue to have a better, longer look at the effects it is costing our society, and the cost to our businesses and to our country. Our government cannot continue to ignore this issue. It affects our businesses and our health industry. They need to recognize this, and Congress has got to be able to recognize they can no longer ignore this. It affects the quality of life, and it is vital for the health and well-being of our communities and our schools.

I urge my colleagues to support this vital legislation. Let's move on and remove the stigma for mental health.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield at this time 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman.

Today is a landmark day. Three cheers for PATRICK KENNEDY, JIM RAMSTAD and for the late Senator, my friend, Paul Wellstone. Today Congress makes clear that health is about more than having a healthy body, but being a complete individual from head to toe.

We know that mental illness is treatable, yet because maybe one-third of the people affected do not receive the needed treatments, mental illness remains a leading cause of disability and premature death. Untreated mental illness is costly to individuals, to families, to companies large and small; yes, to the entire society. But from now on, millions of Americans who suffer from mental illness will receive full access to the treatment they need and deserve without higher copays and treatment limits.

Finally, I am pleased to say that this bill protects States like New Jersey who go above and beyond coverage requirements that this legislation establishes. There is more to do, but this is a landmark, red letter day.

Mr. RAMSTAD. Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. I thank the gentleman.

Before coming to Congress, I spent 23 years as a clinical psychologist. Let me share with you two key points. One, mental illness is not only debilitating, it can be fatal. But we can treat mental illness. The treatment for mental illness is research based. It is effective, it is cost effective, and it saves the American people in terms of quality of lives and dollars, and it is long past time that we stop discriminating.

□ 1445

I want to commend PATRICK KENNEDY, JIM RAMSTAD, all the cosponsors of this bill, and all the associations and the individuals who have worked so hard to, at long last, see it pass.

Support this good bill. Make mental health parity reality at long last.

Mr. RAMSTAD. I reserve the balance of my time.

Mr. STARK. Mr. Speaker, I would be happy to yield the balance of my time to the distinguished gentleman from Illinois (Mr. EMANUEL).

The SPEAKER pro tempore. The gentleman is recognized for 2½ minutes.

Mr. EMANUEL. Mr. Speaker, the issue of mental health parity doesn't always grab the biggest headlines, but the hard work that Democrats and Republicans have done to pass this landmark legislation will not go unnoticed.

For too long, millions of Americans with treatable mental illnesses have gone without care. Some in the business community and the insurance industry said mental health parity simply costs too much, declined to provide that type of coverage, and patients and their workers and their families suffered.

As those that know, when one individual in the family has an illness, a mental illness, the whole family is affected. That wrong ends today with this legislation. It ends because Democrats and Republicans, under the leadership of PATRICK KENNEDY, TED KENNEDY and JIM RAMSTAD, came together to back this landmark legislation, and never gave up.

It ends because even once-skeptical insurance companies and the business community across the country, know that mental health parity is cost effective, and helps ensure that American workers and their families remain healthy and productive. And it is a tremendous victory for the millions of Americans who will finally have access to this type of care.

This issue might not always be on the front page of the newspaper, but millions of Americans will finally get care they need and they will remember the work of those of us who do this.

I'd also like to add a note that while I was campaigning for Congress, I wrote an op-ed on this issue because I had worked in a White House that through executive order, President Clinton signed, as you remember, legislation, JIM, that insured that Federal workers had this and set a model for Federal employees. Not one op-ed I had got more comment from people at the subway stops, at the grocery stores, people who wanted to usually talk about something else until you began that discussion, never really began this discussion, but it touched people of all walks of life, whether it was at the grocery store, on the way to work or on their front doorstep. They told you about what was going on in their family.

Again, it's not the biggest headline; it's not the greatest. It's an important piece of legislation to give people peace of mind that they don't have to hide given the illnesses of depression and other types of substance abuse that they are facing, they now have an insurance policy that allows them and, again I want to say, their family to get protection, because one sick member of a family, with this type of illness, the entire family is affected.

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

Mr. RAMSTAD. I yield an additional minute to the gentleman, Mr. Speaker.

Mr. EMANUEL. I would like to thank Mr. RAMSTAD for that. I will try to not use that whole time.

But this is the type of thing that you will find that people who normally wouldn't talk to you about it will tell

you stories of their family, their loved ones, their children who are facing illnesses, and you'll have done something to give them something; and it's ironic and I use this and I mean it when I say, a peace of mind. They will finally know that their sick child who is facing depression can get that care and it doesn't affect the whole family. And they know they got the type of care and they don't have to face a financial decision and being a good parent decision.

We're doing something that allows people to go on with their lives. I want to thank JIM and PATRICK and TED KENNEDY for never giving in. When all of us wanted to say, you know, it's just not the right time, it's too hard, the insurance industry doesn't like it. You never gave in. You never gave up. This is your day for making sure America lived up to its best potential. I want to thank you on a personal level from the floor. Thanks, JIM.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. RAMSTAD) has 4½ minutes left. The gentleman from New Jersey (Mr. ANDREWS) has 1 minute left. The gentleman from New Jersey (Mr. PALLONE) has 30 seconds left.

Mr. RAMSTAD. Mr. Speaker, in closing, I just want to thank all of those who have brought us to this point here today. As one who's worked on this legislation for 12 long years, it's truly been a team effort. I want to thank all of the organizations, all of the individuals, too many to mention here today, but I want to thank particularly David Wellstone and Allan Garrity from Senator Wellstone's staff who have kept the legacy of Paul Wellstone alive in terms of moving this mental health and addiction treatment parity legislation.

I also want to thank the 274 bipartisan cosponsors of the current bill. I want to thank the leadership of Speaker PELOSI, Majority Leader HOYER, because without their leadership we wouldn't be here today about to pass mental health parity.

I want to thank the distinguished chairmen of the full committees and the subcommittees and the other side of the aisle whose cooperation has been incredibly positive and helpful; and without their support, every one of you, without your support we wouldn't be here today as well.

I want to thank the leadership and the tireless efforts of my friend from Rhode Island, the chief cosponsor, PATRICK KENNEDY, who has worked so hard on this legislation from the minute he was sworn in as a Member of the House.

I want to thank all the staff from the full committees, the three full committees of jurisdiction, as well as the three subcommittees of jurisdiction.

And I particularly want to thank Karin Hope, my legislative director, who has worked on this legislation day and night for all 12 years that we've worked together.

Let me just wrap it up, Mr. Speaker, by saying that it's time for Congress to deal with America's number 1 public health problem. It's time for Congress to outlaw discrimination in treatment against people with mental illness and chemical addiction. It's time for Congress to pass mental health and chemical addiction treatment parity.

I yield back.

Mr. ANDREWS. Mr. Speaker, I am pleased to yield the balance of our time to the gentlewoman from California (Mrs. DAVIS).

The SPEAKER pro tempore. The gentlewoman is recognized for 1 minute.

Mrs. DAVIS of California. Mr. Speaker, as everyone has said before, this bill is a victory. It may not be everything that everyone had hoped to get into this bill, but it is going in the right direction. It does ensure treatment, it does address the stigma associated with mental health disorders.

I just wanted to point out that we have so many of our servicemembers who are coming home who have fought in Iraq and Afghanistan. And they are coming home and transitioning to civilian life. But they are going to find some barriers as well. The barriers to mental health care are really playing themselves out today because I just talked to a family just a little while ago, and they felt that even though we're starting to put in some of those services, there's great resistance to people seeking that kind of care.

This bill begins to change that. It sends a very clear and a very direct message that mental health care is as important as physical care. We wouldn't stop people in the middle of their treatment for something of stomach ulcers. You cannot stop people in the middle of their treatment for mental health disorders.

Mr. Speaker, I'm pleased this bill is on the floor.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 30 seconds.

Mr. PALLONE. Mr. Speaker, this bill would allow those individuals and families struggling to cope with the diverse array of mental illnesses to have greater access to affordable care. We can't delay any longer.

I strongly urge my colleagues to vote in favor of the passage of this important legislation which will ensure access to equitable health coverage for the millions of American who suffer from mental illness.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 6983, the "Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008." I would first like to commend Representative PATRICK KENNEDY and Representative JIM RAMSTAD on their outstanding efforts and tireless work on this important issue.

For far too long too many individuals and families have struggled with mental health illness and substance abuse disorders and yet have faced a health care system that provided them with unequal access to care. This bill is a step in the right direction for our country as it provides another degree of fairness for our citizens.

In short, it ensures that group health plans can no longer charge people more for seeking treatment for mental health or substance abuse problems. It also provides that out of pocket and visit limits may be no different for mental health and substance abuse care than for other medical care.

According to a report by the Lieutenant Governor's Mental Health Cabinet in Connecticut, of the nearly 600,000 of our state residents who experience symptoms of mental illness, 135,000 suffer from a serious condition and 66,000 suffer from a severe condition. Countless others suffer from debilitating substance abuse disorders. These problems are every bit as serious as other medical conditions and must be treated by our health care system as such.

Again, I want to commend my colleagues who worked so hard on this issue to reach a bipartisan compromise and reiterate my strong support for this legislation.

Mr. COURTNEY. Mr. Speaker, stigmas surrounding mental health illness have negatively impacted disease acceptance, and in turn, access to quality care and treatment. For too long, members of our eastern Connecticut community and Americans across our nation have suffered the consequences of these inequalities in our health care system. Today, we have the opportunity to ease access to quality care and treatments for those with mental illness by passing the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (H.R. 6983).

In 1996, the Mental Health Parity Act codified the first national mental health parity requirements, mandating that annual and lifetime dollar limits on coverage for mental health treatment be no less than those for physical illness. While this legislation marked a monumental achievement with improving access to mental health care and treatments, more must be done.

Throughout the 110th Congress, the House and Senate have worked on mental health parity legislation that will extend coverage requirements beyond those established in the Mental Health Parity Act of 1996. The Mental Health Parity Act (S. 558) introduced in the Senate and the Paul Wellstone Mental Health Parity and Addiction Equity Act (H.R. 1424), which I cosponsored in the House, both extend coverage mandates to include equity in copayments, deductibles, as well as in- and out-of-network coverage. On March 5, 2008 and September 17, 2007, the House and Senate respectively passed H.R. 1424 and S. 558 with bipartisan support. The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act reflects a compromise between the House and Senate bills, and more broadly, an equitable standard for mental health care coverage.

Mr. Speaker, nearly one in four Americans suffers from a diagnosable mental disorder. By passing the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act we recognize the prevalence and seriousness of mental health illness as well as the need for expanded coverage. I ask my colleagues to join me in voting in favor of this critical legislation.

Mr. VAN HOLLEN. Mr. Speaker, I rise in strong support of this long overdue bipartisan legislation, and I want to commend and thank

our colleagues, PATRICK KENNEDY and JIM RAMSTAD, for their leadership on this very important issue that is so important to millions of Americans around this country.

The bill before us today is the product of their determination, perseverance and passion. They traveled across this great land holding field hearings listening to Americans from all walks of life. I had the privilege of hosting one of those hearings in my congressional district. The message from that hearing, as with other hearings from around the country, was very clear—Congress needs to end insurance discrimination in mental health care.

Both common sense and simple fairness dictate that mental health diseases be treated on an equal footing with other conditions. Unfortunately, employer-provided health care set stricter treatment limits and imposed higher out-of-pocket costs for mental health care for many years. The Paul Wellstone and Pete Domenici Mental Health Parity Act of 2008 will reverse this practice and ensure that group health plans do not charge higher co-payments, coinsurance, deductibles, and do not lower day and visit limits on mental health and addiction care than for medical and surgical care.

Mr. Speaker, this bill is completely paid for. Let us honor the spirit of Paul Wellstone and pass this much-needed legislation. I strongly urge my colleagues to vote for it.

Mr. PALLONE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6983, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE 150TH ANNIVERSARY OF THE FOUNDING OF MACY'S, INC.

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1473) recognizing the 150th anniversary year of the founding of Macy's, Inc., as an American entrepreneurial success story and the role Macy's, Inc., plays in supporting America's small businesses and vendors, including those that are minority and women owned; celebrating the vision, innovativeness, and ingenuity of all of our Nation's small businesses.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1473

Whereas, on October 28, 1858, 36-year-old entrepreneur Rowland Hussey Macy opened a small dry goods store know as R.H. Macy & Co. at the corner of 14th Street and 6th Avenue in New York City;

Whereas the early struggles of R.H. Macy & Co. are representative of all American small businesses and indicate the intense drive and spirit of our Nation's entrepreneurs;

Whereas Rowland Hussey Macy adopted a red star as his symbol of success, dating back to his days as a sailor, and had first-day sales totaling $11.06;

Whereas, after the first full year in operation, R.H. Macy & Co. had gross sales of almost $90,000, and, by 1877, nearly 20 years after it was founded, R.H. Macy & Co. had become a full-fledged department store occupying the ground space of 11 adjacent buildings;

Whereas, as small businesses must evolve to remain competitive in the marketplace, Macy's is known for several firsts that changed the retail industry, including being the first retailer to promote a woman, Margaret Getchell, to an executive position, pioneering such revolutionary business practices as the one-price system, in which the same item was sold to every customer at one price, and quoting specific prices for goods in newspaper advertising;

Whereas the competitive pressures facing small retailers such as Macy's compelled it to pursue creative merchandising initiatives, including being the first to introduce such products as the tea bag, the Idaho baked potato, and colored bath towels;

Whereas, by November 1902, the small store had outgrown its modest storefront and moved uptown to its present Herald Square location on Broadway and 34th Street, establishing an attraction for shoppers from around the world;

Whereas, as Macy's, Inc., has grown, it has not forgotten its heritage as a small business and promoted small firms, pursued supplier diversity initiatives, and assisted in the growth of talented entrepreneurs by striving to purchase and support vendors who are certified as minority or women owned;

Whereas Macy's, Inc., purchases goods and services from these small business enterprises and encourages prospective suppliers to partner with it and take advantage of its Supplier Diversity Program and provides participating vendors with direction and guidance to help them plan and ready for the strategic demands of a larger-scale retail relationship; and

Whereas Macy's, Inc., held its first-ever national supplier diversity fair in New York City in August 2007 targeting the minority- and women-owned vendor community in the cosmetics and skincare categories with the goal of enhancing Macy's existing assortment for its diverse multicultural customer population: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes—

(A) the 150th anniversary year of the founding of Macy's, Inc., as an American entrepreneurial success story; and

(B) the role Macy's, Inc., plays in supporting America's small businesses and vendors, including those that are minority and women owned;

(2) celebrates the vision, innovativeness, and ingenuity of all of our Nation's small businesses that aspire to grow and prosper as Macy's, Inc., has over its 150-year history; and

(3) congratulates Macy's, Inc., as an American entrepreneurial success story.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of this resolution in celebration of Macy's 150th anniversary. Both the City of New York and the small business community have benefited immensely from the success and generosity of this American icon.

As anyone within the small business community will tell you, the best entrepreneurs are more than just businessmen. While it is obviously important to have a head for numbers and risks, there is another, more critical, element involved. In order for an entrepreneur to make history, in order to be truly great, he or she must also be an innovator. Roland H. Macy was just that kind of man.

Today, we are saluting the business that Macy founded 150 years ago, a company that began small but, through hard work and enormous innovation, has come to stand as a symbol of the American Dream.

When Macy opened a small dry goods store in 1858, he probably never expected it to become a multi-billion dollar business. After all, he first reported sales added up to a grand total of $11.06. Still, it didn't take long for Macy's venture to become a success.

□ 1500

A century and a half after it first opened its door, that little dry goods shop has grown to become a national department store chain.

Macy's remarkable growth stands for more than just hard work and good business sense. R.H. Macy, like any successful entrepreneur, was a tireless innovator. As chairwoman of the Small Business Committee, I see that same sense of innovation in the entrepreneurs I work with. It is the spirit that drives people to start businesses in the first place.

Macy's small business success was largely rooted in its ability to innovate. Indeed, the department store pioneered many of their retail practices we now take for granted. For example, it was the first to adopt the one-price system through which every item is assigned a single fixed cost.

Macy's has also consistently outshone its competitors by offering new and novel products. Take, for instance, color bath towels, or the Idaho baked potato, or the tea bag. None of these commodities were available to the mainstream until Macy's brought them to market.

As with any industry, great success brings great change. Macy's has obviously outgrown its ''small business'' label and has become a major player in the retail world. Its flagship store in my home City of New York has become a shopping destination for Manhattanites and tourists alike. It attracts visitors from across the country and around the world. And yet despite being a multi-billion dollar corporation, Macy's has never forgotten its entrepreneurial roots.

The retailer still strives to support the small business community by purchasing many of its products from small firms. Through its Supplier Diversity Program, the company makes a point of buying from and nurturing women and minority entrepreneurs. In 2007, it held its first diversity supplier fair to target these groups specifically.

Macy's embodies the great American story of a small business that made it big. Roland H. Macy and his legendary venture represent the dream of every entrepreneur. After 150 years, the retailer stands as a shining example of two fundamental American values—hard work and innovation. Those are the values that have driven the department store's achievements throughout the years. And those are the values that we are celebrating this afternoon.

The Macy's story is a great American story. It is based on the premise that any small business owner can become a big business success. After all, Macy's began as a modest dry goods store on the corner of 14th Street and 6th Avenue in Manhattan. Today, it is a multi-billion dollar corporation.

But while Macy's may be a Fortune 500 company, it has not forgotten its small business roots. Its Supplier Diversity Program, for example, nurtures women and minority entrepreneurs. Macy's clearly recognize the importance of giving back.

In celebrating Macy's, we are applauding its great achievements, and its dedication to invention. The company pioneered many practices and products that have since become American staples. For instance, the store first brought colored bath towels into the mainstream. But perhaps more importantly, we are also applauding Macy's commitment to small business development. It is a commitment to entrepreneurship. It is a commitment to innovation. It is a commitment to the American dream.

I would urge the adoption of this resolution.

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

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

As ranking member of the House Small Business Committee, I rise to support this resolution recognizing the 150th anniversary year of the founding of Macy's, Inc. I'm pleased to be joined by my good friend and distinguished chairwoman of the Small Business Committee, NYDIA VELÁZQUEZ of New York, in offering this legislation.

Mr. Speaker, American small business owners are the entrepreneurs who create the majority of American jobs, export American products, and generate America's economic growth. Small firms exhibit the best of American values: hard work, innovation, enthusiasm, and determination.

The story of Macy's is one of true entrepreneurship. Roland Hussey Macy started the small dry goods store in New York City in 1858 that would develop into one of the largest department store retailers in the world. It was Mr. Macy's perseverance, ingenuity, and determination that helped to spur that growth.

Many Cincinnatians remember the John Shillito Company—or Shillitos, as we called it—Cincinnati's first department store, which was founded in 1830. In 1929, Shillito's, F.&R. Lazarus in Columbus, Ohio, Brooklyn, New York-based Abraham & Straus and several other family-owned department stores formed a holding company called Federated Department Stores. In 1945, Federated moved its offices to Cincinnati, where Macy's primary headquarters operates today, and in 1994, Federated acquired Macy's.

Today Macy's operates over 810 stores in every major metropolitan area around the entire United States.

Small businesses are known for their ability to respond to the needs of the market. Macy's, which began as a small business, has always been innovative: it was the first American store with escalators, elaborate window displays, and an in-store Santa. Macy's also began what is now the Macy's Thanksgiving Day Parade. Macy's tenets that customers are paramount and that success comes from taking advantage of opportunity are principles that small firms still apply today.

I want to commend Macy's for its commitment to purchasing from small businesses, including women- and minority-owned enterprises, establishing supplier diversity initiatives, and encouraging its vendors to purchase from small firms. Macy's also has a strong history of corporate and foundation giving and encouraging employee community service.

Congratulations to Macy's on 150 years of growth, success, and philanthropy.

Finally, I want to again thank Chairwoman VELÁZQUEZ for working in a bipartisan way on this issue as she has done consistently throughout the last 2 years that she served as the chairwoman of the Small Business Committee. I appreciate her leadership. I think she's done an extraordinarily good job. It's been an honor to work with her over the last 2 years.

At this point, I would like to reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire if the gentleman has any other further speakers.

Mr. CHABOT. We have no further speakers.

I yield back.

Ms. VELÁZQUEZ. Mr. Speaker, I yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and agree to the resolution, H. Res. 1473.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

UNITED STATES-REPUBLIC OF KOREA DEFENSE COOPERATION IMPROVEMENT ACT OF 2008

Mr. HIGGINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5443) to improve defense cooperation between the Republic of Korea and the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5443

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Republic of Korea Defense Cooperation Improvement Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Close and continuing cooperation in defense between the United States and the Republic of Korea continues to be in the national security interest of the United States.

(2) The Republic of Korea was designated a Major Non-NATO Ally in 1987, the first such designation.

(3) The Republic of Korea has been a major purchaser of United States defense articles and services through the Foreign Military Sales (FMS) program, totaling $6,900,000,000 in deliveries over the last 10 years.

(4) Purchases of United States defense articles, services, and major defense equipment facilitate and increase the interoperability of Republic of Korea military forces with United States military forces.

(5) Congress has previously enacted important, special defense cooperation arrangements for the Republic of Korea, as in the Act entitled ''An Act to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea'', approved December 30, 2005 (Public Law 109–159), which authorized the President, notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), to transfer to the Republic of Korea certain defense items to be included in a war reserve stockpile for that country.

(6) Such actions by Congress and sales to the Republic of Korea enhance defense ties with that country and ensure favorable consideration by the Government of the Republic of Korea when it considers acquisitions of certain weapons systems.

(7) Enhanced support for defense cooperation with the Republic of Korea is important to the national security of the United States, including through creation of a status in law for the Republic of Korea similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, and New Zealand, with respect to consideration by Congress of foreign military sales to the Republic of Korea.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Republic of Korea under section 36(b) of the Arms Export

Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

SEC. 4. AMENDMENTS TO ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3 (22 U.S.C. 2753)—

(A) in subsection (b)(2), by inserting ''the Government of the Republic of Korea,'' before ''the Government of Australia''; and

(B) in subsection (d)—

(i) in paragraph (2)(B), by inserting ''the Republic of Korea,'' before ''Japan'';

(ii) in paragraph (3)(A)(i), by inserting ''the Republic of Korea,'' before ''Australia''; and

(iii) in paragraph (5), by inserting ''the Republic of Korea,'' before ''Australia'';

(2) in section 21 (22 U.S.C. 2761)—

(A) in subsection (e)(2)(A), by inserting ''the Republic of Korea,'' before ''Japan''; and

(B) in subsection (h)—

(i) in paragraph (1)(A), by inserting ''the Republic of Korea,'' before ''Australia''; and

(ii) in paragraph (2), by striking ''or to any member government of that Organization if that Organization or member government'' and inserting '', to any member government of that Organization, or to the Governments of the Republic of Korea, Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of the Republic of Korea, Australia, New Zealand, Japan, or Israel'';

(3) in section 36 (22 U.S.C. 2776)—

(A) in subsection (b)—

(i) in paragraph (1), by inserting ''the Republic of Korea,'' before ''Japan'';

(ii) in paragraph (2), by inserting ''the Republic of Korea,'' before ''Japan''; and

(iii) in paragraph (6), by inserting ''the Republic of Korea,'' before ''Australia'';

(B) in subsection (c), by inserting ''the Republic of Korea,'' before ''Australia'' both places it appears; and

(C) in subsection (d)(2)(A), by inserting ''the Republic of Korea,'' before ''Australia'';

(4) in section 62(c)(1) (22 U.S.C. 2796a(c)(1)), by inserting ''the Republic of Korea,'' before ''Australia''; and

(5) in section 63(a)(2) (22 U.S.C. 2796b(a)(2)), by inserting ''the Republic of Korea,'' before ''Australia''.

SEC. 5. AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961.

Section 656(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(2)) by inserting ''Republic of Korea,'' before ''Australia''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HIGGINS) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. HIGGINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. HIGGINS. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

I would first like to thank our distinguished colleague, Mr. ROYCE from California, for introducing this important piece of legislation.

For over 50 years, the United States and the Republic of Korea have enjoyed a strong security partnership and a close friendship. Our alliance helped check the spread of communism in Asia throughout the Cold War, and in the post-Cold War era, our relationship has continued to serve as a backbone of maintaining peace and security throughout the region.

As hosts to 28,000 United States military personnel that work side-by-side with the South Korean military, South Korea is a key element in the security presence of our Nation in Asia. We have continued to work closely with Seoul in Six Party Talks aimed at the denuclearization of the Korean Peninsula.

The bill before us strengthens the vital security relationship with our close friend by adding South Korea to the list of countries in the Arms Export and Control Act that receive expedited congressional review of armed sales of 15 instead of 30 days.

South Korea will now rightly be listed among our closest allies, including the NATO countries, Australia, New Zealand, and Japan, with respect to foreign military sales.

This is a significant symbolic recognition of the critical importance of South Korea to the United States' national security and peace and stability throughout east Asia.

I strongly support this legislation and urge my colleagues to do the same.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5443, a bill to upgrade the status of South Korea's foreign military sales to that of the countries of NATO, Australia, New Zealand, and Japan.

I would like to thank Chairman HOWARD BERMAN for helping to schedule consideration of this legislation before us today and to also recognize the important work of our Foreign Affairs colleague, Mr. ROYCE of California, in introducing this timely and important bill which I am pleased to cosponsor.

Mr. Speaker, this bill appropriately accords South Korea the same treatment provided to other key partners of the United States in the foreign military sales process, such as higher dollar thresholds and expedited time frames for congressional notifications. This upgrade is a powerful symbol of a renewed and transformed U.S.-South Korea alliance. It forcefully reaffirms that South Korea has been and will continue to be a close and valued strategic ally of the United States—a relationship that has long served as a bedrock of stability for northeast Asia.

Mr. Speaker, this legislation is strongly supported by our Departments of State and Defense, and its passage will help advance a new strategic framework for the alliance but not only for the purpose of managing a range of increasingly complex contingencies related to North Korea, but also to cement a common Democratic partnership for the next century.

I urge its adoption.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia will control the remaining time.

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I have no further requests for time at this time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade and the author of this important legislation.

□ 1515

Mr. ROYCE. Mr. Speaker, let me just start by thanking ILEANA ROS-LEHTINEN, who's the ranking member, for her work and Chairman BERMAN's work in bringing this legislation to the floor.

I am in support, of course, of this bill. I authored this bill. But I wanted to share with you that today the House really has an opportunity to strengthen the relationship that we have had historically between the United States and Korea. That alliance is a very important one to us and to our soldiers.

The interoperability of U.S. and Korean soldiers in the Korean peninsula can be secured and, frankly, can be strengthened for years to come, and I think is important because our own Secretary of State, Condi Rice, wrote a letter recently to Chairman BERMAN, and she said in that letter that this ''will serve as an important symbol of the renewed strength of the U.S.-Korea alliance.''

With this legislation in law, foreign military sales with Korea would be treated just as we treat those sales that we have today with NATO or what we call NATO+3, NATO plus Australia, New Zealand and Japan. So the NATO+3 list would become NATO+4. And the upgrade in South Korea's military procurement status would mean a streamlined process; the monetary thresholds that trigger congressional review would be raised and congressional review time would be reduced.

Mr. Speaker, the Republic of Korea, as we all know, is a vital, strategic, and enduring ally to this country; 29,000 U.S. troops stand side by side with the Korean Army, and they've helped keep the peace there in northeast Asia for nearly 60 years.

We had testimony to the United States Congress earlier this year. We had General Bell, a four-star general. He was commander of the U.S. Forces Korea, and he called it ''bizarre and strange'' that Korea did not have this status in U.S. law, and he urged the adoption of this very measure that we're discussing today.

Furthermore, the U.S.-South Korean alliance is distinct. With a mutual defense treaty dating back to 1953, Korea and the U.S. form perhaps the most integrated alliance of interoperable forces I think that exist in the world. On the Korean peninsula, interoperability is not just a buzz word. It is a real-life practice that passage of this legislation would help cement. U.S. and Korean soldiers need to be operating, frankly, on American equipment.

South Korea is a larger foreign military sales partner than any of the NATO+3 members. Last year, Seoul purchased $3.7 billion worth of American defense equipment, making it one of the largest partners in U.S. foreign military sales. And this has led South Korea to formally request this preferential status through its Foreign Ministry and its Defense Ministry. Indeed, South Korean President Lee Myung-Bak raised this legislation when he met with congressional leaders here last spring.

As our alliance has matured, the Koreans are rightly on the path towards assuming the lead for their own defense. With that, Korea plans to invest $290 billion in military hardware over the next dozen years. Without updating our laws to reflect the strategic nature of our relationship, we run the risk of South Korea looking to other suppliers as it continues its defense transformation, perhaps jeopardizing interoperability of our U.S. forces that work with the Korean forces. So today, we can help prevent that from happening, while at the same time benefiting the strength of this alliance.

I urge adoption of the legislation. I thank the chairman and ranking member for their support in bringing it to the floor.

Mr. SCOTT of Georgia. Mr. Speaker, I have no further speakers. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. HIGGINS) that the House suspend the rules and pass the bill, H.R. 5443.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REQUIRING CONSULTATIONS ON U.S.-TAIWAN ARMS SALES TALKS

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6646) to require the Secretary of State, in consultation with the Secretary of Defense, to provide detailed briefings to Congress on any recent discussions conducted between United States Government and the Government of Taiwan and any potential transfer of defense articles or defense services to the Government of Taiwan, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6646

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

SECTION 1. FINDINGS.

Congress finds the following:

(1) Relations between the United States and Taiwan are governed by the Taiwan Relations Act (22 U.S.C. 3301 et seq.; Public Law 96–8), three joint communiques, and the Six Assurances.

(2) The Taiwan Relations Act has governed United States arms sales to Taiwan since 1979, when the United States extended diplomatic recognition to the People's Republic of China.

(3) The Taiwan Relations Act specifies that it is United States policy, among other things, to consider any nonpeaceful means to determine Taiwan's future ''a threat'' to the peace and security of the Western Pacific and of ''grave concern'' to the United States, ''to provide Taiwan with arms of a defensive character'', and ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion'' jeopardizing the security or social or economic system of Taiwan's people.

(4) Section 3(a) of the Taiwan Relations Act states that ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability''.

(5) Section 3(b) of the Taiwan Relations Act stipulates that both the President and the Congress shall determine the nature and quantity of such defense articles and services ''based solely'' upon their judgment of the needs of Taiwan.

(6) Taiwan has recently reversed a downward trend in defense spending with a $2.2 billion increase in 2007 to $9.8 billion and the Defense Ministry has requested and the Executive Yuan approved a 2008 budget of $10.6 billion, an increase of 15 percent.

(7) According to the Congressional Research Service, the executive branch has yet to send any arms transfer notifications to Congress during calendar year 2008, including notifications on at least seven pending arms sales programs with a total value of about $11 billion that encompass programs on a submarine design, Patriot PAC–3 missile defense systems, and Apache and Blackhawk helicopters.

(8) Taiwanese President Ma Ying-jeou stated on July 12, 2008, that the island needs to secure defensive weapons from the United States, despite a warming of relations with mainland China.

(9) On July 16, 2008, Admiral Timothy Keating, Commander of the Hawaii-based United States Pacific Command, acknowledged that the executive branch had imposed a ''freeze'' on arms sales to Taiwan, a decision that is in contradiction to longstanding United States law and policy.

SEC. 2. MANDATORY CONGRESSIONAL BRIEFINGS.

(a) BRIEFINGS.—Not later than 90 days after the date of enactment of this Act, and not later than 120 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall provide detailed briefings to Congress on—

(1) any discussions conducted between any executive branch agency and the Government of Taiwan during the covered period; and

(2) any potential transfer of defense articles or defense services to the Government of Taiwan.

(b) DEFINITIONS.—In this section:

(1) COVERED PERIOD.—The term ''covered period'' means—

(A) with respect to the initial briefings required under subsection (a), the period beginning on the date of the enactment of this Act and ending on the date of the initial briefings; and

(B) with respect to the subsequent briefings required under subsection (a), the period beginning on the day after the date of the initial briefings required under subsection (a) and ending on the date of the subsequent briefings.

(2) EXECUTIVE BRANCH AGENCY.—The term ''executive branch agency'' has the meaning given the term ''agency'' in section 551(1) of title 5, United States Code.

(3) DEFENSE ARTICLE.—The term ''defense article'' has the meaning given the term in section 47 of the Arms Export Control Act (22 U.S.C. 2794 note).

(4) DEFENSE SERVICE.—The term ''defense service'' has the meaning given the term in section 47 of the Arms Export Control Act (22 U.S.C. 2794 note).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

I would like to first thank my distinguished colleague, the ranking member of the Foreign Affairs Committee, ILEANA ROS-LEHTINEN, for introducing this very, very important legislation.

When it comes to arms sales to Taiwan, U.S. policy is clear. We must ensure that the thriving democracy of Taiwan has the military capability necessary to defend itself from outside threats.

The United States is obligated to provide defensive military equipment to Taiwan, not just because it is right to aid our democratic friends, but also because it is the law of the land under the Taiwan Relations Act.

This act, which has been at the core of our policy towards Taiwan for almost three decades, clearly states that the United States should base its decision whether to supply defensive military equipment to Taiwan solely on the security needs of the Taiwanese military.

The Taiwan Relations Act is also clear that it is the President and Congress that determine what military equipment shall be sold to Taiwan. Apparently, the White House does not understand the Taiwan Relations Act.

As we speak, the administration is refusing to move forward with $11 billion worth of arms to Taiwan, arms which the administration has already

agreed to sell. The Taiwanese government wants the weapons, and the administration has recommended that the sales be approved. The only thing remaining is for the administration to notify Congress, and yet, no notification has come.

To address this peculiar situation, over the past months the Foreign Affairs Committee has repeatedly requested briefings from the administration. Most often, the answer is simply no response. When pressed, State Department and other administration officials throw up their hands and tell us to ask the White House because it is the White House that is making the decision to delay notification of the sales and not to talk to Congress.

H.R. 6646 requires the administration to brief the House Foreign Affairs Committee and the Senate Foreign Relations Committee on all discussions that the administration has had with the Taiwanese Government regarding the arms sales and on any potential transfer of defense equipment to Taiwan.

I would like to point out the extraordinary measure we are taking by introducing this legislation. Section 15(b) of the State Department Basic Authorities Act provides that the Department ''shall keep the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to all activities and responsibilities within the jurisdiction.'' With respect to these arms sales to Taiwan, this law has been ignored.

Because of the importance of the U.S.-Taiwan relationship and the importance of the Taiwan Relations Act, which has helped keep peace in East Asia for almost 30 years, it is time for Congress to take a more direct step in compelling the administration to explain its decision-making on arms sales to Taiwan.

The stakes are too high to let the White House continue its policies of secrecy and disregard for congressional oversight. It is an injustice to our Taiwanese friends. It is a danger to our national security, and it is against the law.

I strongly support this legislation and encourage my colleagues to do the same.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE), the ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. Mr. Speaker, I want to just begin by thanking Congresswoman ILEANA ROS-LEHTINEN, our distinguished ranking member on Foreign Affairs, for bringing this bill up before us. And, of course, this bill requires the State Department to provide detailed briefings to Congress on defense sales to the Government of Taiwan.

Mr. Speaker, I think it's clear to us Taiwan and the U.S. have a long and valued partnership. Taiwan is one of the few, very vibrant democracies in the region, in Asia, and we continue to build on our already strong economic partnership that we have with that country. Taiwan is an important ally, and we have long considered its security a priority. We have commitments there with regard to that security.

That is why this administration's decision to sit on an arms package worth approximately $11 billion is of concern. Today, the People's Republic of China continues to expand its military capabilities, amassing hundreds of short-range missiles pointed across the strait. Now they're pointed at Taiwan.

Now some of us support arms sales to Taiwan. Others may not. But we can all agree, I think, that Congress should be involved in this process. The 1979 Taiwan Relations Act, legislation that governs U.S. arms sales to Taiwan, stipulates that both the President and Congress, this body, shall determine the nature and quantity of such defense articles.

Unfortunately, Mr. Speaker, Congress has been left out. This bill, however, helps right that wrong, and I commend its author, Ranking Member ILEANA ROS-LEHTINEN, for bringing this bill before us today, and I urge its passage.

Mr. SCOTT of Georgia. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 6646, a bill to require the executive branch to provide quarterly briefings to Congress on possible defense transfers from the United States to Taiwan.

At the outset, I'd like to thank Chairman HOWARD BERMAN and the leadership on both sides for helping to expedite consideration of this legislation.

Mr. Speaker, this is a modest bill. It requires the executive branch again to regularly brief Congress on our policy toward Taiwan and, in particular, the defense needs of Taiwan and the security balance across the strait.

Why is this bill even necessary? Well, it's necessary because a long-rumored freeze on United States foreign military sales to Taiwan was confirmed on July 16 by Admiral Timothy Keating, the commander of U.S. forces in the Pacific.

According to press accounts of his remarks at the Heritage Foundation, Admiral Keating observed that there have been ''no significant arms sales from the U.S. to Taiwan in relatively recent times,'' and that the absence of arms sales under the Foreign Military Sales process reflected ''administration policy.''

□ 1530

Admiral Keating went on to suggest that he had, in fact, discussed the issue of Taiwan arms sales with leaders in Beijing, noting that, ''The Chinese have made clear to me their concerns over any arms sales to Taiwan.''

I found Admiral Keating's remarks at the Heritage Foundation affirming that there was, in fact, a ''freeze'' on arms sales to Taiwan to be a cause for great concern. Even more disturbing was the Admiral's indication that the Chinese leadership had had some input into the decision of the United States about Taiwan's defensive needs and our commitment to Taiwan under our laws.

The Taiwan Relations Act gives Congress a clear role in the provision of defensive weapons to Taiwan. President Reagan's ''Six Assurances'' to Taiwan was a solemn commitment made over a quarter century ago making it clear that there should be no pre-consultation with Beijing on this matter. However, it seems that, while Congress has been left in the dark on this issue—which is of vital concern to our national security interests—the Chinese leadership has been kept fully abreast of our Nation's intentions.

Last year, the House passed a resolution that I put forward which declared, ''It shall continue to be the policy of the United States, consistent with the Taiwan Relations Act, to make available to Taiwan such defense articles and services as may be necessary for Taiwan to maintain a sufficient self-defense capability.'' That remains my firm position.

The legitimate defense needs of our friends in Taiwan must be met no matter who attended the Beijing Olympics nor how helpful the State Department says that China has been in the talks with North Korea. That is the clear intention of the Taiwan Relations Act. That is the clear commitment that President Reagan gave to Taiwan. On this matter, Mr. Speaker, there can be no backsliding or compromise.

I hope and I trust that this bill can be passed swiftly prior to congressional adjournment and thereby alleviate some of the confusion over this so-called arms ''freeze.''

For almost 30 years, the judicious sale of defensive weapons has been an essential element in the United States support for a secure, stable and democratic Taiwan as well as for peace and stability across the Taiwan Strait. Now is not the time to backtrack from that historic and bipartisan policy.

Mr. Speaker, this Congress should do everything in its power to ensure that Taiwan will continue as a beacon of democracy shining its light directly across the strait in the very heart of Tiananmen Square.

I urge support of this bill.

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

Mr. SCOTT of Georgia. Mr. Speaker, I yield 2 minutes to the gentlelady from Nevada, Ms. SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding, and I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her strong leadership on this issue.

I will not speak long, Mr. Speaker, because this issue could not be more simple to understand.

I rise today as a proud cosponsor of this bill and as co-chairman of the Congressional Taiwan Caucus.

Mr. Speaker, this administration talks about spreading democracy and expanding liberty. In the case of Taiwan, we don't need to topple a dictator in order to show our support for one of the world's most embattled democracies, we simply need to help them protect themselves. And yet we cannot get this administration to tell us if they in fact will deliver the arms that they have already promised to Taiwan. Will they allow Taiwan to acquire the weapons they need, or will this administration continue to curry favor with the Chinese and refuse to help our democratic ally in its time of need?

We have written letters, Members of this body have made statements, and now we're passing a law just to get simple answers from the President of the United States. We cannot and should not wait any longer. Taiwan and its democratic citizens ought not have to wait any longer. Let us deliver the arms that we have promised to the Taiwan people.

I urge support for this bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

Mr. SCOTT of Georgia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6646, as amended.

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

A motion to reconsider was laid on the table.

UNITED STATES COMMITMENT TO PRESERVATION OF RELIGIOUS AND CULTURAL SITES

Mr. CROWLEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 255) expressing the sense of Congress regarding the United States commitment to preservation of religious and cultural sites and condemning instances where sites are desecrated, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 255

Whereas the Congress is committed to protecting and preserving the cultural heritage of all national, religious, and ethnic groups, including sacred sites of such groups, including cemeteries in the United States and abroad;

Whereas the Holocaust annihilated much of Europe's Jewish population and in many countries, none were left to care for the communal properties that represent a historic culture in the area and constitute an integral part of the Jewish religion;

Whereas the Holocaust and 45 years of atheistic, Communist governments created a critical need that led to the establishment of the United States Commission for the Preservation of America's Heritage Abroad;

Whereas the United States Commission for the Preservation of America's Heritage Abroad is tasked with identifying and reporting on cemeteries, monuments, and historic buildings in Eastern and Central Europe that are associated with the heritage of United States citizens and obtaining assurances from the governments of those regions that the properties will be protected and preserved;

Whereas the United States Commission for the Preservation of America's Heritage Abroad has in effect over 20 bilateral agreements between the United States and foreign governments assuring the protection and preservation of cultural property;

Whereas many properties continue to be endangered and many governments and communities continue to face fundamental and compelling challenges in the preservation of these properties;

Whereas Congress is outraged by the construction that occurred within the perceived boundaries of the historic Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania;

Whereas cemeteries are sacred sites and are established to remain undisturbed in perpetuity, and the sanctity of a cemetery is determined by the bodies buried therein;

Whereas construction of a commercial building on the site disgraces the cemetery, it does not change its status;

Whereas experts within Lithuania and from around the world community believe that the cemetery located in the Snipiskes area of Vilnius, Lithuania, is a Jewish cemetery and is therefore sacred ground;

Whereas the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, is known by scholars within Lithuania and from around the world as the first Jewish cemetery in Vilnius and dates back to the 15th century, and it is believed that before the government closed the cemetery in the early 1800s, more than 50,000 Jews were buried there;

Whereas the fact that the Government of Lithuania has allowed construction to take place within the perceived boundaries of the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, and that desecration continues into the 21st century is an affront to the international Jewish community, the American people, and everyone who values religious freedom and ethnic diversity around the world;

Whereas the failure of the Government of Lithuania to protect the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, violates the October 15, 2002, bilateral agreement between Lithuania and the United States on the protection and preservation of certain cultural properties, including cemeteries;

Whereas specifically, Article 1 of the bilateral agreement states: ''[E]ach party will take appropriate steps to protect and preserve the cultural heritage of all national, religious, or ethnic groups that reside or resided in its territory, including victims of genocide during the Second World War. The term 'cultural heritage' for purposes of this agreement means '. . . cemeteries, and memorials to the dead. . .' ''; and

Whereas Congress welcomed the decision by the Government of Lithuania to conduct a geophysical survey of the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, in the summer of 2008 to establish definitively the boundaries of the cemetery, as well as to designate the land as a cultural heritage site: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) expresses strong support for the work of the United States Commission for the Preservation of America's Heritage Abroad and for the European countries that continue to work to preserve sacred historical sites, despite ongoing challenges;

(2) expresses strong sentiments to the Government of Lithuania that the people of the United States believe the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, must not be desecrated;

(3) calls on the Government of Lithuania to give serious consideration to the recommendations being prepared by the international experts group on the basis of the geophysical survey of the Jewish cemetery located in the Snipiskes area of Vilnius, Lithuania, and to take steps that guarantee the permanent preservation of the cemetery site, including the possibility of placing the land under government ownership; and

(4) declares that constructive bilateral relations between Lithuania and the United States are important to the governments, citizens, and shared agendas of both countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. CROWLEY) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the resolution and yield myself as much time as I may consume.

I want to thank our colleague, Mr. FERGUSON of New Jersey, for introducing this resolution that draws congressional attention to an ongoing dispute in Lithuania about construction on the grounds of a former Jewish cemetery in that country. I would also like to thank my good friend, Representative ROS-LEHTINEN, for her leadership on this issue, and recognize the efforts of Representative SHIMKUS in seeking to find a constructive solution to this problem.

One of many tragic consequences of the Holocaust was the decimation of Jewish populations that would otherwise have cared for communal property that represents an important part of Europe's history. The Jewish cemetery in the Snipiskes area of Vilnius, Lithuania, is just one example. Archival documents suggest it was established as Vilnius's first Jewish cemetery in the 15th century, served as the burial place for more than 50,000 Jews, and was closed by Czarist Russia in 1831.

As part of our ongoing dialogue with Lithuania regarding the 2002 U.S.-Lithuanian agreement on the preservation of the cultural property of the victims of the Nazi regime, Congress has been concerned about construction on perceived boundary lines of this cemetery.

Despite repeated requests by the U.S. Embassy in Vilnius and Jewish organizations to the Lithuanian Government to address this issue, there has been little movement in recent years.

Congress welcomed the decision by the Government of Lithuania to conduct a geological survey and archaeological investigation of the site this past summer to establish these cemetery boundaries. While the Government's designation of the area as a cultural heritage site is also a helpful step, the fact that the entire site remains in the hands of a private developer raises concerns about the prospects of future construction on the site.

Congress feels very strongly that the Lithuanian Government should take steps to guarantee the permanent preservation of the Snipiskes cemetery, including the possibility of placing the land under government ownership. The government should also consider the recommendations of the International Experts Commission regarding the preservation of these sacred grounds.

The United States greatly values its long friendship with Lithuania, which could be further enhanced by a prompt and sensitive resolution to this difficult situation.

I strongly support this resolution and encourage my colleagues to do the same.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to express my support for House Concurrent Resolution 255, which deals with the preservation of the historic Jewish cemetery in Lithuania. I thank our colleague, Congressman FERGUSON, for introducing this important measure.

Mr. Speaker, the resolution before us speaks to the preservation of a historic Jewish cemetery located in Vilnius, Lithuania, a city that was once a major center of Jewish culture in all of Europe. That cemetery has been in existence since the 13th century and is considered by religious experts around the globe and those of the Jewish faith to be sacred ground.

In 2002, the Government of Lithuania entered into a bilateral agreement with the United States to ensure the protection and the preservation of certain historical, cultural and sacred properties, including cemeteries such as the one in Vilnius. Regrettably, despite that bilateral agreement, construction of a condominium building took place within the perceived boundaries of the Jewish cemetery in Lithuania.

The resolution before us expresses the view that the Jewish cemetery in Vilnius must not be desecrated. It urges the Lithuanian Government to protect the cemetery site from future construction and desecration.

I want to note at this point, Mr. Speaker, that Lithuania has indeed been our ally in NATO since 2004. Indeed, the United States and Lithuania have had a strong relationship. And I believe that bilateral cooperation on issues of importance such as this issue that is addressed by the measure before us today will strengthen that relationship.

This resolution simply calls on the Lithuanian Government to do more to protect and preserve this cemetery site. Such action by the Government of Lithuania would indeed reaffirm the values shared by our two nations, and in so doing, enhance the broader relationship between the United States and Lithuania.

I urge my colleagues to support this important resolution.

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

Mr. CROWLEY. I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FERGUSON), the author of this resolution and a member of the Committee on Energy and Commerce.

Mr. FERGUSON. Mr. Speaker, I first want to thank my friend and colleague, Mr. CROWLEY, for working with me on this resolution, and I appreciate his leadership on the floor today. I want to thank Chairman BERMAN of the committee and Ranking Member ROS-LEHTINEN for their strong support in helping us bring this resolution to the floor today.

This Congress is committed to protecting and preserving the cultural heritage of all national, religious, and ethnic groups, including sacred sites such as the cemeteries here in the United States and around the world.

There are over 20 bilateral agreements between the United States and foreign governments assuring the protection and preservation of cultural property. However, in recent months, the bilateral agreement between the United States and Lithuania has, unfortunately, been broken.

We're disappointed that there has been a lack of meaningful action by the Lithuanian Government in preserving the Jewish cemetery in the Snipiskes area of Vilnius, Lithuania. Instead of preserving this site, the government in Lithuania has allowed an apartment complex to be built over the assumed boundaries of this particular cemetery.

Now, cemeteries are sacred sites and are established to remain undisturbed in perpetuity, and the sanctity of a cemetery is determined by the bodies and the families of those bodies that are buried in them. This resolution expresses this body's deep commitment to preserving these sacred cultural sites. Those buried there and their families deserve nothing less than that.

As I close, I just want to again thank the chairman of the committee, my friend from New York (Mr. CROWLEY) and the ranking member of the committee, Ms. ROS-LEHTINEN. I also want to thank my legislative director, Mandy Tharpe, who worked very hard on drafting this legislation, and all the members of the staff for helping us with this important resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to voice my support for House Concurrent Resolution 255, expressing the sense of Congress regarding the United States commitment to preservation of religious and cultural sites and condemning instances where sites are desecrated. The heart of this bill is protecting the memory and beliefs of those around the world. Protecting the beliefs of others allows me to rest easy that my beliefs and the beliefs of those in the 18th Congressional District of Texas are kept safe.

Protecting religious freedoms isn't just about allowing anyone to pray to whatever God they believe in, it is also about allowing them to have religious sites that are safe from molestation by people who disagree with what those places symbolize and embody. These sites are more than Churches, Synagogues, and Mosques; they are gardens, statues, and cemeteries.

Before 9/11 happened, the Taliban was still in the midst of wreaking havoc on all those who believed in things different from them. In March 2001, Supreme Taliban leader Mullah Mohammed Omar issued an edict against un-Islamic graven images. This edict made two mountain sized, 1,500 year old sandstone statues of Buddha against the law. Through hand placed dynamite and tank shells fired from below, these two majestic monuments of sixth century ingenuity were reduced to rubble. As if this wasn't bad enough, the culprits of this despicable deed went through local museums with sledge hammers finding anything that was related to other religions. After it was over, 2,500 artifacts from centuries passed were lost forever to what can only be described as petty, but effective, vandalism.

Mr. Speaker, destruction like this should not be allowed. This does not just hurt those who follow the teachings of Buddha; this hurts those who have their own beliefs shared by people around the world. Christian burial grounds, Jewish monuments to the Holocaust, and Islamic mosques need to be protected to assure that every man, woman, and child has the right to practice whatever religion they want.

Second only to personal safety, in regard to defending religious rights, is safeguarding the sites that are sacred to a religion. Buddhists around the world were gravely hurt by the destruction of their statues. Before the Taliban had come to power, these 15 story tall monuments had served as a beacon for Buddhists everywhere. They could come and view the proof that people just like them 15 centuries ago had the same basic beliefs that they did. This was proof that this faith could endure and in fact, had for generations.

This bill will express to the world, in a clear and unwavering voice, that the United States of America will not tolerate such brutal attacks on religion. Residents of my district know that if anyone in the world was attacking their most tightly held beliefs and religious ideals that the Federal Government would not sit idly by and watch as a repeat of the destruction on the mountainside of Bamiyan, Afghanistan, occurred.

Sites from Jerusalem's Wailing Wall to the supreme holy city of Mecca to the Vatican City should remain protected from those who don't believe what these places represent. In the end, the right to practice any religion you

choose doesn't just protect those who practice; it protects those who don't practice. Religion, like speech, is such an engrained belief in our country, since the time of the founding of the country, that it must be protected at all costs.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

Mr. CROWLEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. CROWLEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 255, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1545

CONDEMNING SEXUAL VIOLENCE IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Mr. CROWLEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1227) condemning sexual violence in the Democratic Republic of the Congo and calling on the international community to take immediate actions to respond to the violence, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1227

Whereas the situation in eastern Democratic Republic of the Congo has been recognized as the worst crisis of violence against women in the world, according to the United Nations Special Rapporteur on Violence Against Women;

Whereas the Democratic Republic of the Congo has experienced the world's deadliest crisis since World War II, with an estimated 5.4 million deaths since 1998;

Whereas hundreds of thousands of women and girls have experienced an exceptionally violent type of rape in the Democratic Republic of the Congo, and the full extent of incidence of sexual violence is unknown as most survivors experience repeated rapes, live in inaccessible areas, are afraid to report the attacks, or did not survive them;

Whereas sexual violence is used as a method of warfare by all parties to the conflict in the Democratic Republic of the Congo as a means to terrorize and destabilize entire communities;

Whereas in 2007, Malteser International estimated that 70 percent of all rapes in South Kivu were committed by nonstate armed groups, including foreign militia from Burundi, Rwanda, and Uganda, 16 percent by Democratic Republic of the Congo military forces, and 14 percent by civilians;

Whereas control over the Democratic Republic of the Congo's natural resources is central to the ongoing conflict;

Whereas in 2002, the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo alleged nine United States business enterprises to be in violation of the OECD Guidelines for Multinational Enterprises;

Whereas, on July 30, 2007, the United Nations Special Rapporteur on Violence Against Women reported, ''Women are brutally gang raped, often in front of their families and communities. In numerous cases, male relatives are forced at gun point to rape their own daughters, mothers or sisters. Frequently women are shot or stabbed in their genital organs, after they are raped. Women, who survived months of enslavement, [said] that their tormentors had forced them to eat excrements or the human flesh of murdered relatives'';

Whereas rape with the use of knives, gun barrels, beer bottles, cassava roots, or sticks can result in a tear or fistula between a woman's vagina and bladder or rectum, or both, causing the development of traumatic gynecologic fistula;

Whereas some women and young girls reportly have had their lips or tongues cut off by their attackers so that they won't report the crime to authorities;

Whereas the Panzi Hospital, a specialized institution in South Kivu, receives about 3,500 cases annually of women who suffer from traumatic fistula and other severe genital injuries resulting from these sexual atrocities;

Whereas at Heal Africa Hospital in Goma, doctors reported treating 4,800 rape victims and, in 2005, doctors performed 242 fistula-repair operations;

Whereas current activities to treat survivors meet only a portion of the need;

Whereas the scope of the sexual violence affects women and girls of all ages, from 10 months to 80 years old;

Whereas a culture of impunity continues in eastern Congo and rape has become a societal norm;

Whereas in July 2006, the Congolese Parliament passed the Law on the Suppression of Sexual Violence, which attempted to strengthen penalties and criminal procedures, but in reality, little action has been taken by the authorities to implement the law and perpetrators continue to enjoy impunity; and

Whereas the United States Government has codified its commitment to the Democratic Republic of the Congo through the Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act of 2006 (Public Law 109–456): Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly condemns the use of all forms of sexual violence, including rape, in the Democratic Republic of the Congo;

(2) condemns the actions of all armed groups in the Democratic Republic of the Congo, including militias and rebel groups, such as the Forces Démocratiques de Libération du Rwanda (FDLR), Mai-Mai Militia, and the Front for Patriotic Resistance of Ituri, that have created a culture of impunity for rape and sexual violence;

(3) calls on the Government of the Democratic Republic of the Congo to develop a strategy to address and end the large-scale sexual violence in the Democratic Republic of the Congo by—

(A) protecting its civilians from violence and enforcing and respecting the rule of law in accordance with international norms and standards;

(B) holding all armed groups accountable for their actions by implementing judicial reforms to investigate, arrest, and try suspected criminals;

(C) prosecuting and punishing members of the Congolese Armed Forces who have committed crimes of sexual violence and other atrocities; and

(D) establishing a verification mechanism to ensure that officers who have engaged in or have been complicit in the commission of sexual violence, including rape, do not receive important posts in the Congolese Armed Forces, the national police, and other security services;

(4) urges an increased effort by the United States through the Department of State and other donor countries to provide greater assistance to the Democratic Republic of the Congo for police and military human rights education and training, and training for those in the judiciary in order to improve their ability to investigate, prosecute, and sentence rapists;

(5) strongly urges the United States Agency for International Development to increase its assistance to victims of rape and sexual violence in the Democratic Republic of the Congo;

(6) urges the Secretary of State to appoint a special envoy to the Democratic Republic of the Congo to sustain United States engagement in a peace process and stabilization programs, and to continue its leadership towards the implementation of the Nairobi communiqué;

(7) encourages the Secretary of State to continue to work with the heads of the other agencies implementing programs in the Democratic Republic of the Congo to develop a plan for systematically assessing the United States Government's overall progress in achieving the policy objectives of the Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act of 2006;

(8) encourages the international community to ensure greater coordination in its response to sexual violence and to provide further humanitarian and psychosocial assistance to survivors of sexual and gender-based violence in the eastern Democratic Republic of the Congo;

(9) reaffirms its support for democracy, the rule of law, and human rights in the Democratic Republic of the Congo and calls upon regional African leaders to support the preservation of a democratic political system in the country;

(10) encourages full protection of women and girls and the promotion of their rights by emphasizing the responsibilities of all countries to put an end to impunity and to prosecute those responsible for genocide crimes, including those related to sexual and other forms of violence against women and girls;

(11) calls on the Secretary General of the United Nations and the permanent members of the Security Council to immediately take steps to—

(A) ensure that the United Nations Mission in the Democratic Republic of the Congo (MONUC) is fully funded and strategically deployed in areas where sexual violence is most prevalent;

(B) include an adequate number of female troops and police in MONUC to properly manage incidents of rape and sexual violence;

(C) provide more in-depth and continuing gender-sensitive training to its peacekeepers; and

(D) hold all military and civilian personnel associated with MONUC who have committed acts of rape or sexual exploitation accountable for their crimes and ensure that they are permanently barred from serving in any future peacekeeping operation;

(12) encourages a transparent process for the government of the Democratic Republic

of the Congo's review of mining contracts; and

(13) strongly encourages United States companies investing and operating in the Democratic Republic of the Congo to exert oversight concerning where their products are coming from and who is benefitting from the trade of such products.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. CROWLEY) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of the resolution and yield myself as much time as I may consume.

Mr. Speaker, I want to thank my good friend and colleague, Congresswoman CAROLYN MALONEY, as well as Congressman BRAD MILLER, for urging the condemnation of the most vicious crime imaginable, the systematic rape and mutilation committed against women, girls and boys taking place in the Democratic Republic of Congo, known as the DRC.

The conflict in the DRC has been called the deadliest since World War II. Within the last 10 years, more than 5 million people have died, and the numbers keep rising. In fact, more people have died because of war in the DRC than in Iraq, Afghanistan and Darfur combined. As in other wars, women in the DRC are overwhelmingly the target of military aggression. Rape and mutilation are the perpetrators' preferred weapon of choice. Unlike other wars, the scale and systematic nature of rape in the DRC is unparalleled. In some villages, as many as 90 percent of the women and girls have been raped.

This important resolution encourages the Secretary of State to work with the DRC Government to develop a strategy to address and end the large-scale sexual violence in the DRC. Our State Department and our American embassy in the DRC should have this extremely important mission.

Mr. Speaker, I urge all of my colleagues in the House to support this resolution.

With that, I will reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 1227, which condemns pervasive sexual violence in the Democratic Republic of the Congo and calls upon responsible nations to take immediate steps to respond.

While many have focused well-deserved attention on the humanitarian and human rights crisis in Darfur, Sudan, scant attention has been given to a deadly, festering conflict in the Democratic Republic of the Congo. The war in Congo has been called Africa's first ''world war,'' having drawn in seven neighboring countries and spawning some of the worst human rights atrocities known to man. An estimated 4 million people were killed by war, disease and starvation. Armed groups engaged in systematic rape, looting and acts of cannibalism often forcing their victims to victimize others. Children were forcibly recruited to serve as soldiers, and civilians were used as human shields.

Though a 2002 peace agreement and elections in June 2006 paved the way for a new beginning in Congo, these atrocities have continued in the eastern part of the country where a proxy war for control over Congo's vast natural resources continues to rage.

The level of sexual violence in eastern Congo is particularly alarming. It has become so pervasive, Mr. Speaker, and so severe, that the Panzi Hospital in South Kivu has had to perform an estimated 3,500 surgeries annually to repair a particularly stigmatizing injury suffered by those who have been brutally raped. And that is just one hospital. Countless others suffer the physical injury and the social consequences of rape in silence living as outcasts in their own communities.

All parties to the conflict in eastern Congo have taken part in such human rights atrocities, including the armed forces of the Congo and an increasingly vast array of armed militias. Even the United Nations peacekeepers, who have been deployed to help protect civilians in Congo, have engaged in acts of sexual exploitation and abuse themselves.

This is an unspeakable and unforgivable crime that cannot be swept under the carpet.

I want to thank my colleague, Mrs. MALONEY of New York, for seeking to draw attention to the scourge of sexual violence in the eastern Congo and for seeking to inspire responsible nations to provide critically needed assistance to those in need.

I would like to thank the sponsor, Mrs. MALONEY, as well as our chairman, HOWARD BERMAN, for agreeing to modifications which would allay fears raised regarding the Convention on the Elimination of Discrimination Against Women and what was referred to as ''women's reproductive health.''

With these critical changes accepted, I urge support to House Resolution 1227, Mr. Speaker.

I reserve the balance of my time.

Mr. CROWLEY. Mr. Speaker, I would now yield 2 minutes to the gentlelady from New York, Mrs. CAROLYN MALONEY, the sponsor of the resolution.

Mrs. MALONEY of New York. I thank my colleague from New York for his tremendous leadership and my friend from the other side of the aisle for her support for this critical bill and so many others that are important to our country. I would like to thank Chairman BERMAN and Representative BRAD MILLER for their leadership along with 39 of our colleagues who have cosponsored this important Resolution 1227. I thank my colleagues for highlighting the sexual violence crisis that is plaguing the women and girls of the Democratic Republic of the Congo or the DRC.

The eastern Democratic Republic of the Congo is one of the world's richest countries in natural resources, but it has been recognized as the worst place on Earth to be a girl or a woman. Women and girls from the age of 8 to 80 are being violently raped systematically on a scale unimaginable in the hundreds of thousands. As a strategy of war, they are often raped with guns and knives which destroy their sexual organs and forces them into a life of suffering from fistula and other deformities.

As my friend from the great State of Florida mentioned, there are hospitals that are dedicated only to trying to restore their destroyed bodies from not only rape but the use of a knife or a gun. Countless women are being sold in sexual slavery for months on end. According to UNICEF, the DRC is currently witnessing the world's deadliest humanitarian crisis since World War II.

In this war, the battlefield is literally the bodies of women and girls. Congress must continue its commitment to the people of the DRC as it has demonstrated in the past.

I thank my colleagues for their support. The women in DRC and the girls deserve justice.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CROWLEY. We have no further speakers on our side, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. CROWLEY) that the House suspend the rules and agree to the resolution, H. Res. 1227, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

REMEMBERING THE 75TH ANNIVERSARY OF THE UKRAINIAN FAMINE-GENOCIDE OF 1932–1933

Mr. SCOTT of GEORGIA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1314) remembering the 75th anniversary of the Ukrainian Famine-Genocide of 1932–1933 and extending the deepest sympathies of the House of Representatives to the victims, survivors, and families of this tragedy, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1314

Whereas in 1932 and 1933, an estimated seven to 10 million Ukrainian people perished at the will of the totalitarian Stalinist government of the former Soviet Union, which perpetrated a premeditated famine in Ukraine in an effort to break the nation's resistance to collectivization and communist occupation;

Whereas the Soviet Government deliberately confiscated grain harvests and starved millions of Ukrainian men, women, and children by a policy of forced collectivization that sought to destroy the nationally conscious movement for independence;

Whereas Soviet dictator Joseph Stalin ordered the borders of Ukraine sealed to prevent anyone from escaping the man-made starvation and preventing any international food aid that would provide relief to the starving;

Whereas numerous scholars worldwide have worked to uncover the scale of the famine, including Canadian wheat expert Andrew Cairns who visited Ukraine in 1932 and was told that there was no grain ''because the government had collected so much grain and exported it to England and Italy,'' while simultaneously denying food aid to the people of Ukraine;

Whereas nearly a quarter of the rural population of Ukraine was eliminated due to forced starvation, while the entire nation suffered from the consequences of the prolonged lack of food;

Whereas the Soviet Government manipulated and censored foreign journalists, including New York Times correspondent Walter Duranty, who knowingly denied not only the scope and magnitude, but also the existence, of a deadly man-made famine in his reports from Ukraine;

Whereas noted correspondents of the time were castigated by the Soviet Union for their accuracy and courage in depicting and reporting the famine in Ukraine, including Gareth Jones, William Henry Chamberlin, and Malcolm Muggeridge, who wrote, ''[The farmers] will tell you that many have already died of famine and that many are dying every day; that thousands have been shot by the government and hundreds of thousands exiled'';

Whereas in May 1934, former Congressman Hamilton Fish introduced a resolution in the House of Representatives (House Resolution 399 of the 73d Congress) which called for the condemnation of the Soviet Government for its acts of destruction against the Ukrainian people;

Whereas the United States Commission on the Ukraine Famine, formed on December 13, 1985, conducted a study with the goal of expanding the world's knowledge and understanding of the Ukrainian Famine of 1932–1933, and concluded that the victims were ''starved to death in a man-made famine'' and that ''Joseph Stalin and those around him committed genocide against Ukrainians in 1932–1933'';

Whereas on May 15, 2003, in a special session, the Ukrainian Parliament acknowledged that the Ukrainian Famine (Holodomor) was engineered by Joseph Stalin and the Soviet Government deliberately against the Ukrainian nation and called upon international recognition of the Holodomor;

Whereas with the dissolution of the Soviet Union, archival documents became available that confirmed the deliberate and pre-meditated deadly nature of the famine, and that exposed the atrocities committed by the Soviet Government against the Ukrainian people; and

Whereas on October 13, 2006, the President of the United States signed into law Public Law 109–340 that authorized the Government of Ukraine ''to establish a memorial on Federal land in the District of Columbia to honor the victims of the Ukrainian famine-genocide of 1932–1933,'' in recognition of the upcoming 75th anniversary of the tragedy in 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) solemnly remembers the 75th anniversary of the Ukrainian Famine (Holodomor) of 1932–1933 and extends its deepest sympathies to the victims, survivors, and families of this tragedy;

(2) condemns the systematic violations of human rights, including the freedom of self-determination and freedom of speech, of the Ukrainian people by the Soviet Government;

(3) encourages dissemination of information regarding the Ukrainian Famine (Holodomor) in order to expand the world's knowledge of this man-made tragedy; and

(4) supports the continuing efforts of Ukraine to work toward ensuring democratic principles, a free-market economy, and full respect for human rights, in order to enable Ukraine to achieve its potential as an important strategic partner of the United States in that region of the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

I am pleased to support this resolution that allows the House of Representatives to pause in remembrance of the 75th anniversary of the Ukrainian famine of 1932 and 1933 and extend its sympathies to the victims, survivors and relatives of this tragedy. I commend my distinguished colleague, Representative LEVIN of Michigan, and the cochair of the Ukrainian Caucus in the House for introducing this important resolution.

At the beginning of the 20th century, Mr. Speaker, Ukraine was so renowned for its rich soil and high grain production that it was known as the ''bread basket of Europe.'' Such bounty serves only to amplify the magnitude of the country's loss: The deaths of nearly one-quarter of its entire rural population as a result of the Soviet policy of forced collectivism in 1932 and 1933.

This premeditated famine was intended to break the nation's resistance to Communist occupation and destroy its movement for independence. While 7 to 10 million Ukrainians were starving to death, millions of tons of grain were kept in reservoirs, sold or sent to other parts of the Soviet Union. Further compounding this tragedy, Soviet dictator Joseph Stalin ordered that the borders of Ukraine be sealed and that anyone trying to relocate family or children be severely punished or killed.

Mr. Speaker, the United States of America has never forgotten this tragedy that occurred in Ukraine 75 years ago. As early as May 1934, former Congressman Hamilton Fish introduced a resolution in this House that called for condemnation of the Soviet Government for its acts of destruction against the Ukrainian people.

The United States Commission on the Ukrainian Famine, which was established in December of 1985, worked to uncover the scale and the reasons for and the consequences of this terrible manmade famine. And in October 2006, President Bush signed a law authorizing the Government of Ukraine to construct a memorial in the District of Columbia to honor the victims of the famine.

Today, 17 years after the collapse of the Soviet Union, Ukraine is a strong ally of the United States. We fully support the efforts of this young democracy to strengthen its political institutions, its rule of law and civil society. It's so appropriate that we pause today to remember the victims of the famine and reaffirm our continued friendship and solidarity with the Ukrainian people.

I strongly support this resolution, and I urge my colleagues to join me.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

Mr. Speaker, I also rise in support of House Resolution 1314, commemorating the 75th anniversary of the Ukrainian famine, Holodomor, of 1932 and 1933.

The former Communist state known as the Soviet Union was controlled by a brutal regime that oppressed its own people as well as that of its neighbors. The scars left by the inhumane practices and policies of the Soviet leadership are still felt, despite the passage of 75 years since the famine in Ukraine and the passage of almost two decades since the Soviet regime's demise.

During 1932 and 1933, Joseph Stalin's Communist regime intentionally confiscated grain harvest from the Ukrainian people and prevented any foreign food from being shipped in to help those who were starving to death.

□ 1600

The famine inflicted on Ukraine by the Stalinist regime during those years killed millions of Ukrainians. It is one of the most stark examples of the former Soviet regime's cruel and horrific policies.

Among other items, this resolution notes the 75th anniversary of the Ukrainian famine and expresses sympathy to the victims, survivors and

families of that man-made calamity; condemns the violation of human rights, the freedom of speech and of the self-determination of the Ukrainian people by the former Soviet regime; encourages expanding the world's knowledge about this man-made disaster; and, lastly, supports continued efforts in Ukraine to strengthen the principles of democracy and of a free-market economy.

Mr. Speaker, I urge my colleagues to support this important measure.

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

Mr. SCOTT of Georgia. Mr. Speaker, it is now my distinct pleasure to yield 3 minutes to the distinguished Congressman from Michigan, Congressman SANDER LEVIN, who is the sponsor of this resolution and is the very distinguished cochair of the Ukraine Caucus in the House of Representatives.

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

Mr. LEVIN. Thank you very much, Mr. SCOTT, and I thank the chairman and the ranking member of the Foreign Affairs Committee for bringing this to the floor.

I rise in support of this resolution, marking the 75th anniversary of the man-made famine that killed millions of Ukrainians in 1932 and 1933.

Recognizing this tragedy and remembering its victims are important for all of humanity, including 1.5 Ukrainian-Americans. It has special meaning to the people of Ukraine, who continue to struggle toward a more free, democratic, open society, and indeed to all of us who value freedom.

During the famine-genocide of 1932–33, 7 to 10 million Ukrainians were deliberately and systematically starved to death. We are familiar in this House with the terrible suffering caused by famines that are the result of natural forces, but the famine of 1932–33 is all the more tragic because it resulted from criminal acts and deliberate decisions by Soviet officials. Despite efforts by the Soviet Government at the time and afterward to hide the planned and systematic nature of this famine-genocide, it is clear that the Soviet Union used food as a weapon.

We in this country must persist in standing with those living under oppressive and tyrannical regimes as they struggle for their freedom. During the 109th Congress, we enacted a bill authorizing the Government of Ukraine to establish a memorial in Washington, D.C. honoring the victims of the Ukrainian famine-genocide. The Ukrainian Government and the Ukrainian-American community are working with the appropriate Federal agencies to identify a site for this memorial.

I urge all of my colleagues to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the ranking member of the Subcommittee on Africa and Global Health and a true champion of human rights around the world.

Mr. SMITH of New Jersey. I thank the gentlewoman for yielding and for her leadership, and thank Chairman LEVIN for sponsoring this very important resolution.

I rise in strong support of H. Res. 1314, commemorating and honoring the memory of victims of the abominable act perpetrated against the people of Ukraine from 1932 to 1933.

Seventy-five years ago, millions, and the estimates are as high as 10 million, men, women and children were murdered by starvation so that one man, Soviet dictator Joseph Stalin, could consolidate control over the Ukraine. In an attempt to secure collectivization and to break the spirit of the independent-minded Ukrainian peasants, Stalin ordered the expropriation of all the foods in the rural population. It was shipped to other areas of the Soviet Union or sold abroad. Peasants who refused to turn over grain to the state were deported or executed. Without food or grain, mass starvation ensued, as was Stalin's intention.

Madam Speaker, food was used as a weapon in a crime against humanity staggering in its scope. This famine was man-made, the planned consequence of a deliberate policy which aimed to wipe out a substantial part of the Ukrainian people in order to crush the spirit of those who remain. In short, genocide was committed against the Ukrainian people.

Madam Speaker, over the years I have read many works of Stalin's genocide against the people of Ukraine, but I recall a moment back in the 1980s when I saw the unforgettable documentary, Harvest of Sorrow. It documented and depicted the horrors of the famine, so that no one since has denied this mind-boggling crime and tragedy. In its bare, stark truth, it was one of the most moving films I have ever seen.

I also recall the fine work of the congressionally mandated Ukraine Famine Commission, which issued its well-documented report in 1988. I am happy that Mr. LEVIN's resolution notes that there were those in the West, including the New York Times correspondent Walt Duranty, who deliberately falsified their reporting so to cover up the famine because they wanted to ensure that the Soviet Union got ''a good press.''

The fact is that for over 40 years the planned famine was hardly spoken or written about in our country, due to an academic skepticism and silence enforced by political correctness. When Ukrainians and others tried to break through the wall of silence, they were treated with derision. This silence, which lasted from the 1930s through the publication of Harvest of Sorrow, made a sorry chapter in the history of American intellectual life.

Madam Speaker, this resolution will continue to recognize one of the most horrific events in the last century in the hopes that mass murders of this kind never happen again. I support this resolution unreservedly. I hope that the full membership of this body supports it unanimously.

Mr. SCOTT of Georgia. Madam Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of our time.

Mr. SCOTT of Georgia. Madam Speaker, I yield back.

The SPEAKER pro tempore (Ms. SOLIS). The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1314, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: ''Remembering the 75th anniversary of the Ukrainian Famine (Holodomor) of 1932–1933 and extending the deepest sympathies of the House of Representatives to the victims, survivors, and families of this tragedy, and for other purposes.''.

A motion to reconsider was laid on the table.

SUPPORTING DEMOCRACY IN BANGLADESH

Mr. CROWLEY. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1402) supporting a transition to democracy through free, fair, credible, peaceful, and transparent elections in Bangladesh.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1402

Whereas the independent, sovereign republic of Bangladesh was first proclaimed on March 26, 1971, and the Constitution of Bangladesh, ratified in 1972 following a war of independence, established a democracy ruled by and for the people;

Whereas Bangladesh has a population of 154,000,000 people and is the world's third most populated Muslim country, and has been known to be a stable, moderate, democratic Muslim Nation;

Whereas Bangladesh has held what the international community has viewed as three free and fair elections in 1991, 1996, and 2001;

Whereas in October 2006, as set up by the constitution, power was handed over to a caretaker government before the January 22, 2007, scheduled election;

Whereas the caretaker Government of Bangladesh imposed a national state of emergency on January 11, 2007, that suspended fundamental rights guaranteed by the constitution and detained a large number of politicians and others on suspicion of involvement in corruption and other crimes;

Whereas the state of emergency has restricted media reporting and it has been reported that journalists have been harassed, detained, or threatened by the authorities;

Whereas the anti-corruption campaign is creating institutions to fight rampant corruption throughout the government, including in the police and ports, but also has resulted in the reporting of human rights abuses;

Whereas the caretaker Government of Bangladesh reportedly arrested 18,000 persons with questionable records since May 28, 2008, and subsequently released most of them;

Whereas the Chief Adviser, Fakhruddin Ahmed, announced that elections will be held by the third week of December 2008;

Whereas the current political situation has been exacerbated by food prices that have doubled within the past year, compounding economic challenges for the people;

Whereas Bangladesh has established an estimated 6 percent real growth rate in the last 4 years, and a 6.5 percent growth rate in 2007;

Whereas the Grameen Bank, through microfinancing in Bangladesh, has been able to provide lending to 7,300,000 stakeholders and has empowered women to control 97 percent of the Bank, alongside other agencies in rural Bangladesh creating a new climate of economic growth and increasing social capital;

Whereas the economic support extended by the United States has helped to create an opportunity for employment and growth in Bangladesh, with particular impact on the empowerment of women and strengthening the process of social moderation and modernization in Bangladesh; and

Whereas Bangladesh's long-term political stability and economic progress are critical to the security of the South Asian region: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its strong support to the restoration of democracy in Bangladesh so it will be able to address economic and political challenges, and urges all stakeholders to play a constructive and forward looking role to strengthen such a process;

(2) appreciates the decision of the caretaker Government of Bangladesh to hold free, fair, credible, peaceful, and transparent elections by the third week of December 2008;

(3) welcomes the decision of the Government of Bangladesh to hold dialogue with all political parties and other civil society organizations to create a congenial atmosphere for holding elections and to ensure participation of all political parties in that process;

(4) urges all political parties to participate in the elections so that democratic governance can be maintained, which could continue fight against corruption and institutional and policy reforms;

(5) calls on the Government of Bangladesh to lift the state of emergency and remove other restrictions on political activity to allow free and fair elections to occur;

(6) urges the caretaker Government of Bangladesh to complete a transparent voter registration process that will facilitate the enrollment of the maximum number of eligible voters to protect the voting rights of all eligible voters regardless of religious affiliations or ethnic background, to use all practical technical means of ensuring the security of the ballot, to prevent violence before and after elections, and to permit and facilitate international and domestic nongovernmental monitoring of the entire electoral process;

(7) urges the caretaker Government of Bangladesh to invite foreign nationals to observe and monitor the December 2008 elections;

(8) urges the Government of Bangladesh to ensure the due process and equal treatment under the rule of law for all suspects, witnesses, and detainees;

(9) notes the initiatives of the caretaker Government of Bangladesh to eradicate corruption from all levels of government and society through institutional and policy reforms;

(10) expresses concern at the reported abuse of human rights and urges the Government of Bangladesh to ensure human rights, freedom of speech, assembly, and association;

(11) urges the caretaker Government of Bangladesh to protect the rights of religious and ethnic minorities, particularly Hindus, Christians, Buddhists, Ahmadis, and non-Muslim tribal peoples;

(12) urges the President to work toward the return of democracy to Bangladesh as a high priority of United States foreign policy and affirm the willingness of the United States to provide assistance;

(13) urges the President to use the voice and vote of the United States in multilateral organizations to strengthen the rule of law and democracy in Bangladesh; and

(14) urges the President to consider, upon completion of an internationally-accepted free and fair election, extending generous economic support to Bangladesh as an incentive.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. CROWLEY) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. CROWLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. CROWLEY. Madam Speaker, I rise in strong support of this resolution, and yield myself such time as I may consume

Bangladesh is going through an important time in its history as she attempts to move back to a representational government. Since October 2006, Bangladesh has been under the control of two different caretaker governments. After the January 2007 elections were postponed, a second caretaker government, backed by the military, came into power, and since then has been attempting to deal with what has become rampant corruption, violence and political instability.

Once in power, the caretaker government instituted a state of emergency that suspended fundamental rights guaranteed by the Bangladeshi constitution. They subsequently detained a large number of politicians and others on suspicion of involvement in corruption and other crimes.

While I continue to remain concerned about the arrests of so many under the emergency powers rule, I must commend the caretaker government for establishing institutions to fight corruption and bring about national reconciliation between the political parties. But these gains have been marred by serious reports of human rights violations of those held in custody. Bangladesh must respect all the rights of her people and prosecute cases before her to the letter of the law.

The next step is getting people back the power in Bangladesh. Nearly 2 years after the postponement of elections and the state of emergency was declared, the caretaker government is following through with a roadmap towards elections that they have presented.

Just this past weekend, the chief adviser of the caretaker government announced that parliamentary elections will be held on December 18, 2008. This is an important step, but an election held under a state of emergency is a questionable approach to establishing democratic governance in Bangladesh.

The bill before us calls on the caretaker government to relax or suspend the state of emergency to ensure that public gatherings during the campaign are allowed to take place. This election is about bringing true democracy back to Bangladesh, and it must be held with all the freedoms their constitution grants her people.

Bangladesh has been a strong friend and ally of the United States and is a moderate Muslim nation, and we should do what we can to foster continued growth of democracy, not only in the nation of Bangladesh, but throughout that region. We must work to ensure that the elections held in Bangladesh are free, fair, credible, peaceful and transparent.

I introduced this legislation in July to set out what we, the United States Congress, expect of Bangladesh and we the people of the United States expect of Bangladesh. I urge all my colleagues to support this legislation. It has the backing of the Bangladesh Caucus, which I chair here in the House of Representatives.

I believe that with fair, free, transparent and open elections, Bangladesh will move towards a more Democratic society.

Madam Speaker, I retain the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I also rise in strong support of House Resolution 1402, a measure that underscores congressional support for democracy, development and respect for fundamental human rights in Bangladesh. I would like to congratulate my good friend from New York, Congressman CROWLEY, for his leadership on this resolution, and for his long-standing interest in Bangladesh and indeed all of South Asia.

Madam Speaker, the United States and Bangladesh have been strong allies since the founding of that country in 1971. Despite many handicaps, including a unique vulnerability to natural disasters, Bangladesh has made impressive strides in key areas of development during the 1990s. However, political polarization, endemic corruption

and the rise of violent extremists all pose serious challenges to Bangladesh society.

In January of 2007, faced with an opposition boycott of national elections and widespread political violence, Bangladesh's president declared a state of emergency. In accordance with the constitution of Bangladesh, the president appointed a caretaker government, which has in turn embarked on an ambitious agenda of reform and renewal for the people of Bangladesh and its institutions.

Since that time, the United States has consistently urged Bangladesh's caretaker government to lift the restrictions on basic rights, meet international standards for due process in pursuing corruption cases and follow through on its commitment to hold free, fair and transparent elections by December 2008.

□ 1615

In recent weeks, there have been positive indications that the electoral roadmap remains on track. The government's progress on updating their voter list and on fighting corruption are encouraging signs, as is its effort to move forward on dialogue with political parties.

Despite these positive developments, however, it remains the strong view of the Congress and the executive branch that the caretaker government must immediately lift the state of emergency or otherwise remove restrictions on freedoms of assembly and freedom of the press.

The political parties of Bangladesh must be able to participate fully in a democratic process. This resolution reaffirms the importance of a U.S. national interest in helping to work with the people of Bangladesh in building a peaceful, prosperous, democracy that will continue to be a strong partner for the United States.

I urge its adoption, and I reserve the balance of my time.

Mr. CROWLEY. Madam Speaker, I just wanted to add a couple of more points for the record.

In order to ensure the transparency of these elections, I believe it's imperative that the Government of Bangladesh, the present caretaker government, invite foreign governments and nongovernment organizations to observe and monitor the elections of December 18, 2008.

The restoration of democracy, though, in Bangladesh, is not the only challenge that Bangladesh is facing. Just last year, Cyclone Sidr caused massive devastation in Bangladesh and destroyed the annual rice harvest in parts of the country. The global rise in fuel prices has also had a major effect on the livelihoods of all the people of Bangladesh over the last year.

The Congress, therefore, strongly supports the continuation of a robust economic support and humanitarian program for the people of Bangladesh, particularly in helping the nation get back on its feet after the cyclone. But free, fair, and transparent and open elections, together with the continuation of American assistance to Bangladesh, will serve to further strengthen the relationship between our two countries. With the restoration of democracy, the political, economic and strategic ties between the United States and Bangladesh will become even stronger.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. WOOLSEY. Madam Speaker, thanks to Representative CROWLEY for his excellent work on this resolution.

I rise today in support of this important resolution and in support of free and fair elections.

Bangladesh, the world's third most populated Muslim country, must return to the fold of democracy and uphold the most basic human rights—the right to vote.

Over the past 2 years, the people of Bangladesh have lived under a state of emergency. As the resolution outlines, the rights of the press have been curtailed and corruption is running rampant.

We all know that a nation can only succeed when it heeds the will of the people. Security—both economic and political—cannot be established while citizens are being ignored and repressed.

Bangladesh must hold free, fair, credible, peaceful, and transparent elections. I urge support of House Resolution 1402.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. CROWLEY) that the House suspend the rules and agree to the resolution, H. Res. 1402.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE 70TH ANNIVERSARY OF THE 1938 OCCURRENCE OF KRISTALLNACHT, THE NIGHT OF BROKEN GLASS

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1435) recognizing the 70th anniversary of the 1938 occurrence of Kristallnacht, The Night of Broken Glass.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1435

Whereas November 9, 2008, through November 10, 2008, marks the 70th anniversary of Kristallnacht, The Night of Broken Glass;

Whereas during Kristallnacht, hundreds of synagogues in Germany and Austria were burned and destroyed, businesses and homes were ransacked, scores of innocent people were killed because they were Jews, and thousands of others were arrested and sent to concentration camps;

Whereas Kristallnacht was sanctioned by the Nazi state to foment anti-Semitism and terrorize Jewish citizens;

Whereas the shattered panes of glass that littered sidewalks, most of it coming from the shop windows of Jewish stores, gave the pogrom its name, Kristallnacht or ''Night of Broken Glass'';

Whereas Kristallnacht marked the Nazis' first centrally organized operation of large-scale, anti-Jewish violence;

Whereas the lack of any serious diplomatic consequences from civilized nations led the Governments of Germany and Austria to believe that further atrocities would go unpunished;

Whereas Kristallnacht served as a prelude to the Second World War, to the death of millions of innocent people, and to the mass murders and carnage on a scale never before seen in human history;

Whereas the reign of the Nazi government marks one of the darkest periods in civilized history; and

Whereas Kristallnacht should remind us all that evil must be confronted forcefully and the civilized world cannot watch idly while barbarism and mass murder are committed against innocent peoples: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 70th anniversary of Kristallnacht, The Night of Broken Glass;

(2) pays tribute to the over 6,000,000 Jewish people who were killed during the Holocaust; and

(3) recommits the United States to continued vigilance against these kind of atrocities and urges the international community to fight against organized aggression directed at religious, ethnic, and other minority groups wherever it may occur.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

Let me first thank the gentleman from New Hampshire (Mr. HODES) for offering this important resolution, which marks the 70th anniversary of Kristallnacht, the Night of Broken Glass. His leadership on the Holocaust-related issues is greatly appreciated.

On the night of November 9, 1938, the streets of German and Austrian cities were littered with the shattered glass of Jewish homes, businesses and synagogues. Ninety-one people lost their lives and 30,000 were deported to concentration camps during the course of

this pogrom. Buchenwald and Dachau soon filled with Jews who had been deprived of their property, their savings and their livelihoods by the Nazis.

Kristallnacht, the Night of Broken Glass, showed the world once and for all the true face of the Nazi regime and served as a prelude to the horrors that would soon befall Europe's Jewish community. As Germany's synagogues burned on this terrible night, the governments of the west, including our own, failed to take meaningful action. Ambassadors were recalled, speeches were made, but the Nazis' orchestrated pogrom resulted in the diplomatic equivalent of just a slap on the wrist.

We condemn not just the destruction wrought against Germany and Austria's Jewish community that terrifying night, but we also condemn the world's inaction, which undoubtedly led the Nazis to believe the international community would offer little resistance to their plans to murder all the Jews in Europe.

Though 70 years have passed since the Nazis began to set in motion the final solution, and 63 years since the liberation of the last of their death camps, we must continue to maintain our vigilance against all forms of ethnic, national and religious hatreds.

Adolf Hitler exploited the world's failure to protect those threatened by the Nazi's vicious ideology of hate. As we reflect upon the anniversary of this infamous night and pay tribute to the over 6 million people killed in the Holocaust, we must recommit ourselves to preventing genocide anywhere and any time.

I strongly support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

The night of November 9 through November 10 of the year 1938 consisted of hours of darkness that the world cannot afford to forget. Known as Kristallnacht, that horrible night of unleashed terror and violence that we remember in this resolution before us today, was the clear signal for the start of Adolf Hitler's orchestrated campaign of genocide.

On that night, as state-sponsored violence poured out into the streets, the halls of civilized governments were mute. Joseph Goebbels had announced in his speech on the day of November 8, and I quote, ''The Fuhrer has decided that . . . demonstrations should not be prepared or organized by the Party, but insofar as they erupt spontaneously, they are not to be hampered.''

Following that speech, regional leaders of Hitler's National Socialist Party issued instructions to their local offices, and violence erupted across Germany and in some neighboring countries as well, in a matter that was anything but spontaneous. For 48 terrible hours, mobs rampaged through the streets of German, Czechoslovak and Austrian cities.

The riots destroyed 267 synagogues, shattered an estimated 7,500 windows of Jewish-owned businesses and desecrated many Jewish cemeteries. The Night of Broken Glass claimed the lives of at least 91 Jewish citizens.

Unfortunately, the rest of the world remained largely silent when confronted with the news of this organized brutality. We can only wonder how history might have changed, how the war and the genocide of the subsequent years might have been avoided if silence had been replaced by condemnation and strong action.

As we look back at the events of that terrible night, from the perspective of the passage of 70 years, we recall what our president at that time, Franklin Roosevelt, said. ''I, myself, could scarcely believe that such things could occur in a 20th century civilization.''

As we consider this resolution, which notes this terrible event 70 years ago and the subsequent organized murder of more than 6 million Jews across Europe during World War II, we realize how important it is that we remember the lessons of the 20th century today at the start of the 21st century.

I urge strong adoption of this important resolution, and I reserve the balance of our time.

Mr. SCOTT of Georgia. Madam Speaker, we have no further speakers at this time.

However, let me conclude by simply stating that Adolf Hitler and the Nazis perpetrated the most heinous tragedy of man's inhumanity to man. We will never forget it, and people all across this Nation on this 70th anniversary say never, never again.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I echo the sentiments of my good friend, and I yield back the balance of our time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1435.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

TOM LANTOS HUMAN RIGHTS COMMISSION ESTABLISHMENT RESOLUTION

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1451) establishing the Tom Lantos Human Rights Commission in the House of Representatives.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1451

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Tom Lantos Human Rights Commission Establishment Resolution''.

SEC. 2. ESTABLISHMENT OF TOM LANTOS HUMAN RIGHTS COMMISSION.

(a) ESTABLISHMENT.—There is established in the House of Representatives the Tom Lantos Human Rights Commission (hereafter in this resolution referred to as the ''Commission''), which shall promote and advocate in a nonpartisan manner, both within and outside of Congress, internationally recognized human rights norms as enshrined in the Universal Declaration of Human Rights and other relevant international human rights instruments by carrying out the following activities:

(1) Developing congressional strategies to promote, defend, and advocate internationally recognized human rights norms reflecting the role and responsibilities of the Congress.

(2) Raising greater awareness among Members of the House of Representatives, their staffs, and the public regarding international human rights violations and developments.

(3) Providing Members and staff with expert human rights advice and information and by supporting entities of Congress in their work on human rights issues.

(4) Advocating on behalf of individuals and entities whose internationally recognized human rights have been violated or are in danger of being violated.

(5) Collaborating closely with other professional staff members of the Committee on Foreign Affairs.

(6) Collaborating closely with the President, other officials of the executive branch, and recognized national and international human rights entities and nongovernmental organizations in promoting human rights initiatives within Congress.

(7) Encouraging and supporting Members, especially Members who have been recently elected to the House, to become active in supporting human rights issues so that the United States will continue to be recognized throughout the world as a leader in the defense of internationally recognized human rights norms.

(b) ELIGIBILITY.—Any Member of the House of Representatives may join the Commission by submitting a written statement to that effect to the co-chairs of the Commission.

(c) RELATIONSHIP WITH SENATE.—In carrying out its activities, the Commission is encouraged to establish a cooperative working relationship with Members and other entities of the Senate, and to invite Members and other entities of the Senate to work cooperatively with the Commission to promote human rights.

(d) DEFINITION.—In this resolution, the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress.

SEC. 3. CO-CHAIRS OF THE COMMISSION.

(a) APPOINTMENT.—Two members of the Commission shall be appointed to serve as co-chairs of the Commission as follows:

(1) One member shall be appointed by the Speaker of the House of Representatives after consultation with the Chairman of the Committee on Foreign Affairs.

(2) One member shall be appointed by the minority leader of the House of Representatives after consultation with the ranking minority member of the Committee on Foreign Affairs.

(b) TERM OF SERVICE.—A member's term as co-chair of the Commission shall continue throughout the Congress during which the member is appointed as a co-chair under this section until the member leaves the Commission, resigns from the position of co-

chair, or is removed pursuant to subsection (c).

(c) REMOVAL.—The co-chair appointed pursuant to subsection (a)(1) may be removed by the Speaker after consultation with the Chairman of the Committee on Foreign Affairs, and the co-chair appointed pursuant to subsection (a)(2) may be removed by the minority leader after consultation with the ranking minority member of the Committee on Foreign Affairs.

(d) VACANCY.—A vacancy in the position of any of the co-chairs of the Commission shall be filled in the same manner in which the original appointment was made.

(e) DUTIES.—The co-chairs shall be responsible for setting the general agenda of the Commission.

SEC. 4. EXECUTIVE COMMITTEE.

(a) IN GENERAL.—The Commission shall have an Executive Committee which shall consist of 8 members of the Commission equally divided between members of the majority and minority parties selected jointly by the co-chairs of the Commission with the approval of the Speaker of the House of Representatives and the minority leader of the House of Representatives.

(b) VACANCY.—A vacancy in the membership of the Executive Committee shall be filled in the same manner in which the original selection was made.

SEC. 5. ROLE OF THE COMMITTEE ON FOREIGN AFFAIRS.

(a) USE OF COMMITTEE STAFF AND RESOURCES.—Subject to subsection (b), the Commission shall carry out its duties using the staff and resources of the Committee on Foreign Affairs, including the use of consultants or temporary employees, such as individuals with expertise in human rights issues, related legislative matters, and technology systems management, as appropriate.

(b) REQUIREMENTS FOR STAFF.—

(1) APPOINTMENT.—The staff of the Committee on Foreign Affairs who may be used by the Commission under subsection (a) to carry out its duties shall be professional staff members of the Committtee who are appointed for this purpose by the Chairman of the Committee on Foreign Affairs, of whom half of the full-time equivalent positions shall be appointed from among a list of individuals presented to the Chairman of the Committee by the co-chair appointed pursuant to section 3(a)(1) and half of the full-time equivalent positions shall be appointed from among a list of individuals presented to the Chairman of the Committee by the co-chair appointed pursuant to section 3(a)(2).

(2) SPECIAL RULE FOR DETERMINATION OF NUMBER OF COMMITTEE STAFF MEMBERS.—Any professional staff member of the Committee on Foreign Affairs who is used by the Commission to carry out its duties on a full-time basis shall not be included in determining the number of professional staff members of the Committee under subparagraphs (1) and (2) of clause 9(a) of rule X of the Rules of the House of Representatives.

SEC. 6. OTHER POWERS AND DUTIES.

(a) BYLAWS.—The Commission shall adopt and publish such bylaws to govern its organization and operation (including the duties of the Executive Committee) as it considers appropriate, subject to the applicable Rules of the House of Representatives.

(b) NO LEGISLATIVE AUTHORITY.—The Commission shall not have legislative jurisdiction and shall have no authority to take legislative action on any bill or resolution.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

In addition to any other amounts made available for salaries and expenses of the Committee on Foreign Affairs of the House of Representatives during a Congress, there are authorized to be appropriated from the applicable accounts of the House of Representatives such sums as may be necessary for the Committee to provide staff and resources for the Commission pursuant to section 5.

SEC. 8. TRANSITION FOR CURRENT MEMBERS OF CONGRESSIONAL HUMAN RIGHTS CAUCUS.

For purposes of this resolution—

(1) each Member of the House of Representatives who is a member of the Congressional Human Rights Caucus as of the date of the adoption of this resolution shall be deemed to have joined the Commission; and

(2) the 2 Members of the House of Representatives who are the co-chairs of the Congressional Human Rights Caucus as of the date of the adoption of this resolution shall be deemed to have been appointed as co-chairs of the Commission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I rise in strong support of this resolution and yield myself as much time as I may consume.

I first want to thank our colleague, the newly appointed Democratic cochairman of the Congressional Human Rights Caucus, Congressman JIM MCGOVERN, and the distinguished Republican Human Rights Caucus cochairman, Congressman FRANK WOLF, for their strong leadership in bringing this important legislation before the House of Representatives.

This legislation before us will immediately and fully institutionalize the biggest and most active human rights entity in the United States Congress, the Congressional Human Rights Caucus. The new entity will carry the name Tom Lantos Human Rights Commission and will be led by the current caucus cochairs assisted by the executive committee.

This year, the caucus should have joyfully and proudly celebrated its 25th anniversary, on which Members of this House and human rights NGOs could have paid tribute to the tremendous human rights accomplishments of the caucus under the leadership of its founding cochairman, Tom Lantos.

This joy was, of course, overshadowed earlier this year with the passing of this extraordinary human being and human rights giant, our good friend and distinguished former chairman of our Foreign Affairs Committee, the Honorable Tom Lantos.

With him, the caucus had lost its inspiring cochairman; the Foreign Affairs Committee, its visionary leader; this body, one of its most respected, passionate and eloquent colleagues; and this Nation, a foreign-born public servant who loved this country with every fiber of his body.

□ 1630

Given Tom's biography and life experiences before he was elected as the only Holocaust survivor to this distinguished body, and his burning desire to stand up for people around the world who do not have a voice in the corridors of power, it certainly is no surprise that 25 years ago our distinguished former colleague, John Edward Porter, collaborated with Tom to establish a working group dedicated to the defense of global human rights.

With Annette Lantos and Kathryn Cameron Porter at their sides, the Congressional Human Rights Caucus was launched. It is impossible today to chronicle every single accomplishment of the Human Rights Caucus. But over the last 25 years, the caucus has intervened on behalf of countless individuals and groups whose human rights have been violated, raised human rights issues which were on nobody's radar screen, used its strong voice for the voiceless, and has actively engaged Members of the United States Congress on the important matter of human rights.

Over the last 25 years, the caucus has also proven that human rights is a truly bipartisan issue and has driven totalitarian regimes and their lobbying agents to the brink of utter despair when liberal Democrats and conservative Republicans—and every shade in between—relentlessly stood shoulder to shoulder on global human rights issues.

Under the strong leadership of our colleagues, JIM MCGOVERN and FRANK WOLF, I have no doubt that the new commission will continue to stand as a beacon for human rights around the world.

Madam Speaker, I urge all of my colleagues to support this important resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield myself such time as I may consume.

Madam Speaker, I rise in strong support of House Resolution 1451 establishing the Tom Lantos Human Rights Commission.

I want to thank my colleagues, my friends Mr. MCGOVERN and Mr. WOLF, the cochairs of the Congressional Human Rights Caucus, who authored this fitting tribute to the late chairman of the Foreign Affairs Committee, our dear friend, Congressman Tom Lantos of California.

A quarter century ago, Tom Lantos was the founding cochair of the Human Rights Caucus. With the tireless assistance of his wife, his partner in life, Annette, Tom spent the remainder of his life at its helm, and it grew to become one of the largest and most active caucuses on the Hill.

It is a fitting tribute to his heroic life that we meet here today, Madam

Speaker, to upgrade the status of that organization and name it in Tom Lantos' honor.

Tom Lantos was born in Budapest in 1928, and came of age as Nazism descended upon the European continent. Imprisoned during the Second World War merely for being Jewish, Tom Lantos twice escaped the labor camps and survived the Holocaust with the help of the Hungarian resistance movement and the Swedish humanitarian Raoul Wallenberg.

Tragically, Tom's family was not so fortunate and they perished in the death camps alongside millions more.

Tom experienced human nature at its worst, and his later work as a champion of human rights cannot be separated from the trials that he endured as a young man.

The horrors of fascism helped to forge his unshakeable commitment to the protection of human dignity. It is hard to think of a major human rights issue of the past three decades on which Tom Lantos was not a leader, whether it was the fight against anti-Semitism, religious persecution, human trafficking, genocide in Darfur, or repression in Tibet, just to name a few.

The bill before us today will create the Tom Lantos Human Rights Commission as the formal successor to the Human Rights Caucus. The new commission will carry on the nonpartisan work of promoting fundamental human rights both inside and outside Congress. It will be cochaired by a majority and minority member, and may be joined by any Member of the House. Although it does not have legislative responsibility nor oversight, the commission will be staffed by professionals from the Committee on Foreign Affairs which it is required to collaborate with closely.

I am thankful and blessed for the years that I was able to serve the people of our Nation alongside a hero like Tom Lantos. I appreciate the opportunity that this resolution gives us to honor his life and to recommit ourselves to the ideals by which he lived every day.

I look forward to many years of spirited advocacy by the Tom Lantos Human Rights Commission, and I urge unanimous support for this important resolution.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, it is my distinct pleasure to yield 5 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN) who has taken over Chairman Lantos' duties as cochair of the Human Rights Caucus as the new Democratic cochairman of the Congressional Human Rights Caucus.

Mr. MCGOVERN. Madam Speaker, I thank my friend for yielding and for his generous words.

Madam Speaker, I want to express my appreciation to the many Members and staff who worked on the Tom Lantos Human Rights Commission Establishment Act. It was truly a collaborative, bipartisan effort, and a genuine desire to pay tribute to the work and legacy of our former colleague, Tom Lantos.

I want to thank Chairman HOWARD BERMAN and Ranking Member ILEANA ROS-LEHTINEN for all of the support and guidance they have provided. They, and their incredible staffs, were true partners in crafting this resolution. I especially want to thank my colleague from Virginia, my fellow cochair of the Human Rights Caucus, FRANK WOLF, for welcoming me as his new partner and for his leadership in shaping this resolution.

I also want to thank his staff, Molly Miller, Elizabeth Hoffman, and Elyse Anderson, who contributed so much time and careful attention to the resolution before us today.

I also want to thank my staff, Cindy Buhl and Keith Stern, who have done magnificent work in making this resolution a reality.

Madam Speaker, I can't think of a more fitting tribute to Congressman Tom Lantos than institutionalizing human rights work by Members of this House. This commission will be a living, breathing legacy to the vision and inspiration of Tom Lantos. It reminds us that protecting and promoting human rights is not just the right thing to do, but it has the capacity of transforming us, of making us better people, better Members of Congress, and better citizens of the world. That's what helping to save lives around the world can do to you. That is what giving voice to the voiceless can do to you. That is what standing up for something, standing for the universal declaration of human rights can do to you.

The Tom Lantos Human Rights Commission will promote and protect human rights, whether that is the freedom to worship as you choose, run a newspaper or be a journalist without interference, organize a union, expect fair and equal justice before the courts, or receive fair treatment regardless of your gender, race, or your sexual orientation or your racial or ethnic heritage. And most importantly, it is the right to live your life, raise your family, and carry out your daily activities without the constant threat of being killed, jailed or disappearing.

When Speaker PELOSI appointed me to be just the second Democratic cochair in the history of the Human Rights Caucus, I couldn't quite grasp what it would mean to try to follow in the footsteps of Tom Lantos. Then Annette Lantos gave me a call, and Kathryn Cameron Porter came in to visit me, and they gave me their support and their blessing. We talked about how to strengthen the structure and permanence of the caucus, how to encourage and support other Members, especially new Members of Congress to become active on human rights issues so the United States will continue to be recognized throughout the world as a leader in the defense of human rights.

It was in this spirit that the Tom Lantos Human Rights Commission Establishment Act gradually took form and came into being.

Madam Speaker, there is one other person I would like to recognize and thank for all his knowledge and insights in the many discussions and process of establishing this commission, and that is Hans Hogrefe. Hans handles the human rights portfolio for the Foreign Affairs Committee, and he also staffs the Congressional Human Rights Caucus. I cannot think of anyone else on the Hill who has his institutional memory on human rights legislation and the many human rights issues that Members have worked on over the past 25 years. He is a human rights encyclopedia, and I want to thank him for his dedication to the cause of human rights.

Madam Speaker, I believe establishing the Tom Lantos Human Rights Commission will allow Members of Congress to take human rights work to a new level, and it will better serve and support the Members of this House as they take up human rights issues.

As I have often said, it is my strong belief that if the United States is going to stand for anything, it needs to stand out loud and foursquare for human rights. I look forward to working with FRANK WOLF and taking on this task, and I urge all of my colleagues to support this resolution and join us in our work.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 4 minutes to the gentleman from Virginia (Mr. WOLF), the primary sponsor of this bill, the ranking member on the appropriations subcommittee on State, Foreign Ops and Related Agencies and cochair of the Congressional Human Rights Caucus.

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

Mr. WOLF. I thank the gentlelady.

First off, I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their support on the resolution, and also the staff. At the end I will include all of the staff members who have worked on this issue from my side from the very beginning.

I also want to thank my colleague, JIM MCGOVERN, who has taken on the role of the Congressional Human Rights Caucus succeeding our good friend and colleague, the late Tom Lantos, for whom this resolution is named.

Mr. MCGOVERN has hit the ground running, and I believe that Mr. Lantos would be very proud of the job he is doing.

I first became interested in human rights when in 1984 my good friend, former Congressman Tony Hall, asked me to go to Romania with him. It was a life-changing trip. I would urge all Members to sort of try to find these different events and places around the world where people are being oppressed and suffering. It is an eye opener for us.

Ronald Reagan once said that the Constitution is kind of a covenant. It is a covenant that we have made not only with ourselves, but with all of mankind.

By making the Congressional Human Rights Caucus into a commission, which will serve as an arm of the House of Representatives, I believe we are helping to take a step to fulfill that covenant. The creation of the Tom Lantos Human Rights Commission will tell the world that the United States is still the shining city upon a hill, a beacon of hope in a world of turmoil and vision.

It was the vision that led Congressman Lantos and former Congressman John Porter, with the help of their wives, Annette Lantos and Kathryn Porter, to really establish the Human Rights Caucus in 1983.

There is much else that I can say. One, I am looking forward to working with JIM. This is to honor Mr. Lantos. It has seemed in the past that when major issues came up, the giants were Mr. Lantos and Mr. Hyde. And I may say, my colleague to the right, Mr. SMITH and the gentlewoman from Florida (Ms. ROS-LEHTINEN), and Mr. BERMAN and some others, but really not a lot of others. This is an opportunity for us to come together to really care about this issue and hopefully we can get some of the new Members who don't know they are going to be Members who are campaigning around the country somewhere who will come here in January next year so the baton is passed to new Members so there will be other people like Mr. Lantos and Mr. Hyde who will carry it well into the future.

I thank the leadership on that side for this. And I want to thank JIM and I thank Mr. BERMAN and Ms. ROS-LEHTINEN.

Madam Speaker, first of all, I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their support of this resolution and the staff on both sides.

I would also like to thank my colleague, Representative JIM MCGOVERN, who has taken on the role of co-chairman of the Congressional Human Rights Caucus, succeeding our good friend and colleague the late Congressman Tom Lantos, for whom this resolution is named.

Representative MCGOVERN has hit the ground running, and I believe that Mr. Lantos would be very proud of the job he is doing.

I first became interested in human rights when in 1984, Congressman Tony Hall, a Democrat and my best friend in Congress invited me to go on a trip with him to Romania.

At that time Romania was a very dark place. Under Nicolae Ceausescu, the securitate engaged in severe violations of human rights and religious freedom.

Many people I met slipped notes in my hand telling me that their family members had been taken away or killed by the government.

The trip to Romania, combined with a trip I took later that year to Ethiopia, which was in the midst of a famine, sparked my passion for human rights.

In Ethiopia, I held malnourished babies in my arms. It is a profound and humbling experience to see this kind of suffering first hand.

Ronald Reagan once said that the Constitution is "a kind of covenant. It is a covenant that we've made not only with ourselves, but with all of mankind."

By making the Congressional Human Rights Caucus into a Commission which will serve as an arm of the House of Representatives, we are fulfilling this covenant.

This creation of the Tom Lantos Human Rights Commission will tell the world that the United States is still the "shining city upon the hill," a beacon of hope in a world of turmoil and tragedy.

No other Member of Congress can claim to have known turmoil and tragedy like our late colleague.

In the ashes of despair, Tom saw hope and opportunity. It was this vision that led Congressman Lantos and former Congressman John Porter with the support of their wives, Annette Lantos and Kathryn Porter, to form the Congressional Human Rights Caucus in 1983.

Since then, it has grown into one of the largest, most active, bipartisan caucuses in the Congress.

I was deeply honored to succeed Congressman Porter as the Republican co-chair of the caucus when he retired in 2001.

After the retirement of John Porter and then with the losses of Representative Tom Lantos and Representative Henry Hyde, we are without some of the greatest champions of international human rights and religious freedom

It is fitting that we ensure that their legacy is preserved and honored through the creation of this commission.

It is our duty as Representatives of the people of the United States of America, to speak out for those who cannot speak for themselves.

Our world will be a better and safer place for our children and grandchildren, when all people can live together and respect the most basic dignities and freedoms of all human beings.

Madam Speaker, over the years I have been supported in my work on human rights by a dedicated staff who has shared my passion for advocating on behalf of the oppressed and persecuted people in this world and worked to promote the mission of the Congressional Human Rights Caucus. I want to thank those staff members and recognize them today:

Molly Miller, Elizabeth Hoffman, Elyse Anderson, Samantha Stockman, Anne Huiskes, David Dettoni, Karen Feaver, Scott Flipse, Stuart Mallory, Brett Dody, Karin Finkler, Aldo de Pape, Fay Johnson, Hillary Hosford, Evan Baehr.

Mr. SCOTT of Georgia. Madam Speaker, it is my pleasure to yield 3 minutes to the distinguished congresswoman from Nevada, Ms. SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding.

When I was a freshman Member of Congress about 10 years ago, a very senior Member, Tom Lantos, came to me and asked if I would be willing to be a member of the Human Rights Caucus. I, of course, would not hesitate for a moment if Tom Lantos asked me to in fact participate. It was, and has been, among one of the most rewarding experiences I have had in Congress, and I cannot think of a more fitting tribute to an absolutely extraordinary man and dear friend, Tom Lantos, than to create this Human Rights Commission in his name, and I support this resolution wholeheartedly.

But when I think of Tom Lantos, I also think of the last resolution that Congress took up a few moments ago marking the 70th anniversary of Kristallnacht, The Night of Broken Glass. In many ways Kristallnacht marked the turning point in the history of European Jewry.

□ 1645

Tragically, too few nations, including our own, dared to speak out or even thought to speak out against this horrific pogrom. As a result, the Nazis concluded that the world would stand by and do nothing as they committed atrocities that the world had never seen before. Indeed, after Kristallnacht, they intensified their genocidal operations, ultimately leading to the gas chambers and the Final Solution.

Sadly, the Nazis were proven right, that the world would stand by and watch a feeble response that has been repeated far too often since that horrific night in 1938.

Madam Speaker, the grim anniversary of Kristallnacht reminds us that evil must be confronted forcefully and early, or else these unspeakable acts will be repeated again and again.

I think, given the fact that we will be creating a Human Rights Commission in Tom Lantos' name, that perhaps because of this bold move on the part of Congress, that a Kristallnacht could never and should never be able to happen again. I support both resolutions.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS), one of the House's most consistent voices in defense of human dignity.

Mr. PITTS. Madam Speaker, I rise in strong support of H. Res. 1451, which would form a permanent Human Rights Commission in the House of Representatives. As we've heard, we currently have a Human Rights Caucus here in the House which does great work on behalf of many of those around the world that simply lack a voice. This resolution would create a Commission that would ensure the activities of the Caucus would be more stable and permanent by creating a budget and a permanent staff devoted to working on these issues.

I want to thank all of the various parties that have worked on getting this legislation to the floor so quickly, including the leadership on each side of the aisle.

This resolution is aptly named after our friend and colleague, Tom Lantos, who passed away earlier this year. Tom was a survivor of one of the most heinous crimes against humanity, the Holocaust, and he dedicated his public service to ensuring that good people

would not stand silently by while people were deprived of their most basic, God-given rights.

The resolution would establish the permanent Commission in order to promote and advocate in a nonpartisan manner, both inside and outside Congress, internationally recognized human rights norms.

Our Founding Fathers believed that we are born with certain unalienable rights, namely, life, liberty and the pursuit of happiness, and they established in our Constitution, in the very first amendment, the rights of freedom of religion, speech, press, assembly, redress of grievances.

And yet we live in a world where people are deprived each day of even these most basic rights. We have a duty, as fellow human beings, to speak out against these most depraved violations of human rights.

The creation of this Commission will dedicate the necessary resources to ensure that the Members of this great body are informed on this issue, and have an opportunity to affect real change in the lives of people who need it most around the world.

I urge support for this resolution.

Mr. SCOTT of Georgia. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the Appropriations Committee and a good friend.

Mr. WAMP. I thank the gentlelady for the time.

I just come today because we need to remember that our moral authority as a Nation in the world doesn't come from our extraordinary free enterprise system or our capital markets or our military strength, as important as that is. Frankly, our moral authority comes when we uphold the rights of every human being in the world given to them by God, their Creator, and not by the government.

Frankly, the decline in human rights in the world over the last 20 years is one of the greatest challenges that we face. The combination of human rights violations around the world, and the intolerance of religious views, and the lack of religious freedom, are creating such a divide in the world that if we're not careful, we face a Crusades-like event. And the two go together. This is so appropriate.

I want to thank people like FRANK WOLF. I miss Mr. Hyde and Mr. Lantos. What a privilege to serve with people who are here because they care so much about the rights of individuals, not just in this country where it's guaranteed under our Constitution, but everywhere.

I am maybe one the younger Members, even though I'm 50 now, who has traveled the world and tried to be engaged on these issues, like Mr. ADERHOLT, Mr. PITTS and many others, Mr. SMITH on our side. This is so fundamental to our way of life and our moral authority in the world and we lose that. Not everybody is worried about money. In the world they look to us because we're basically good and we uphold the right of the individual, and those are inherent human rights.

This Commission is the right approach. Otherwise, it just gets lost in the shuffle of this crisis and this bailout and this conflict. The world is really struggling, and our country needs to be a light and a beacon of hope.

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

Ms. ROS-LEHTINEN. I would like to yield an additional minute to the gentleman.

Mr. WAMP. We have to be that light, that shining city on a hill, and we have to uphold the rights of the individual. And we have to be engaged in the world in order for that to happen. We can't just pull in and hunker down and look at the world as if it's not our problem. It is, more so today than ever, because this is a global marketplace, and we are connected to the entire world.

And there are so many wrongs around the world. We can't be the world's police force. We can't solve every single problem. But if we uphold the right of the individual, and it's fundamental to what happens here on the floor of the greatest deliberative body in the history of mankind, we have a chance of standing for the rights of the individual. Human rights are fundamental to our way of life.

This Commission is so important. I commend those that have brought it to the floor today, and urge passage by every single Member of the House.

Mr. SCOTT of Georgia. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the ranking member on the Subcommittee on Africa and Global Health, whose name is synonymous with support for human rights.

Mr. SMITH of New Jersey. Thank you to the distinguished ranking member, ILEANA ROS-LEHTINEN, for her leadership, for her leadership on human rights. She has been a stalwart for years, and I want to thank her for her tremendous leadership.

I want to thank Mr. MCGOVERN for sponsoring this, and for his commitment as well.

And I especially want to thank Congressman FRANK WOLF with whom I've been in Congress now for 28 years. And there is no one that I know or have ever met who cares more deeply, more passionately, more fervently, nor works more effectively to promote human rights around the globe. I have traveled with FRANK. I would be more than happy to carry his bags. He is just such a tremendous individual.

I'll never forget when the International Religious Freedom Act was being considered. It was his legislation. He was the prime sponsor. I held a number of hearings on it as chairman of the Global Human Rights Subcommittee on the Foreign Affairs Committee, and there was significant opposition to that legislation. The Clinton administration was against it, on the record, said so in hearings.

Assistant Secretary for Democracy, Labor and Human Rights, John Shattuck, couldn't have made it more clear. They made a bogus argument that the legislation would set up a hierarchy of human rights, vis-a-vis, all other human rights.

Our argument was religious freedom was integral, and a necessary part of a fabric of protecting everyone who was weak and disenfranchised. That includes religious believers, regardless of what their belief system might be. And we wanted to speak out in a very powerful way.

Mr. WOLF pushed that bill to a successful completion. It ended up being signed into law and the International Committee for Religious Freedom, its designation of countries of particular concern, those egregious violators of religious liberties now get put on a list. They're subject to sanctions. We have an ambassador at large who combs the Earth promoting religious liberty and freedom, and then issues reports that holds countries to account and speaks truth to power. That's all a direct result of Congressman FRANK WOLF, the prime sponsor of legislation that was as dead as a door nail when he introduced it because of opposition in very high places and indifference.

So it is very fitting that Mr. WOLF will be serving as cochair of this extraordinarily important Human Rights Commission, named very aptly and very importantly after another great man, Congressman Tom Lantos. No one has done more on such issues as anti-Semitism than Congressman Lantos, Chairman Lantos, who is not, sadly, with us, but I'm sure is looking down from heaven with a great smile on his face because he cared passionately about human rights as well.

Madam Speaker so it ought to be clear, I believe it is time to turn the Caucus into a Commission. When the Human Rights Caucus was founded back in 1983, human rights was, at best, a foreign policy sideshow, an obligatory mention, often uttered after the more ''weighty matters'' of statecraft took place, like trade and other issues. It was always at the end if at all. An afterthought. It always had some asterisk next to it on the talking point memo. In case after case, high level diplomats would essentially say, oh yeah, by the way, I have to bring up human rights, because when I go back home I have to mention it. And many of our Secretaries of State, with some exceptions, often would take it to that point. It was never a central core issue in our foreign policy. There was little predictability or consistency.

The Caucus certainly has helped move human rights concerns forward. The Commission, I believe, will take it to the next level.

I hope that more Members will realize that genuine respect for human

rights is the key to good governance. It's also the key, if you want intellectual property rights respected. If you want contract law observed and honored in places like China where human rights are violated with impunity, respect fundamental human rights for the individual. Stop torturing. Protect women from the violence of coercive population control and forced abortion. Help the Falun Gong and the Christians and the Uighurs and the Buddhists and all the others, the Catholic bishops who are languishing in prison. Get it right on fundamental human rights and you also help on the trade side as well, because if they respect one, if they respect their own people, they'll adhere to contract law and intellectual property rights.

I do believe that we must care for and protect all, no exceptions, everywhere, every place, every time from violence; and from my point of view, that includes unborn children, newly born children, the handicapped, disabled; it includes those who are of a religious denomination that some government official thinks ought not to have their rights or liberties. It is about everyone being included. Nobody being excluded. The politics of inclusion. And again, for me that means the unborn child and everyone else who is weak and at risk.

I do believe that we have to, Madam Speaker, realize that human rights can be respected. It is a matter of political will. It is a matter of understanding and empathizing. Get in the minds and hearts of victims and get motivated. Go into the prison, empathize with someone who has been victimized by torture. And we all come out with a different, enlightened, compassionate perspective. Empowered and knowledgable, we then must—we have a duty—to act!

We'll never know the full extent of the Caucus's success over these 25 years, the impact that it has had, but I believe it has had a tremendously positive impact, as a result of broad bipartisan action, Democrats and Republicans, staff, doing yeoman's work. Hans was mentioned a moment ago. He's a fighter. There are so many who have done so much, often without any kind of accolade whatsoever, but they stand up and they do the hard work of human rights, and they do it each and every day because they care, because they love and because they have compassion.

□ 1700

Again, this is a resolution that takes the Human Rights Caucus to the next level, and I think it's about time we did it. This Congress, I think, will be much improved; we will have more insights. Good staffing does make a difference. We've had great staffing, but I think now as we build out that staff, I think more victimized people everywhere will be represented.

Mr. SCOTT of Georgia. Madam Speaker, as we have heard and seen with this extraordinary outpouring of passion and support, this legislation establishing the Tom Lantos Human Rights Commission naming Mr. McGOVERN and Mr. WOLF as cochairmen is extraordinary important, and we urge support across the aisle for this important piece of legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Res. 1451. This is important. It is a nonpartisan human rights commission that will have a universal code of human rights which is imperative. This human rights commission will look at charges of human rights violations according to the Universal Declaration of Human Rights that will certainly show countries and individuals who choose to violate what every individual has a right to: their civil liberties. I urge my colleagues to support H. Con. Res. 1451 because it establishes a commission on human rights that creates a way for Congress to promote, defend, and advocate internationally recognized human rights.

This resolution is timely because there have been numerous violations of civil rights all over the world. Egregious human rights violations are occurring in countries such as Sudan, Pakistan, Colombia, and China every day.

Sudan's own president is wanted by the ICC for genocide, crimes against humanity, and war crimes. This is the first time the ICC Prosecutor has named a sitting head of state, and the first time it has accused a suspect of genocide. There are also allegations of attacks on peacekeepers by rebels in Darfur. There are also numerous abuses of women in Pakistan where Dr. Shazia was a 32-year-old Pakistani physician who worked at a hospital run by Pakistan Petroleum Limited, a state-owned natural gas supplier in Baluchistan, a remote area of Pakistan. On January 2, 2005, Dr. Shazia was attacked and raped in her home, a guarded compound, by an intruder who broke in at night while she was sleeping. She reported the crime although told to stay quiet. Doctors sedated her and flew her to a psychiatric hospital in Karachi. The government forced Dr. Shazia to sign a statement saying that she had been given government help and that she wanted to close the matter.

China is also a country that commits numerous civil rights violations. It has a 1982 constitution that guarantees freedom of speech, but the Chinese Government often uses the subversion of state power clause to imprison those who are critical of the government. The PRC is known for its intolerance of organized dissent toward the government. Dissident groups are routinely arrested and imprisoned, often for long periods of time and without trial. The Chinese Government also limits religious freedom by requiring that members of the Communist Party be atheists.

Between June 2006 and June 2007, at least 280 Colombian civilians were extra judicially killed by Colombian security forces and many of them were subsequently presented by those forces as guerrillas killed in conflict. And this year human rights groups have continued to document extrajudicial killings by some Colombian military forces.

As a civilized nation, we cannot remain silent at outrages such as these. We must give voice to those who cannot on their own, and we must scream at the offense to human rights and settle for nothing less than full and complete justice. The United States Congress must show the violators that their actions will not be condoned or ignored. We must come together and take action on the atrocities occurring in the international community.

The human rights commission will promote human rights education, serve as a medium for dialogue on human rights issues, and promote the realization of human rights obligations. Promoting human rights education is vital for administering justice to those who have been wronged and this bill proposes to do just that. We need to know what is wrong in order to help those who have been wronged.

Establishing a human rights commission is important in establishing a united American foreign policy that consistently stands for human dignity around the world. We need to use this commission to find the best course of action to encourage countries from around the world to adopt principles for the protection of human rights.

Mr. SCOTT of Georgia. We have no further speakers. I yield back my time.

Ms. ROS-LEHTINEN. Madam Speaker, we also have no further requests for speakers. We yield back our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1451.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

RECOGNIZING 10TH ANNIVERSARY OF BOMBINGS OF EMBASSIES IN KENYA AND TANZANIA

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1461) recognizing the 10th anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, and the memorializing of the citizens and families of the United States, the Republic of Kenya, and the United Republic of Tanzania whose lives were lost and injured as a result of these attacks, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1461

Whereas, on August 7, 1998, there were near simultaneous vehicular bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania;

Whereas the bombs detonated at the United States embassies in Nairobi, Kenya,

and Dar es Salaam, Tanzania, were an act of terrorism masterminded by Osama bin Laden and perpetrated by members of al Qaeda as a conspiracy to kill United States citizens;

Whereas although the bombs detonated before reaching their intended targets, the effects of the bombs were widespread and catastrophic to the people of the Republic of Kenya, the United Republic of Tanzania, and the United States;

Whereas at least 213 people died and approximately 5,000 people were injured in the Nairobi bombing, the majority of whom were Kenya nationals;

Whereas in the Nairobi bombing, the victims included 14 United States citizens, 13 Foreign Service Nationals, and 2 United States Government contractors, including—

(1) the following United States citizens: Nathan Aliganga, Julian Bartley, Sr., Julian Bartley, Jr., Jean Dalizu, Molly Hardy, Kenneth Hobson, Prabhi Kavaler, Arlene Kirk, Dr. Mary Louise Martin, Michelle O'Connor, Sherry Olds, and Uttamlal (Tom) Shah;

(2) the following Foreign Service Nationals: Chrispin W. Bonyo, Lawrence A. Gitau, Hindu O. Idi, Tony Irungu, Geoffrey Kalio, G. Joel Kamau, Lucy N. Karigi, Francis M. Kibe, Joe Kiongo, Dominic Kithuva, Peter K. Macharia, Francis W. Maina, Cecelia Mamboleo, Lydia M. Mayaka, Francis Mbugua Ndungu, Kimeu N. Nganga, Francis Mbogo Njunge, Vincent Nyoike, Francis Olewe Ochilo, Maurice Okach, Edwin A.O. Omori, Lucy G. Onono, Evans K. Onsongo, Eric Onyango, Sellah Caroline Opati, Rachel M. Pussy, Farhat M. Sheikh, Phaedra Vrontamitis, Adams T. Wamai, Frederick M. Yafes; and

(3) the following United States Government contractors: Moses Namayi and Josiah Odero Owuor;

Whereas 85 people were injured in the Dar es Salaam, Tanzania bombing, including 2 United States citizens and 5 Foreign Service Nationals;

Whereas 1 Foreign Service National working at the U.S. Embassy in Dar es Salaam, Saidi Rogarth, is still listed by the Department of State as missing;

Whereas 11 people were killed in the Dar es Salaam bombing, including—

(1) Yusuf Ndange, a Foreign Service National; and

(2) the following United States Government contractors: Abdulrahaman Abdalla, Paul E. Elisha, Abdalla Mnyola, Abbas William Mwilla, Bakari Nyumbu, Mtendeje Rajabu, Ramadhani Mahundi, and Dotto Ramadhani;

Whereas security guards at both embassies acted bravely on the day of the bombings, protecting the lives and property of citizens of the United States, Kenya, and Tanzania;

Whereas the outpouring of assistance from the people and Governments of Kenya and Tanzania was widespread and greatly appreciated by the people of the United States;

Whereas Congress provided emergency supplemental appropriations of $50,000,000 as economic aid to Kenya and Tanzania to assist the bombing victims' families and for reconstruction of damaged structures surrounding the embassies;

Whereas the structural damages in Nairobi alone reportedly exceeded $500,000,000;

Whereas the people and economies of Kenya and Tanzania are still recovering from these dastardly attacks;

Whereas during the 110th Congress the House of Representatives passed H.R. 2828 (the Foreign Service Victims of Terrorism Act of 2007) to provide compensation to the families of those who died in the Nairobi attack;

Whereas the United States Government is partnering with the people and Governments of Kenya and Tanzania to help both countries obtain a more democratic future;

Whereas 12 of the suspects indicted for their involvement in the 1998 Embassy Bombings have either been killed, captured, or are serving life sentences without parole;

Whereas in June 1999, Osama bin Laden was placed on the Federal Bureau of Investigation's most wanted terrorist list for his connection to the bombings; and

Whereas the United States Government continues to search for the remaining suspects, including Osama bin Laden: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historic significance of the 10th anniversary of the al Qaeda bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania;

(2) memorializes the citizens and families of the United States, the Republic of Kenya, and the United Republic of Tanzania whose lives were lost or who suffered injury as a result of these attacks;

(3) mourns the loss of those who lost their lives in these tragic and senseless attacks, especially those who were employed by the embassies;

(4) remembers the families and colleagues of the victims whose lives have been forever changed by the loss endured on August 7, 1998;

(5) expresses its deepest gratitude to the people of Kenya and Tanzania for their gracious contributions and assistance following these attacks;

(6) reaffirms its support for the people of Kenya and Tanzania in striving for future opportunity, democracy, and prosperity; and

(7) reaffirms its resolve to defeat al Qaeda and other terrorist organizations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

August 7, 1998, is a day that will never be forgotten. With near simultaneous vehicular bombing attacks by members of al Qaeda on our embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, the United States was challenged to face a new world. The violence that day claimed the lives of Americans, Kenyans, and Tanzanians with a death toll of 213 individuals in Kenya and 11 in Tanzania. The injured numbered well over 5,000. As great as the tragedy that day, without the dedication and bravery of the security individuals of those embassies, those acts of terrorism would have been far more catastrophic.

Shortly after the bombings, Congress provided $50 million in emergency supplemental appropriations to aid in the recovery process. And last October, the House passed the Foreign Service Victims of Terrorism Act of 2007 which provides compensation to the families victimized by these tragedies who are still recovering from their loss.

Our embassies in Nairobi and Dar es Salaam have been rebuilt. Nevertheless, we must never forget the tragedy of that fateful day, and we must always remember the significance of the lives of those lost.

Madam Speaker, that is why I strongly urge and support this resolution, and I urge my colleagues to join me in that support.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield myself such time as I may consume.

Madam Speaker, I rise in strong support of House Resolution 1461 which recognizes the 10th anniversary of the terrorist bombings of the United States embassies in Kenya and Tanzania and honors those who were killed or injured as a result of these attacks.

I imagine there is not one among us here today that could not tell you exactly where they were or what they were doing when the al Qaeda terrorist network launched its cowardly and dastardly attacks against the United States on September 11, 2001.

Many of us recounted those stories just 2 weeks ago as the House and the Senate united to solemnly commemorate the seventh anniversary of the September 11 attacks. And while September 11 represents the deadliest attacks suffered by the American people at the hands of the al Qaeda operation to date, it was not the first.

Three years earlier on the morning of August 7, 1998, 223 people were killed and 5,000 people were injured as nearly simultaneous car bombs ripped through the United States embassies in Kenya and Tanzania. The bombings in Nairobi were particularly serious as the embassy stood on one of the busiest intersections in the city and the blast took down several neighboring buildings. The bombing in Tanzania was no less spectacular, but remarkably, it occurred on a national holiday when the embassy was closed.

Though these terrorist attacks reportedly were intended to punish the United States, the overwhelming majority of the victims that day were Kenyan and Tanzanian. This is typical of a network which callously views the innocent victims it kills, including fellow Muslims, merely as collateral damage. It also reveals the true hypocrisy of al Qaeda's radical Islamic agenda.

In all, 12 Americans were killed as a result of the east African embassy bombings, 31 foreign service nationals were killed, and one is still listed as missing. Scores more were saved as guards protecting the embassy in Nairobi succeeded in physically blocking the suicide bombers from gaining entry into the underground parking area. They paid with their lives for this act of heroism.

We owe a debt of gratitude to those who died in service to our country on August 7, 1998. And we are compelled to express our profound sorrow for those whose lives were taken or were forever altered as a result of these dastardly attacks.

As we solemnly commemorate the 10th anniversary of the bombings in Kenya and Tanzania and the seventh anniversary of the September 11 attacks on our Nation, we seek to reaffirm our resolve to defend our Nation, to defend our interests from radical Islamic terrorists who seek to destroy the United States and our citizens.

I want to thank my colleague, Mr. SCOTT, for introducing this important measure, and I urge unanimous support for its passage.

With that, I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, it is with both sorrow and gratitude that we indeed recognize this 10th anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, and in memorializing the citizens and families of the United States, the Republic of Kenya, and the United Republic of Tanzania whose lives were lost and injured as a result of these horrible terrorist attacks.

Mr. JACKSON-LEE of Texas. Madam Speaker, I rise in strong support of H. Res. 1461, "Recognizing the Tenth Anniversary of the terrorist bombings of the United States embassies in Nairobi, Kenya, and Dar es Salaam, Kenya and Tanzania who lives were lost or whose were injured as a result of these attacks which is introduced by my distinguished colleague Representative SCOTT. This legislation is important to ensure that we remember those who lost their lives and those lives were affected by these tragic and horrendous bombings.

GENERAL

On August 7, 1998, approximately 4,000 people were injured in the Nairobi bombing and 85 injured in Dar es Salaam. These attacks which killed hundreds of people, first brought international attention to Osama Bin Laden and his al Qaeda terrorist network, and stand out as one of the worst anti-American terrorist attacks preceding September 11, 2001.

This legislation will recognize all the citizens whose lives were lost in these bombings. In addition to recognizing the 10th anniversary of the al Qaeda bombings, this resolution will recognize all the families and friends of victims lost in the attack and mourn those who lost their lives in these tragic and senseless attacks. This resolution will also express gratitude for the people of Kenya and Tanzania for their gracious contributions and assistance following these attacks in striving for future opportunity, democracy, and prosperity, and reaffirm its resolve to defeat al Qaeda and other terrorist organizations.

It is a national tragedy that lives have been victim to reckless acts of terrorism, and the least we can do as a Congress, as a Nation is to recognize those involved in this tragedy and the counties who came to our aid. We cannot withhold this honor from those victims that perished in the tragedy. As honored Members of Congress, we have the honor to have the opportunity to recognize this anniversary and ensure the proper recognition is given to those involved in the terrorist bombings of 1998. Anything else would be giving in to the power of the terrorist, to which America will not yield.

I firmly believe that we must pass this legislation in order to demonstrate our support of those people who lost their lives and those people who lost their loved ones, and I urge my colleagues to do the same. Though this was a horrible tragedy, we can recognize the Tenth Anniversary and bring honor to those who were victims of al Qaeda.

Mr. SCOTT of Georgia. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the resolution, H. Res. 1461, as amended.

The question was taken.

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

Ms. ROS-LEHTINEN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SUPPORTING RESTITUTION FOR PROPERTY CONFISCATED BY NAZI AND COMMUNIST REGIMES

Mr. SCOTT of Georgia. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 371) strongly supporting an immediate and just restitution of, or compensation for, property illegally confiscated during the last century by Nazi and Communist regimes, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 371

Whereas the United States strongly supports an immediate and just restitution or compensation of property illegally confiscated during the last century by Nazi and Communist regimes;

Whereas the wrongful and illegal confiscation of property perpetrated by Nazi and Communist regimes was often an integral part of the persecution of innocent people due to their religion, nationality, or social origin, or the expression of a view that differed from that of the ruling regime;

Whereas the protection of and respect for property rights is a basic principle tenet for all democratic governments that operate according to the rule of law;

Whereas the participating countries of the Organization for Security and Cooperation in Europe (OSCE) have agreed to achieve or maintain full recognition and protection of all types of property, including private property, and the right to prompt, just, and effective compensation in the event private property is taken for public use;

Whereas the Paris Declaration of the OSCE Parliamentary Assembly (OSCE Assembly) in July 2001 noted that the process of restitution, compensation, and material reparation of victims of Nazi persecution has not been pursued with the same degree of comprehensiveness by all of the OSCE participating countries;

Whereas the OSCE Assembly passed a resolution during the 10th session that urged the OSCE participating countries to ensure that they implement appropriate legislation to secure the restitution of, or compensation for, both property loss by victims of Nazi persecution and property loss by communal organizations and institutions or their successors during the Nazi era, irrespective of the current citizenship or place of residence of victims or their heirs, or the relevant successor to communal property;

Whereas the Government of the United States has, since 1947, with the passing of Military Law 59 in the occupied American Zone of Germany, supported the return of property looted during the National Socialist era to the rightful owners, or the heirs, of such property;

Whereas during the last decade, Congress has passed resolutions that endorsed, reiterated, and emphasized the longstanding support of the United States for the restitution and compensation for property illegally confiscated during the Nazi and Communist regimes;

Whereas some post-Communist countries in Europe have taken steps toward compensating victims whose property was seized and confiscated by the Nazis during World War II or subsequently seized by Communist governments after World War II;

Whereas the legislation addressing the return of or compensation for such confiscated property enacted by post-Communist countries in Europe has, in various instances, not been implemented in an effective, transparent, and timely manner;

Whereas private properties were seized and confiscated by the Nazis in occupied Poland during the Nazi era and by the Communist Polish government after World War II;

Whereas Poland, virtually alone among post-Communist countries, has failed to enact any legislation that provides for a process for the restitution of, or compensation for, private property seized and confiscated by the Nazi and Communist regimes;

Whereas Jewish communal properties were seized and confiscated by the Nazis in Lithuania during the Nazi era and by the Communist Lithuanian government after World War II; and

Whereas Lithuania, virtually alone among post-Communist countries, has failed to implement legislation that provides for the restitution of, or compensation for, Jewish communal property seized and confiscated by the Nazi and Communist regimes: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) praises the efforts by those countries in Central and Eastern Europe that have enacted legislation for the restitution of, or compensation for, private and communal religious property improperly confiscated during the Nazi and Communist eras and urges each of those countries to ensure that the legislation is effectively and justly implemented;

(2) urges the countries in Central and Eastern Europe which have not already done so to return looted and confiscated properties

to their rightful owners or, where restitution is not possible, pay equitable compensation, in accordance with principles of justice and in an expeditious manner that is just, transparent, and fair;

(3) calls on the Government of Poland to—

(A) immediately enact fair, comprehensive, and just legislation so that persons (or the heirs of such persons) who had their private property seized and confiscated by the Nazis during World War II or subsequently seized by the Communist Polish government after the war are able to obtain either restitution of their property or, where restitution is not possible, fair compensation should be paid; and

(B) ensure that such restitution and compensation legislation establishes an unbureaucratic, simple, transparent, and timely process, so that it results in a real benefit to those many persons who suffered from the unjust such confiscation of their property, many of whom are well into their 80s or older;

(4) calls on the Government of Lithuania to immediately implement, fair, comprehensive, and just legislation so communities that had communal and religious property seized and confiscated by the Nazis during World War II or subsequently seized by the Communist Lithuanian government after World War II (or the relevant successors to the communal and religious property or the relevant foundation) are able to obtain either restitution of their property or, where restitution is not possible, fair compensation;

(5) calls on the President and the Secretary of State to continue to engage in an open dialogue with the Governments of Poland and Lithuania supporting the adoption of legislation requiring, in Poland, the fair, comprehensive, and nondiscriminatory restitution of, or compensation for, private property that was seized and confiscated during the Nazi and Communist eras and, in Lithuania, the fair, comprehensive, and just restitution of Jewish communal and religious property that was seized and confiscated during the Nazi and Communist eras; and

(6) calls on the Secretary of State to deliver a report to Congress, every six months, regarding the implementation of this concurrent resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. SCOTT of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCOTT of Georgia. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

First I would like to thank the gentleman from Florida and the chairman of the Europe Subcommittee, Mr. WEXLER, for introducing this important resolution calling for immediate and just restitution of illegally seized property from the Nazi era. Among the many atrocities perpetrated by the Nazis during World War II was the illegal confiscation of private homes, of businesses, of art work, and communal property. Many of these stolen assets were retained by the Communist governments after the war.

While the vast majority of Central and Eastern European countries should be praised for passing property restitution laws in order to right historical wrongs, others have failed to enact necessary legislation, or they have thrown legal roadblocks in the way of individuals or religious and communal organizations who are seeking to reclaim property rightfully belonging to them.

Though it had the largest pre-war Jewish community in Europe, Poland has, for over half a century, resisted efforts to return private property—be it homes or businesses—stolen by the Nazi and Communist governments to its original owners.

I am very heartened now to learn that Polish Prime Minister Donald Tusk is currently finalizing a draft restitution bill, and I hope the Polish Parliament approves this long overdue legislation.

My concern is that we have been down this road before with previous Polish governments, all of whom have failed to deliver on their promises. The Lithuanian Government has been similarly disappointing in its failure to implement fair and comprehensive restitution legislation.

While it should be commended for enacting laws that provide restitution for individual property owners, attempts to pass legislation paving the way for the return of nonreligious communal Jewish property taken by the Nazis, such as schools and hospitals, have stalled.

As many of those individuals awaiting restitution are in their waning years, it is imperative that the United States continue to encourage the governments of Poland, Lithuania, and others to adopt meaningful legislation ensuring the prompt return of or compensation for property seized during the Nazi and Communist eras.

I strongly support this resolution, Madam Speaker, and I encourage my colleagues to join me in doing the same.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I also rise in strong support of House Concurrent Resolution 371 which states the support of the Congress for just restitution or compensation for property illegally confiscated during the last century in certain countries of Eastern Europe.

The tragedy of the Holocaust, in which millions of innocent people were murdered by the Nazis and their property illegally confiscated, was followed by oppression and continued confiscation under Communist regimes. The fresh air of freedom that entered with the collapse of the Communist bloc in Eastern Europe moved some post-Communist governments in the region to support justice for the victims of such property confiscation.

Regrettably, as this resolution points out, the government of Poland has not enacted legislation that would provide for a process for the restitution of, and the compensation for, private property that had been seized, that had been confiscated illegally by those regimes.

□ 1715

Similarly, Lithuania has not implemented legislation that would provide for the restitution or compensation for communal property confiscated by the Nazi and Communist regimes.

This resolution calls on the Polish government to enact such legislation. It calls on the lithuanian government to implement legislation so that communal or religious properties can be returned to their rightful owners or can provide them or their heirs with fair compensation.

Madam Speaker, the resolution also calls on our President and our Secretary of State to engage the governments of Poland and Lithuania on these important issues.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, it is my distinct pleasure to extend 3 minutes to the distinguished congresswoman from Nevada, Ms. SHELLEY BERKLEY.

Ms. BERKLEY. I thank the gentleman for yielding and for his leadership on this issue. Madam Speaker, I rise as a strong cosponsor of this legislation.

While the Holocaust may have ended over 60 years ago, its effects are still very much felt today, and it is essential that we do not allow the victims of those horrific crimes to continue to be victimized by the circumstances that surround this issue today.

Many survivors of the Holocaust have still not received proper restitution for their looted property, and the time is long past due to say ''enough.'' And let us take action on behalf of these survivors and the victims of the Holocaust.

I would like to share with my colleagues a story of a constituent of mine, Dina Babbitt, who I have been working with for the last 10 years to get her property back, her rightful property back. Dina was a 20-year-old young lady when she and her mother were interned in Auschwitz. Now Dina had a talent. Dina was an artist. Even at the age of 20 her talent was obvious.

Joseph Mengele saw her work on one of the walls of the children's barracks where she had drawn a picture of Snow White and the Seven Dwarfs to cheer up the children that were in the children's barracks in Auschwitz. He singled her out, and what he started doing is, he would point out people that were interned at Auschwitz, the prisoners

that were interned, and he would direct her to draw their pictures. And she would draw the picture. He didn't want to take a photograph because he couldn't get the color of the skin right, and she would draw the picture. After she drew the picture he would kill the inmate. Now Dina says she learned to draw very slowly at that time.

She was liberated, and she and her mother fled Auschwitz. She eventually came to the United States of America where she worked at Disney Studios for well over 30 years of her life.

She received a telephone call 25 years ago from the Polish Government. They said they had found artwork that they believe she had created and would she come to Poland to authenticate it. She became so thrilled that she could have something to give to her children and her grandchildren so that they would have a piece of her.

She is convinced, and I believe this, too, that the artwork is the only thing that saved her and her mother. She was a Czechoslovakian Jew; 3,600 Czechoslovakian Jews were interned in Auschwitz, only 22 survived. Dina and her mother were two of the 22 Czechoslovakian Jews that survived their time in Auschwitz.

She went to Poland. She authenticated that those are my pictures, and they refused to give them to her. To this day, the Polish Government has not negotiated with Dina Babbitt one bit so she could get one or two or three of her pictures. There are seven that currently exist.

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

Mr. SCOTT of Georgia. I yield the gentlelady 1 additional minute.

Ms. BERKLEY. I thank the gentleman very much.

I tell you this with all the passion that I could muster, that this woman should be able to get her property, her rightful property. This isn't even a purchase that she made that has been stolen from her. This came from her own hands, and I think it is time. That is why I so strongly support this resolution that people like Dina Babbitt, it is time, the time is long since past for Dina Babbitt and so many others to receive their just compensation.

I urge support for this resolution. I look forward to the time that the Polish government and the Lithuanian government actually take positive steps to restore the treasure and the possessions of these people who have suffered so much.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, if the gentleman also has no further requests for time.

Mr. SCOTT of Georgia. I'd like to just add this one point in closing, that it is so important that we take this opportunity as a United States Congress to put pressure on Poland and Lithuania and other countries to adopt meaningful legislation ensuring prompt return and/or compensation for the property seized during the Nazi and Communist eras.

This is the height of injustice. We have an opportunity to right a terrible wrong, and it is important that we pass this legislation and send a very strong message to these countries to finally, finally restore the property and/or the compensation to these individuals.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 371, as amended.

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

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING CAMPAIGN BY ORGANIZATION OF ISLAMIC CONFERENCE TO DIVERT UNITED DURBAN REVIEW CONFERENCE

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1361) expressing the sense of the House of Representatives that the United States should lead a high-level diplomatic effort to defeat the campaign by some members of the Organization of the Islamic Conference to divert the United Nation's Durban Review Conference from a review of problems in their own and other countries by attacking Israel, promoting anti-Semitism, and undermining the Universal Charter of Human Rights and to ensure that the Durban Review Conference serves as a forum to review commitments to combat all forms of racism, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1361

Whereas the United Nations is undertaking preparations for a 2009 Durban Review Conference on the implementation of commitments made as part of the 2001 World Conference Against Racism held in Durban, South Africa;

Whereas the 2001 World Conference Against Racism marked an important recognition of the historic wounds caused by slavery, colonialism, and related ongoing racism and racial discrimination, including the recognition of the transatlantic slave trade as a crime against humanity, and that people of African descent, people of Asian descent, and indigenous peoples who were victims of these acts continue to face discrimination and marginalization as a direct consequence;

Whereas the 2001 World Conference Against Racism also undertook historic efforts to recognize and address ongoing racism and racial discrimination against persons of African descent and members of Jewish, Muslim, caste, indigenous, Roma and Sinti, and other communities, as well as anti-migrant xenophobia and incitement to racial and religious hatred;

Whereas the 2001 World Conference Against Racism and its achievements were overshadowed and diminished as some participants in the conference, in particular during the Non-Governmental Organization Forum, called the ''NGO Forum Against Racism'' (NGO Forum), misused human rights language to promote hate, anti-Semitism, incitement, and divert the focus of the conference from problems within their own countries to a focus on Israel;

Whereas the NGO Forum produced a document called the ''NGO Declaration'' that contained abusive language, branding Israel an ''apartheid state'' that is guilty of ''racist crimes against humanity'';

Whereas the United States withdrew its delegation from the 2001 World Conference Against Racism, a decision that Secretary of State Colin Powell explained by stating that ''you do not combat racism by conferences that produce declarations containing hateful language, some of which is a throwback to the days of 'Zionism equals racism'; or supports the idea that we have made too much of the Holocaust; or suggests that apartheid exists in Israel; or that singles out only one country in the world—Israel—for censure and abuse'';

Whereas the atmosphere of anti-Semitism at the NGO Forum was described as ''hateful, even racist'' by former High Commissioner for Human Rights Mary Robinson and as ''disgraceful'' by Deputy Foreign Minister Aziz Pahad, of South Africa, who also stated that parts of the 2001 World Conference Against Racism were ''hijacked and used by some with an anti-Israeli agenda to turn it into an anti-Semitic event'';

Whereas the United Nations High Commissioner for Human Rights, who served as Secretary General of the 2001 World Conference Against Racism, refused to accept the NGO Declaration, and some leading civil and human rights organizations and activists criticized the repugnant anti-Semitism and demonization of Israel in the NGO Forum, and the harassment of Jewish participants it engendered;

Whereas despite recognizing the Holocaust and increased anti-Semitism, the official government declaration adopted by the 2001 World Conference Against Racism, the ''Durban Declaration and Program of Action'', highlighted the ''plight of the Palestinian people under foreign occupation'', and in so doing singled out one regional conflict for discussion in a biased way, and wrongly implied that Israeli Government policies towards the Palestinians are motivated by racism;

Whereas the Human Rights Council agreed in Resolution 3/2 on December 8, 2006, that the 2009 Durban Review Conference would, like other United Nations review conferences, focus on countries' implementation of the many commitments to fight racism, racial discrimination, xenophobia and related intolerance contained in the official government Durban Declaration and Program of Action and that there will be ''no renegotiation of the existing agreements contained therein'';

Whereas at the first organizing session of the Durban Review Conference on August 27, 2007, in Geneva, Switzerland, Ambassador Masood Khan of Pakistan, speaking ''on behalf of the OIC'', described the concerns being expressed about the Durban Review Conference as a ''smear campaign'', and made it clear that the Organization of the Islamic Conference (OIC) intends to make so-called ''contemporary'' forms of racism a centerpiece of the conference agenda, urging also that ''[t]he Conference should move the spotlight on the continued plight of Palestinian people and non-recognition of their inalienable right to self-determination'';

Whereas several OIC member states have also made clear their determination to go beyond the comprehensive list of items covered by the Durban Declaration and Program of Action to force consideration by the Durban Review Conference of a global blasphemy code that would legitimize arbitrary restrictions of freedom of thought, conscience and religion, and the freedoms of expression and opinion, all in the name of protecting religions from ''defamation'' and ''blasphemy'';

Whereas following the August 27, 2007, preparatory meeting for the Durban Review Conference in Geneva, Switzerland, several countries, including the United States, France, and Israel, stated that the Conference would not be worthwhile or worthy of support if it were not limited to a discussion of country commitments to combat racism, racial discrimination, xenophobia, and related intolerance contained in the Durban Declaration and Plan of Action;

Whereas the High Commissioner for Human Rights was named Secretary-General of the 2009 Durban Review Conference;

Whereas in advance of determining the modalities, format, duration, and venue of the 2009 Durban Review Conference, the OIC and G-77 member states requested the United Nations General Assembly to fund a $7.2 million preparatory process of international, regional, and national meetings;

Whereas on November 28, 2007, 45 United Nations Member States, including the United States, joined together in the Third Committee (Resolution A/C/3/62/L.65/Rev.) to vote against a resolution that contradicted the 2009 Durban Review Conference preparatory committee consensus agreements about the framework of the Durban Review Conference, its scope, and sources of funding;

Whereas on December 21, 2007, 40 United Nations Member States, including the United States, joined together in the Fifth Committee (Resolution A/C.5/62/21) to vote against a resolution that authorized up to $6.8 million to fund the 2009 Durban Review Conference preparatory process;

Whereas the United States has decided to withhold from its 2008 funding for the United Nations an amount equivalent to the United States share of the United Nations Human Rights Council-administered preparatory process for the 2009 Durban Review Conference; and

Whereas since the 2001 World Conference Against Racism, the need for a credible global forum to review United Nations Member States' efforts to combat racism remains urgent given the continuing scourge of racism, discrimination and related violence, including against persons of African descent, Jewish, Muslim, caste, indigenous, Roma and Sinti, and other communities, anti-migrant xenophobia, and incitement to racial and religious hatred: Now, therefore, be it

Resolved, That the House of Representatives—

(1) acknowledges that the 2001 World Conference Against Racism marked an important recognition of the historic wounds caused by slavery, colonialism, and related ongoing racism and racial discrimination, including the recognition of the transatlantic slave trade as a crime against humanity, and that people of African descent, people of Asian descent, and indigenous peoples who were victims of these acts continue to face discrimination and marginalization as a direct consequence;

(2) reaffirms its abiding commitment to the cause of combating continuing racism, racial discrimination, xenophobia, and related intolerance in all its forms;

(3) calls on the President and the Secretary of State to lead a high-level diplomatic effort to ensure that the Durban Review Conference focuses on the implementation by states of their commitments to combat racism, racial discrimination, xenophobia and related intolerance and to defeat any effort by states to use the forum to promote anti-Semitism or hatred against members of any group or to call into question the legitimacy of any state;

(4) calls on the President to urge other heads of state to condition participation in the 2009 Durban Review Conference on concrete action by the United Nations and United Nations Member States to ensure that it is not a forum to demonize any group, or incite anti-Semitism, hatred, or violence against members of any group or to call into question the existence of any state;

(5) calls on the Secretary of State to—

(A) initiate United States policy into action by calling on counterparts, including the Government of Pakistan as the chair of the Organization of the Islamic Conference (OIC) and the Government of Egypt as the head of the African Group, to insist that they take prompt and effective measures to ensure that the Durban Review Conference does not become a forum for anti-Semitism, incitement or hatred against members of any group or to call into question the existence of any state; and

(B) demarche foreign capitals raising the concerns of Congress and to report to Congress on what steps the United States and its allies have taken to address these concerns;

(6) commends all governments, including those of the United States, France, Canada, Israel, the United Kingdom, and the Netherlands that have declared their intentions not to participate in any United Nations Durban Review Conference that sidesteps scrutiny of country commitments to combat racism, racial discrimination, xenophobia, and related intolerance, and that promotes hate, undermines human rights standards, and damages the credibility of the United Nations itself;

(7) commends the countries that joined the United States, including the member states of the European Union, Albania, Andorra, Australia, Bosnia, Herzegovina, Croatia, Georgia, Israel, Moldova, Monaco, Montenegro, San Marino, Serbia, the former Yugoslav Republic of Macedonia, Ukraine, Canada, and the Republic of Korea, in voting to uphold earlier United Nations consensus agreements that established the scope and funding of the 2009 Durban Review Conference process;

(8) urges all United Nations Member States not to support a 2009 Durban Review Conference process that fails to adhere to established human rights standards and to reject an agenda that incites hatred against any group in the guise of criticism of a particular government or that seeks to forge a global blasphemy code;

(9) commends the diverse civil society organizations that have joined together to learn from the shortcomings of the 2001 World Conference Against Racism, and to work together in a spirit of solidarity and mutual respect toward a 2009 Durban Review Conference that rejects hatred in all its forms;

(10) reaffirms that, as recognized by Article 18 of the Universal Declaration of Human Rights, ''Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, [and] to manifest his religion or belief in teaching, practice, worship and observance'';

(11) urges all states to implement their commitments to combat racism, racial discrimination, xenophobia and related intolerance to secure just treatment and the realization of universal human rights for all as enshrined in international human rights instruments, in particular the Universal Declaration of Human Rights, the International Convention on the Elimination of Racial Discrimination, and the International Covenant on Civil and Political Rights;

(12) notes that the Human Rights Council agreed in Resolution 3/2 on December 8, 2006, that the 2009 Durban Review Conference would, like other United Nations review conferences, focus on countries' implementation of the many commitments to fight racism, racial discrimination, xenophobia and related intolerance contained in the official government Durban Declaration and Program of Action and that there will be ''no renegotiation of the existing agreements contained therein'';

(13) recognizes the purposeful attempts of some countries to prevent a focus on ongoing racism by utilizing inflammatory language, employing divisive tactics and strategies, fostering an atmosphere of anti-Semitism and otherwise deviating from the commitments made at the 2001 World Conference Against Racism in order to divert the 2009 Durban Review Conference from the important goal of eradicating global racism;

(14) calls on United Nations Secretary General Ban Ki-Moon to publicly urge the Human Rights Council to adhere to its mandate and to the high responsibility and expectations placed on it, and asks him to personally intervene to refocus the 2009 Durban Review Conference efforts on the review of what United Nations Member States have done to fulfill their commitments to combat racism, racial discrimination, xenophobia and related intolerance, and on concrete action to fight racism, anti-Semitism, and all forms of hatred, intolerance, and violence; and

(15) calls on the High Commissioner for Human Rights to urge United Nations Member States to adhere to the agreed framework of the 2009 Durban Review Conference and its previously agreed upon goals and parameters and to urge Member States of the preparatory committee to return to decision making by consensus.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

First, I want to express my appreciation to the ranking member of our Foreign Affairs Committee, Ms. ROS-LEHTINEN, along with the distinguished chairman of the Subcommittee on Africa and Global Health, Mr. PAYNE, and my colleague from California, Ms. BARBARA LEE, for their hard work on this resolution aimed at preventing a repeat of the tragic outcome of the 2001 World Conference Against Racism.

As my colleagues know, the convening of the first World Conference Against Racism in Durban, South Africa, in 2001 marked an important recognition of the historic wounds caused by slavery, colonialism, and ongoing racism and racial discrimination.

The Durban conference's explicit recognition of the transatlantic slave trade as ''a crime against humanity'' was a watershed event in the global community's effort to begin confronting this indelible stain in human history.

Tragically, the seminal achievements of this conference were overshadowed and diminished when some conference participants diverted the focus of the conference from problems in their own countries to a pathological focus on Israel and Jews.

The worse abuses took place in and around the NGO forum that took place on the margins of the conference. This forum devolved into a hate-filled circus, as anti-Israeli and anti-Semitic rallies spilled onto Durban's streets.

The official document produced by the NGO forum contained abusive language branding Israel an ''apartheid state'' that is guilty of ''racist crimes against humanity.''

The government document, while not as inflammatory as the NGO document, singled out one and only one regional conflict in a biased way by highlighting the ''plight of the Palestinian people under foreign occupation,'' and in so doing, wrongly branded Israel's treatment of Palestinians as racist.

The U.N. is now preparing a Durban Review Conference set to take place in Geneva in 2009. Despite the fact that the U.N. Human Rights Council agreed in Resolution 3/2 on December 8, 2006, that the review conference would be limited in its scope to a focus on countries' implementation of commitments to fight racism and discrimination, the same actors that hijacked the initial Durban conference are threatening to do so once again.

In preparatory meetings for the Durban Review Conference in Geneva, the Organization of the Islamic Conference, led by Pakistan, and the African Group, led by Egypt, have boldly stated—and that's the governments of both Pakistan and Egypt here—have boldly stated their determination to go beyond the boundaries established for the Durban Review Conference to attack Israel and to make so-called new forms of racism a centerpiece of the review conference agenda.

Our government and the governments of France, Canada, the United Kingdom, The Netherlands, and Israel have stated that unless the direction of the conference is refocused, the review process will not be credible or worthy of support.

I strongly support these ''redlines'' and will urge the next administration not to participate in the Durban review process if it continues on its current path.

But up to this point, neither the State Department nor the White House has undertaken any kind of sustained diplomatic effort to ensure that this outcome is not a forgone conclusion.

Our resolution confronts the diplomatic inaction by calling on the Secretary of State to convey in the strongest possible terms to the governments of Pakistan and Egypt that their campaign to hijack Durban II is completely unacceptable to us.

It also calls on the State Department to undertake a worldwide demarche of foreign capitals to seek support for refocusing the conference on its agreed-upon purpose.

A focused high-level diplomatic effort on the part of the State Department and the White House could force the OIC and the Arab League to stand down in their campaign to usurp the Durban review and to further unravel global adherence to human rights norms.

Unlike in the run-up to the original Durban Conference in 2001, many key U.S. allies have spoken out forcefully and resolutely in opposition to the campaign to hijack Durban II.

President Sarkozy of France, for example, has stated that the Government of France will not tolerate ''a repeat of the digression and extremes of 2001.''

It is time for the administration to end any diplomatic retreat from U.N. human rights mechanisms. We have ceded far too much space to human rights abusers by sitting on the sidelines in Geneva. We must confront the fact that among the key spoilers of U.N. human rights bodies are governments we should be in a position to influence, such as Pakistan and Egypt.

The United States is in a position to lead. We need the will to do so.

Our European allies feel far more threatened than they have been in the past by the intense OIC campaign to unravel key global human rights standards such as the right to freedom of expression.

□ 1730

They would certainly respond to the re-emergence of the United States as the leading advocate for universal standards of human rights.

The need for a credible global forum to review United Nations member states' efforts to combat racism remains urgent. The scourge of racism and related intolerance has not abated. If anything, discrimination against people of African, Jewish and Muslim descent has increased. We have also seen recently alarming outbreaks of violence against refugees and migrants. It makes no sense, therefore, to cede this critical forum provided by the Durban Review to a group of countries who are hostile to democratic principles and human rights standards.

Madam Speaker, I strongly support the resolution.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 1361—but, but, but, but, but with great reservations, particularly with respect to changes made to the text after the resolution had been adopted by our Foreign Affairs Committee.

Madam Speaker, in 2001, a number of anti-democratic governments hijacked the planning and implementation of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa.

Instead of representing a bold step forward by devoting its attention to fighting racism and other bigotry, the event was dominated by attacks on America, on Israel, and on Jews at every turn.

At the conference's NGO forum, groups distributed literature expressing sorrow that Adolf Hitler did not fully exterminate the Jewish people. The anti-Israel and anti-American rhetoric at Durban so discredited the conference that our U.S. Secretary of State, Colin Powell, withdrew our delegation, stating, ''I know that you do not combat racism by conferences that produce declarations containing hateful language or that singles out any one country alone in the world, Israel, for censure and abuse.''

Our late friend and colleague, Tom Lantos, the former Chair of the Foreign Affairs Committee, also walked out on Durban, stating that the conference ''provided the world with a glimpse into the abyss of international hate, discrimination and, indeed, racism.''

Today, Madam Speaker, we are confronted with the forthcoming 2009 Durban Review Conference, also known as Durban II. The version of this resolution that passed our committee was a compromise that was worked out between our Republican and Democratic Members. Having introduced several resolutions in this Congress addressing Durban II, I felt at the time that even that compromise text did not go far enough in portraying the problems plaguing this conference. That compromise text, however, focused on defeating the campaigns by some countries, particularly members of the Organization of the Islamic Conference, to divert Durban II away from reviewing human rights concerns and, instead, focus it on attacking Israel and promoting anti-Semitism.

Unfortunately, Madam Speaker, the text before us today has a different focus. This text places the emphasis on higher level U.S. diplomatic efforts on ensuring that Durban II follows up on the commitments made at the last conference, an effort that could be interpreted as legitimizing the first Durban meeting, and as such the efforts by Israel and America haters.

Indeed, Madam Speaker, responsible nations must work to fight against racism and other forms of intolerance. And therefore, we appreciate that the 2001 Durban Declaration declared slavery to be a crime against humanity and

noted that the Holocaust should never be forgotten.

We all wish that Durban I were a symbol of success in the struggle against racism, and that Durban II would build on that success. However, Madam Speaker, the Durban Conference ultimately did not represent progress against racism. Until this very day, Durban is a symbol of the powerful, pervasive menace of anti-Semitism and anti-Israel hate.

Indeed, the conference's own Durban Declaration, which could have been a stirring, unequivocal call to stop racism and hate, was tarnished by a number of irrelevant provisions, including several clauses that singled out Israel while ignoring the plight of Israelis under siege from violent extremists.

Therefore, it is imperative that we not imply, in hindsight, that Durban I was more positive than it actually was; neither should we pretend that Durban II will be less disastrous than it actually will be.

The planning committee for Durban II, Madam Speaker, is led by the regimes of Libya, Iran and Cuba. And that committee has already expressed its intent to focus the conference on Israel bashing, anti-Semitism, and establishing a global blasphemy code that could stifle our freedom of speech and religion.

Just a few days ago, on September 19, the Algerian Ambassador to the U.N. Missions in Geneva, within the context of discussions concerning Durban II, redefined anti-Semitism and referred to ''traditional anti-Semitism'' as having become ''politically incorrect in many rich nations.'' What? Translation, Madam Speaker: Anti-Israel and anti-Semitism is objectionable in rich nations of the West, but acceptable everywhere else.

The fix is in, Madam Speaker. After extensive diplomatic efforts by the U.S. to prevent Durban II from following in the dark path of its predecessor, we joined our allies, Canada and Israel, in declaring that we will not fund and we will not participate in a conference that promotes hate.

As former Assistant Secretary of State Kristen Silverberg noted while testifying before our Foreign Affairs Subcommittee this past April, ''There is absolutely no case to be made for participating in something that is going to be a repeat of Durban I. We don't have any confidence that this will be any better than Durban I.''

It is clear, Madam Speaker, that any further U.S. involvement in Durban II in the planning process, whether by an Undersecretary, by the Secretary of State, or even by the President, will not avert the looming train wreck that is Durban II. It will only waste precious U.S. time, legitimacy, and political capital on a doomed venture.

However, the text before us today, while it contains some positive clauses as it has been amended after committee action, could be misconstrued as urging America to further participate in the Durban II planning process in order to attempt to ensure that Durban II follows up on the commitments made at Durban I.

Making sure that we don't send a mixed signal is especially important this week, Madam Speaker, as the United Nations General Assembly meets in New York and as Ahmadinejad prepares today to spew his anti-American, anti-Israel, anti-Semitic venom on the world stage.

I will vote for this resolution, Madam Speaker, with the intent that it does not call for the U.S. to participate in Durban II or its planning process in any way, shape or form. Moreover, Madam Speaker, I will continue my efforts to work with my colleagues, the executive branch, and our allies to discuss an alternative to Durban, one rooted in freedom, in tolerance, and in democratic values.

I thank Chairman HOWARD BERMAN for introducing this resolution. I intend to vote for it with all of these reservations.

Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, before I yield to my colleague from California, I would like to yield myself 1 minute.

The gentlelady and I, my ranking member, we're coming from the same place in the sense that we do not want the United States participating in a conference which produces the kind of statements and the kinds of activities that happened the last time. Perhaps in this case I'm a little more of an optimist than the gentlelady from Florida because I can't think of anything better, that, before the last preparatory meeting, the House speaks on what our red lines are—yes, we want the conference to succeed, it's an incredibly important purpose, as the gentlelady has agreed to and acknowledged and has always been supportive of. But we know what's happened before, we know what's being set up to happen this time. But I want to see delegations from the kinds of organizations that are supporting this resolution that plan to go to Geneva for that preparatory meeting to say, in the United States, we speak with one voice, and that includes not simply the American Jewish Committee and APAC and the other Jewish community organizations that support this resolution——

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

Mr. BERMAN. I yield myself 1 additional minute.

But it also includes the Leadership Conference on Civil Rights, Human Rights First—one of the preeminent human rights organizations—the NAACP, and all the other organizations that are going to Geneva, supporting this resolution and telling them that we're not going to stand for another hijacking. And this resolution creates the framework, with the support of those kinds of organizations, to make that last effort. While I can't tell you what's going to happen there, let's give it our best shot.

Passing this resolution, allowing these organizations to go with a statement from the House of Representatives that is clear on the red lines, is very important.

I now yield 4 minutes to my friend and colleague, who has been very involved in this process from the very beginning and has helped us to fashion the final product with a tremendous contribution, the gentlelady from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and for your patience and for your understanding and for your really very skillful way in bringing us all together to make sure that there is a resolution that we all can support.

I do support H. Res. 1361, putting the House, first of all, on record in support of the United States leading a high-level diplomatic effort to ensure that the Durban Review Conference, better known as Durban II, serves as a forum to review commitments to combat all forms of racism.

The resolution also directs the United States to strongly oppose any effort by any party to use the forum as a platform for attacking Israel, for promoting anti-Semitism, or undermining the Universal Declaration of Human Rights.

Madam Speaker, in 2006, the United Nations General Assembly voted to hold a conference to review the process and progress made by member nations in implementing the Durban Declaration and Programme of Action. This declaration was the signal achievement of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which was held August 31 through September 7, 2001 in Durban, South Africa. The conference known as the ''Durban Conference'' was attended by more than 10,000 persons from all corners of the globe. The Review Conference, or Durban II, is scheduled to convene in Geneva, Switzerland, in April 2009.

This resolution is an important resolution warranting the support of all Members. But it's also important for my colleagues to know that, once again, without the leadership of Chairman BERMAN and Chairman PAYNE and Ranking Member ILEANA ROS-LEHTINEN, we really wouldn't have this opportunity to put the House on record directing the United States to exercise the strong leadership that we've all talked about at the Durban II Conference, and to resist any attempt by any party to launch anti-Semitic attacks on Israel.

So let me just say it has been a privilege working with all of you over these past several months in crafting this language that reflects our shared commitment to combating racism in all forms and condemning anti-Semitism.

I want to say also that I was part of the Durban Conference. Actually, we wrote a letter to the Secretary of

State, then Secretary Colin Powell, under the leadership of our Congressional Black Caucus Chair then, Congresswoman EDDIE BERNICE JOHNSON. And we told the Secretary of State and the State Department then that in no way did we believe Durban I should turn into a forum to attack Israel or become an anti-Semitic forum, and that, in fact, we believe this Durban Conference was so important to African Americans and to all minorities in America that we thought then that it was even important on Durban I to try to stop all of the things that the NGO forum allowed to happen.

□ 1745

But I want to clarify that that was the forum; that was not the full Durban conference. We were there. The United States did not send an official delegation. And in fact there was some delegates there who actually left the conference. But Congresswoman EDDIE BERNICE JOHNSON, myself and others, we said we would end up just being the official delegation. I think there were seven or eight of us at Durban because we felt it was so important to first stay there to make sure that we could try to ensure that it was focused on combating racism.

And, secondly, there were hundreds and hundreds of African Americans at that conference. This is one of the first conferences where African Americans could go abroad and talk about all forms of racism; what had happened, what the trans-Atlantic slave trade really was all about, its legacies and its vestiges. So this is an important conference.

Let me just mention what this resolution is and summarize some of the provisions of this resolution. First, to review the progress and assess implementation of the declaration by all stakeholders.

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

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

Ms. LEE. To review the progress and assess the implementation of the Durban Declaration, to assess the effectiveness of the existing Durban follow-up mechanisms and other relevant United Nations mechanisms dealing with racism, racial discrimination, xenophobia and related intolerance, to promote the universal ratification and implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, and to identify and share good practices in the fight against racism, racial discrimination, xenophobia and related intolerance.

We should support this resolution because it says very explicitly that we will not allow, impugn and support behavior at any of these conferences, including we condemn what happened at the 2001 NGO forum as it relates to anti-Semitism and attacks on Israel. And this is important because it really does encourage this active participation by the United States in this conference, because I can guarantee you, just as the seven or eight of us members of the Black Caucus who went to Durban the first time tried to beat back any type of anti-Semitism we saw bubbling, we will do that this time. And we want an official, high-level delegation along with us to go to Durban so that we can do the business and move forward to participate in a world forum to combat racism and discrimination.

I'm proud of the fact that the Leadership Conference on Civil Rights supports this. Mr. BERMAN laid out who all is involved in that conference. It's a good resolution. It's a resolution that deserves our support on both sides of the aisle.

Thank you, again, Mr. BERMAN, for your leadership.

Ms. ROS-LEHTINEN. I continue to reserve our time until the speakers are done on their side.

Mr. BERMAN. I yield 2 minutes to the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding and for his strong and very important leadership on this issue.

Madam Speaker, I rise today in support of this important resolution stating our position on the Durban Conference. Seven years ago, we watched in disgust as a conference on racism, a very important issue which demands the world's attention, was diverted into a hate fest against Israel and Jews everywhere where participants and outside groups attempted to paint Israel as an ''apartheid state'' guilty of ''crimes against humanity.'' This kind of inflammatory speech does nothing to help the Palestinians. And it certainly does nothing to help those who are truly oppressed by racist regimes.

We now hear of new attempts to hijack the review conference to be held next year. The Organization of Islamic Conference says they want to highlight ''new forms of racism'' such as blasphemy against Islam while continuing to focus on spewing anti-Semitic and anti-Zionist hatred. We must stop these cynical attempts to divert attention away from the human rights abuses in places like Iran and Saudi Arabia and put the spotlight squarely where it belongs, on real forms of racism, slavery and xenophobia, which is what this conference is supposed to be about and which it should be about.

I urge support for this resolution.

Ms. ROS-LEHTINEN. I have no further requests for time, and I will reserve the balance of my time.

Mr. BERMAN. I have one additional speaker. I'm very pleased to yield 3 minutes to the gentlelady from Texas, a member of the House Foreign Affairs Committee and a participant in the last conference, Ms. SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I too want to add my appreciation to the chairman of the full committee, Mr. BERMAN of California, and the ranking member, Ms. ILEANA ROS-LEHTINEN, who was obviously here during that first Durban Conference in 2001.

Interestingly enough, that conference preceded the horrific tragedy that occurred in this country. I might venture to say that the contempt and hatred that was expressed there certainly did not help in adding to the idea that we are all part of the human family. But I will say to you that this is a characterization of relief.

And I do thank my colleague from California, Congresswoman BARBARA LEE. Both of us were on that early delegation. But more importantly we worked extensively to pressure, if you will, the Bush administration to actually send a high level delegation. In fact I believe that if we had sent a high-level delegation, many of us many times will argue for boycotting. In this instance, we worked with Secretary Powell and begged him to go so that he could put a face of America, and that face of America will be in conjunction with the basis of this particular conference, and that is for the first time to be able to hold a conference that marked an important recognition of the historic wounds raised or caused by slavery, colonialism and related ongoing racism, racial discrimination, including the recognition of trans-Atlantic slave trade as a crime against humanity and the people of African descent, people of Asian descent, and indigenous people, and as well to stamp out racial discrimination against persons of African descent, members of Jewish, Muslim, castes, indigenous Roma and Sinti and other communities. That is what we were supposed to be doing. But because I believe we did not send a high-level delegation, it was hijacked. We were hoodwinked. But I can assure you that as I can recount the actions of those of us who went unofficially claiming we were official, we were running from one meeting to the next to be able to argue for the purpose of this particular conference, putting the message of America forward, suggesting that we want to stamp out racism and anti-Semitism and other forms of discrimination. We were there on the front line.

This is an important statement. And that statement says that America does recognize the sins of the past, that we do embrace those around the world who have suffered injustices, and we reject the anti-Semitism or creating an opportunity for this to be a cause of bashing Israel. But I believe that as we go as a full delegation, which I hope that many of us will again be able to attend the Durban review in 2009, you will see the opportunity for African Americans and those descendants of slaves around the world, those who are presently abused, you will see a standing up for the cause of eliminating and eradicating racism wherever it is and

scapegoating any people, which includes as well the Jewish people and the State of Israel.

Madam Speaker, I believe that this is a right step. I wish we had had this document. I wish we had had a high-level delegation some years ago. And if I might quickly acknowledge Mary Robinson.

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

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

Ms. JACKSON-LEE of Texas. I acknowledge the then Human Rights Commissioner, Mary Robinson, who was the architect somewhat of this idea. Her heart was in the right place. She was there. She wanted us to speak on the issues that this conference needed to grapple.

Racism, Madam Speaker, is intrinsic. It is deep. It is in the souls of many. It covers ethnicities and language. It is difficult to deal with. This is an important conference. This legislation should craft it, design it and stand for it in the right way.

Let me thank the NAACP for its support of this legislation. And I understand Wade Henderson, who was one of the architects of working with this, this is the right direction to go. I'm looking forward to a conference that speaks to the issues and embraces all of those who have been victims of racism and discrimination and to end it forever and ever.

Mr. KLEIN of Florida. Madam Speaker, I rise to support H. Res. 1361, a resolution that urges the U.S. government to prevent the upcoming U.N. World Conference on Racism from being hijacked by those seeking to spread anti-Semitism and hate. The theory behind a conference on racism, where members of all nations come together to fight hate and promote diversity, is an important goal. Unfortunately, just as they have in the past, the organizers of this U.N. conference on Racism seem to have buried the task at hand.

In 2001, the conference was held in Durban, South Africa, and was hijacked and transformed into an anti-Israel tirade. While racism and the promotion of hate are taught in many classrooms around the world, the organizers of this U.N. conference unfairly chose to single out Israel. This must stop.

The United States must take a leadership role now, while the conference is still in planning stages, to ensure that such a despicable charade will not be repeated. The administration must work with our allies and use its leverage to ensure that this conference lives up to its name. And, if it seems that the conference is going to mock the world's fight against racism and it becomes clear that the conference will become a forum to promote hate and anti-Israel sentiment, then I urge the administration to pull U.S. support and work with our allies to show the conference for what it is: a sham.

Finally, I join the sponsors of this legislation in commending the efforts of our allies, France, Canada, and Israel for declaring their intentions not to participate in Durban II if its agenda is diverted.

It is imperative that the United States not stand idly by while countries around the world belittle the fight against racism. I look forward to working with my colleagues, the administration and countries around the world until we get this right.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of our time.

Mr. BERMAN. Madam Speaker, I yield back our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1361, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: ''Expressing the sense of the House of Representatives that the United States should lead a high-level diplomatic effort to ensure that the Durban Review Conference serves as a forum to review implementation of commitments made at the 2001 Durban Conference to combat all forms of racism by defeating the campaign by some members of the Organization of the Islamic Conference to divert the United Nation's Durban Review Conference from a review of problems in their own and other countries by attacking Israel, promoting anti-Semitism, and undermining the Universal Declaration of Human Rights.''.

A motion to reconsider was laid on the table.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 643

Ms. BERKLEY. Madam Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 643, a bill originally introduced by Representative Stephanie Tubbs Jones of Ohio, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

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

There was no objection.

RECOGNIZING NGO WORK ON ISRAELI-PALESTINIAN PEACE

Mr. BERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1369) recognizing nongovernmental organizations working to bring just and lasting peace between Israelis and Palestinians.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1369

Whereas the Israeli-Palestinian conflict has cost many innocent lives and continues to bring terrible suffering to both peoples;

Whereas despite the ongoing conflict, Israeli and Palestinian individuals and nongovernmental organizations have been working for decades to build bridges between the two peoples, to address humanitarian concerns, and to further the cause of peace;

Whereas such individuals and nongovernmental organizations that are committed to nonviolence, recognize Israel's right to exist, and are dedicated to achieving a two-state solution deserve recognition and encouragement to continue their important work;

Whereas the Israeli-Palestinian conflict is currently at a critical juncture, and sustained progress towards peace depends on the commitment of individuals and organizations that choose dialogue, friendship, and openness;

Whereas the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) permits the provision of United States assistance to nongovernmental organizations to provide for basic human needs, the protection of basic human freedoms, and the promotion of human rights, nonviolence, and for a just and peaceful reconciliation, provided that such assistance does not knowingly and directly benefit any terrorist organization;

Whereas the initiatives of these individuals and nongovernmental organizations reflect the tenacity of those with a true commitment to peace, mutual respect, and coexistence, and demonstrate the real impact that such people can make on the lives of individuals and communities; and

Whereas such initiatives build hope and trust among both peoples and can help pave a path to peace: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the vital role of nongovernmental organizations in peace-building efforts between Israel and Palestinians, and encourages them to remain steadfast in their commitment to nonviolence, recognition of Israel's right to exist, dedication to achieving a two-state solution, and work toward building trust and cooperation between the two peoples;

(2) applauds the tireless work of these individuals and nongovernmental organizations, and urges them to continue their efforts;

(3) acknowledges and encourages the important efforts and support that these nongovernmental organizations, religious organizations, and individuals committed to peace and nonviolence contribute to these initiatives;

(4) affirms the importance of United States support to nongovernmental organizations that provide humanitarian aid and work for democracy, human rights, and peace and reconciliation between Israelis and Palestinians; and

(5) urges Israeli and Palestinian leaders to embrace the spirit of nongovernmental peace builders toward achieving a just and lasting peace.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. Madam Speaker, I rise in strong support of this resolution, and I yield myself 3 minutes.

I would like to thank, Madam Speaker, my friend and distinguished colleague, Representative BARBARA LEE, for introducing this important resolution to highlight the work done by the NGO community in support of Israeli-Palestinian dialogue. In spite of the shaky cease-fire reached between Israel and Hamas on the Gaza Strip, Hamas and other extremist Palestinian groups have neither changed their stated aim, namely, the destruction of the State of Israel, nor given up the use of terrorism and violence as a means to achieve that end.

But while the terrorists of Hamas and Palestinian Islamic jihad continue to threaten innocent civilians and undermine peace efforts, we should recognize the courageous efforts being made by many nongovernmental organizations to do just the opposite, that is, to foster conditions that can lead to peace. Many of these groups work tirelessly and selflessly not only to improve the daily lives of Palestinians but also to effect peaceful coexistence between Palestinians and Israelis. One example, Seeds of Peace, brings Israeli and Arab youth together for summer retreats that cultivate a culture of understanding and tolerance among tomorrow's leaders.

As this resolution affirms, it shall remain U.S. policy to actively support all those nongovernmental organizations that provide humanitarian assistance, promote democracy, human rights and work towards Israeli-Palestinian reconciliation while unequivocally opposing the use of violence. This resolution lends that encouragement and backing only to those NGOs that explicitly renounce violence, accept Israel's right to exist and support existing agreements between Israel and the Palestinians.

I join the author of this resolution, Congresswoman LEE, in lauding contributions to peaceful coexistence between Israelis and Palestinians made by nongovernmental organizations. I hope, and believe and want to believe that this is the way of the future. I urge all my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

House Resolution 1369 recognizes the efforts of nongovernmental organizations working to bring just and lasting peace between Israelis and Palestinians.

□ 1800

I would like to thank my good friend from California, the gentlelady, Ms. BARBARA LEE, for her hard work in drafting this important resolution. We all want to see peace, stability and security prevail in the Middle East and, indeed, in all regions of conflict. However, that goal remains elusive when leaders act in ways that distort, perpetuate and aggravate otherwise resolvable disputes between nations and peoples. Such leaders make peace impossible by programming their citizens into viewing other nations and other people as wicked, as inhuman, as worthy of hatred and even of death.

Fortunately, the work of nongovernmental organizations and of individuals committed to nonviolence and to Israel's right to exist as a Jewish and as a Democratic state provide a counterweight to the purveyors of this terrible rhetoric. These individuals and NGOs cultivate relationships that oppose violent extremism and hateful propaganda, that promote a culture, instead, of life and that seek peaceful, rational and mutually beneficial solutions to seemingly intractable problems.

So I commend the gentlelady from California (Ms. LEE) for its introduction, and I urge the passage of this important resolution.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, we have one speaker, the sponsor of the resolution, and I yield her, Congresswoman BARBARA LEE, 4 minutes.

Ms. LEE. Mr. Speaker, let me just say once again that I want to expressly thank the Chair of our committee, Mr. BERMAN, for his leadership and for his support in bringing this resolution to the floor.

Also, I want to thank our ranking member, Congresswoman ILEANA ROS-LEHTINEN, for her assistance in making sure that we can have a bipartisan resolution.

Every now and then, I think we ought to talk about peace. You know, that seems not to be a word or a term that we discuss very often on this floor, so we have a chance to just say ''peace'' a few times today.

Thank you, Mr. BERMAN and Ms. ROS-LEHTINEN, for giving us that chance.

This resolution recognizes the vital role of nongovernmental organizations in peace-building efforts between Israelis and Palestinians, and it encourages them to remain steadfast in their commitment to nonviolence, in their recognition of Israel's right to exist, in their dedication to achieving a two-state solution, and in their work towards building trust and cooperation between the two peoples.

Mr. Speaker, this bipartisan resolution is strongly endorsed by many organizations and groups that have been long dedicated to the cause of peace, justice and of reconciliation between Israelis and Palestinians. I'd like to mention for a minute the supporters of this resolution:

The Churches for Middle East Peace, which is a coalition of 22 public policy offices of national churches and agencies—Orthodox, Catholic and Protestant—working to realize the vision of a region where two viable states, Israel and Palestine, live side by side within secure and recognized borders; the Alliance for Middle East Peace, which is an alliance of 57 NGOs that are promoting people-to-people coexistence, cooperation and reconciliation between Israelis, Palestinians, Arabs, and Jews in the Middle East; the Israel Policy Forum, which is an independent, nonpartisan organization advocating for sustained American, diplomatic efforts to end the conflict between Israel and her neighbors and to actively promote the two-state solution to the Israeli-Palestinian conflict; and the Middle East Policy Advisory Committee, which is a coalition of organizations that my congressional district formed to bring a just peace between Palestinians and Israelis.

Mr. Speaker, in a region that has suffered so much loss and seemingly interminable conflict, these efforts are critically important in addressing the daily struggles and challenges faced by Israelis and Palestinians.

Sixty years ago, the great Senator Hubert Humphrey said that people are the issue of the 20th century. I might add now the well-being of people is the critical issue of the 21st century, and peace is needed for people to flourish.

As the great theologian Saint Augustine reminds us, peace is the necessary condition in which people can be free to work out in their private destiny.

That's why it's fitting and proper to recognize, as my resolution does, the efforts of Israeli and Palestinian individuals and of nongovernmental organizations that have been working, really, for decades to build bridges between the two peoples—to address humanitarian concerns and to further the cause of peace.

Although the Israeli-Palestinian conflict has cost too many innocent lives and though it continues to bring terrible sufferance to both peoples, we can all be thankful that there are many nongovernmental organizations comprised of men and women of goodwill, working to build schools and hospitals, to foster cultural exchanges, to increase commercial ties, economic development, and to promote interreligious dialogue and understanding.

The Israeli-Palestinian conflict is currently at a critical juncture. Sustained progress toward peace depends on the commitment of individuals and of organizations that choose dialogue, friendship and openness.

So this amendment recognizes the efforts of those unsung heroes and sheroes, and it encourages them to continue their important work.

The SPEAKER pro tempore (Mr. COHEN). The time of the gentlewoman has expired.

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

Ms. LEE. It also salutes them for their commitment to nonviolence, to the recognition of Israel's right to exist and to their dedication to achieve a two-state solution.

I would like to thank our staff, Mr. BERMAN. I would like to thank Alan Makovsky and Matthew Zweig of the staff of the Foreign Affairs Committee, and I would also like to thank Gregory Berry and Scott Exner on my staff.

This is the spirit in which I hope we can move forward in terms of nongovernmental peace builders and move

toward achieving a just and lasting peace. Let's be cognizant of the fact today that peace is possible.

Thank you, Mr. BERMAN. Thank you, Ms. ILEANA ROS-LEHTINEN. I thank the committee for the resolution.

THE REBUILDING ALLIANCE,
Palo Alto, CA, September 23, 2008.

DEAR REPRESENTATIVE, I am very proud to support H. Res 1369, a positive and constructive resolution to advance the cause of peace and justice in Israel and Palestine and I urge you to vote for it. I am really proud that Representative Lee was willing to work with us at the Rebuilding Alliance and the Middle East Policy Advisory Committee to bring this resolution to the floor.

At its heart, H. Res. 1369 recognizes those people—Israelis and Palestinians— who continue to pursue peace and justice with every breath they take, despite their own overwhelming personal losses. These are the people who make a difference in their communities, and it is to them we offer encouragement. Let me tell you about some of them:

I want Congress to care about the peacemakers in the Village of Al Aqabah and all those who seek to help them:

Last week, Mayor Haj Sami Sadik came, in his wheelchair, to Washington DC to meet with Congressional and Senate staff. He is the mayor of the Palestinian West Bank Village of Al Aqabah and he came to ask your help to save his kindergarten and village from demolition. Israeli Architect Shmuel Groag, a founder of BIMKOM: Planners for Planning Rights, joined him, along with me, American Donna Baranski-Walker, executive director of the Rebuilding Alliance, the SF Bay Area nonprofit that helped the village build their kindergarten and brought them here to ask Americans to help save it.

I care about Al Aqabah. I care about their kindergarten with 130 students. The village holds full title to its land, without question—and they even won an earlier case before the Israeli High Court of Justice to remove the Israeli Army's training camp from the village gates. As they were rebuilding their kindergarten, the Israeli Army issued demolition orders against the kindergarten, the medical center, the mosque, and nearly all the homes in the village. The village held to their belief that justice will prevail as Mayor Haj Sami Sadik again petitioned the Israeli High Court of Justice to recognize their village's right to exist. Now he filed the village's own master plan with the Israeli Army's Civil Authority and asks the world's help to see the village's plan approved, and to help his village thrive.

I care about the Rachel Corrie Charity in Rafah, Gaza, holding their soccer tournament on the land where 2200 Palestinian homes once stood, as a way to build community and goodwill near a very traumatized refugee camp. The Rebuilding Alliance brought one of the founders of this group, Khaled Nasrallah, to the U.S., joining Cindy and Craig Corrie, parents of the late American Rachel Corrie, in a six-state speaking tour three years ago. The Rachel Corrie Charity is being sponsored by the Gaza Community Mental Health Organization, a Palestinian non-governmental organization that deeply opposes violence and is itself an outspoken advocate of freedom, fairness, and democracy—and many congressional staff met with one of the founders of Gaza Community Mental Health Programme, Mr. Husam El Nounou, along with Rebuilding Alliance board member from Jerusalem, Rabbi Jeremy Milgrom, helping Mr. El Nounou return home when the Gaza's borders were first blockaded in 2006.

I care about the Free Gaza Movement and the Americans, Internationals, Israelis, and Palestinians who worked together to steer their boats through international waters to break the siege of Gaza last month. My friend and Representative Lee's constituent, Paul Larudee, was on one of those boats. It is important to recognize their nonviolent activism and urge an end to the collective punishment of 1.4 million people in Gaza and speak out against using blockades and siege as tools of diplomacy.

I care about the Israeli and Palestinian peacemakers who are part of a group called Combatants for Peace. These are Israeli former soldiers and Palestinians who have been in Israeli jails who now pledge not to use violence, but instead to work together for peace and justice. Their Palestinian cofounder, Bassam Aramin, lost his daughter Abir to a soldier's rubber coated bullet. Their Israeli cofounder, Elik Elhanan, lost his sister when a suicide bomber detonated. Together they and 500 more like them, choose peace. Combatants for Peace has launched the Abir's Garden Project to build playgrounds at Palestinian schools in memory of Abir Aramin.

These are but four groups working to bring about a real peace in Israel and Palestine. I look forward to inviting all the peacemakers in each congressional district to forums with their Representatives to describe their work for peace in Israel and Palestine. Honorable Representatives, I hope each of you will send letters of encouragement to those Peacemakers in Israel and Palestine who they support.

H.Res 1369 moves beyond condemnation to begin a process of recognition and encouragement.

I believe that this form of recognition can open doors and I urge your support. To the peacemakers, may you know that your work makes a difference. May you continue your efforts and may the Congress of the United States join you to help you realize your goals. To the honorable members of the U.S. House of Representatives, I urge you to vote for H.Res. 1369 and recognize these and many more peacemakers in Israel and Palestine. Please use your influence to keep them safe, help them achieve their goals, and press for a negotiated peace agreement between Israel and Palestine that is viable and fair to all.

Sincerely,

DONNA BARANSKI-WALKER,
Executive Director of the Rebuilding Alliance.

CHURCHES FOR
MIDDLE EAST PEACE,
Washington, DC, September 23, 2008.

Attn: Foreign Affairs Legislative Aide.

DEAR REPRESENTATIVE: Churches for Middle East Peace, a coalition of 22 Catholic, Orthodox and Protestant national church bodies, urges all Members of the House to support H. Res. 1369, recognizing nongovernmental organizations working to achieve a just and lasting peace between Israelis and Palestinians. This resolution was unanimously approved by the House Committee on Foreign Affairs in July and is scheduled to be considered under suspension of the rules today.

Passage of H. Res. 1369 would send a strong message of Congressional support for efforts to further the cause of Middle East peace. At this critical time, when progress on the political process is uncertain, this resolution affirms the important role that civil society plays in laying the groundwork for peace. It provides hope and encouragement to the many Israelis and Palestinians who have long worked to foster peace and reconciliation, promote human rights, democracy and nonviolence, and address humanitarian concerns. In our frequent visits to Israel and the Palestinian Territories, and through our long-standing relationships with partner churches and their relief and development agencies, we know well the fruits of their good works. We believe the commitment of these dedicated individuals and organizations, together with robust U.S. diplomacy and the commitment of Israeli and Palestinian leaders, can finally help realize the vision of two states, Israel and Palestine, living side by side in peace and security.

We ask today for your support of H. Res. 1369 and look forward to continued work with the U.S. Congress to finally achieve peace in the Holy Land.

Sincerely,

Bishop Wayne Burkette, President, Southern Province, The Moravian Church in America.

James Fine, Legislative Secretary for Foreign Policy, Friends Committee on National Legislation.

Catherine Gordon, Representative for International Issues, Washington Office, Presbyterian Church, USA.

Dr. Duncan Hanson, The Reformed Church in America, Supervisor for Europe and the Middle East.

Mark Harrison, Director, Peace with Justice Program, General Board of Church and Society, United Methodist Church.

Aura Kanegis, Director, Public Policy and Washington Office, American Friends Service Committee.

Rev. Michael Kinnamon, General Secretary, National Council of Churches USA.

Rev. Jim Kofski, MM, Maryknoll Office for Global Concerns.

Peter Makari, Middle East and Europe Global Ministries, United Church of Christ and Christian Church, Disciples of Christ.

Rev. John L. McCullough, Executive Director and CEO, Church World Service.

T. Michael McNulty, SJ, Justice and Peace Director, Conference of Major Superiors of Men, CMSM.

The Very Rev. George Rados, Representative, Antiochian Christian Orthodox Archdiocese of North American.

Marilyn Rouvelas, Representative, Greek Orthodox Archdiocese of America.

Rachelle Lyndaker Schlabach, Director, Washington Office, Mennonite Central Committee US.

Maureen Shea, Director, Office of Government Relation, The Episcopal Church.

Russell Testa, Director, JPIC, Franciscan Friars, OFM.

Rev. Susan P. Wilder, Director for Middle East Policy, Washington Office, Evangelical Lutheran Church in America.

Ms. WOOLSEY. Mr. Speaker, a sincere thank you to Representative BARBARA LEE. In this Congress, there is no greater voice for peace than Congresswoman LEE.

I rise today in strong support of this Resolution recognizing non-governmental organizations working to help bring a just and lasting peace to Israelis and Palestinians.

Peace will not be brought about by governments and presidents. Peace will only be achieved when people come together to support a common goal—security and prosperity for all.

More than any conference or summit, the work of local and international NGOs have brought the region closer to a non-violent resolution to the ongoing crisis. Their work is invaluable.

From student exchanges to high-level reconciliation programs, NGOs are irreplaceable in the peace process.

I applaud this Resolution's commitment to peace and nonviolence and urge my colleagues' support today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise is strong support of H. Res. 1369, Recognizing nongovernmental organizations working to bring just and lasting peace between Israelis and Palestinians, which I am a cosponsor of. This bill was introduced by my distinguished colleague from California Congresswoman BARBARA LEE. This important legislation encourages countries in the Middle East to find a solution that will ensure long lasting stability, prosperity, and self-sufficiency in their region and affirms the importance of nongovernmental organizations to this process.

GENERAL

For decades, the United States and Israel have maintained strong bilateral relations based on a number of factors, including strong domestic U.S. support for Israel; shared strategic goals in the Middle East; shared democratic values; and historic ties dating back to U.S. support of the creation of Israel in 1948. U.S. economic and military aid has been a major component in cementing and reinforcing these ties. Although there have been occasional differences over Israel's settlements in the West Bank and Gaza Strip and Israeli arms sales to China, successive administrations and many lawmakers have long considered Israel to be a reliable partner in the region, and U.S. aid packages for Israel have reflected this sentiment.

However, the elongated years of fighting between Israel and Palestine are indirectly detrimental to the position of our country in the Middle East. The most beneficial solution for the United States, Israel, and Palestine is lasting peace in the holy regions, and as the Congress of the United States we must recognize that nongovernmental organizations can facilitate this process and aid every country involved. The stability of the Middle Eastern region is important the United States, and this resolution will reaffirm our commitment to supporting any steps towards peace in the Israel and Palestine.

PREVIOUS LEGISLATION

Earlier this year, I supported H. Con. Res. 322, recognizing the 60th anniversary of the founding of the modern State of Israel and reaffirming the bonds of close friendship and cooperation between the United States and Israel. I have supported Israel in the past, and the national interest of Israel is in the national interest of the United States. The best outcome for the country of Israel is a peace resolution that will quell the fighting, encourage peace, and allow the country a chance to recover from years of hostile encounters.

If the best way to facilitate and encourage peace between Israel and Palestine is to offer our support of the involvement of nongovernmental organizations, then I strongly support H. Res. 1369, and I encourage my colleagues to do the same. We must do what we can to support peace negotiations in the Middle East and support the national interest of Israel.

Mr. SIRES. Mr. Speaker, today, I rise in support of House Resolution 1369, which recognizes the work of nongovernmental organizations in helping to bring peace between Israelis and Palestinians. It is through the tireless efforts of so many dedicated and talented individuals on the ground in the region that we have been able to see progress. Nongovernmental organizations have worked for years at a grassroots level to build relationships between Israelis and Palestinians; neighbor to neighbor. These organizations have a true commitment to peace and to coexistence. The relationships they nurtured have helped to build bridges within these communities that I hope will sustain a lasting peace in the region.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1369.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING CHRISTIAN, JEWISH, MUSLIM INTERFAITH DIALOGUE

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 374) supporting the spirit of peace and desire for unity displayed in the letter from 138 leading Muslim scholars, and in the Pope's response, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 374

Whereas interfaith dialogue among Christians, Jews, and Muslims is a powerful way to bridge the chasms of mistrust and misunderstanding that can divide adherents to the 3 Abrahamic faiths;

Whereas a number of important initiatives to enhance interfaith dialogue have been launched in recent years;

Whereas in 1997, the Three Faiths Forum was founded in London and has focused on ''improving understanding between the Muslim, Christian, and Jewish communities'';

Whereas in 1998, the Foundation for the Three Cultures of the Mediterranean was founded in Seville, Spain, by former Israeli Prime Minister Shimon Peres, King Juan Carlos I of Spain, and King Hassan II of Morocco, with the objective of promoting cooperation between Christians, Jews, and Muslims;

Whereas in 2005, King Abdullah II of the Hashemite Kingdom of Jordan launched the ''Amman Interfaith Message'' in order to ''establish full acceptance and goodwill'' between Christians, Jews, and Muslims;

Whereas in 2007, 138 Muslim scholars, leaders, and activists sent a letter to numerous Christian leaders expressing their support for peace, harmony, and goodwill between Christians, Jews, and Muslims;

Whereas in 2007, the Council of Religious Institutions of the Holy Land was founded ''to advance [the] sacred values [of Christianity, Islam, and Judaism], to prevent religion from being used as a source of conflict, and instead serve the goals of just and comprehensive peace and reconciliation'';

Whereas the Vatican has announced that the Pope intends to address a Catholic–Muslim summit of religious leaders in November 2008;

Whereas interfaith dialogue has the potential to inspire men and women around the world to appreciate the common values shared by adherents of different religions, thereby strengthening the bonds of respect, cooperation, and tolerance against the forces of radicalism, extremism, and hatred;

Whereas these initiatives provide an opportunity to elevate the voices of people of faith who, often at risk to themselves, advocate for peace and understanding, courageous positions too often drowned out by radical extremists; and

Whereas unity among leaders of different faiths is a powerful weapon to fight intolerance, marginalize extremism, and defeat the agents of terrorism: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the United States supports the spirit of peace and desire for unity displayed in initiatives of interfaith dialogue among leaders of the 3 Abrahamic faiths;

(2) the United States further supports additional meetings of Christian, Jewish, and Muslim religious leaders aimed at greater dialogue between the religions;

(3) the United States encourages the many people of faith around the world who reject terrorism, radicalism, and extremism to join these and similar efforts in order to build a common bond based on peace, reconciliation, and a commitment to tolerance; and

(4) the United States appreciates those voices around the world who condemn terrorism, intolerance, genocide, and ethnic and religious hatred, and instead commit themselves to a global peace anchored in respect and understanding among adherents of the 3 Abrahamic faiths.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume but no longer than 3 minutes as I need an arbitrary restraint.

I want to begin first by thanking both the gentleman from Tennessee (Mr. WAMP) and the gentleman from Minnesota (Mr. ELLISON) for this resolution and for coming to the committee with a sense of the importance of this resolution and for the broader sentiment this resolution reflects, which is a broad and sincere commitment to global interfaith dialogue. I think it's a brilliant proposal.

I am pleased to have before us this resolution that supports such interfaith dialogue. I know its authors were inspired by a dialogue that 138 Muslim scholars, from all major sects of Islam, initiated in a letter to the Pope and to other Christian leaders. The letter emphasizes the importance of religious tolerance and of mutual respect between Christians and Muslims. In fact, the Pope graciously responded to this letter by agreeing to host a summit of

Catholic and Muslim leaders that is scheduled for this November.

This initiative reflects the same spirit as that of several other major interfaith initiatives meant to strengthen relations among the Abrahamic faiths, such as the 2005 Amman Initiative of King Abdullah II of Jordan and the 1998 initiative launched by the now Israeli President Shimon Peres, by King Juan Carlos I of Spain and by the late King Hassan II of Morocco.

Ever since Samuel Huntington coined the phrase, much is said in our public discourse about a ''clash of civilizations'' and about how to avoid it, but we really have to shoot higher than that. We have to aim to seek a comedy of civilizations. To do so, Muslim, Christian, Jewish, and other religious leaders must emphasize the core similarities of their faiths and values.

This resolution encourages understanding and partnership among Christians, Muslims and Jews. Much of the cultural heritage of the West and the Middle East can be ascribed to these three Abrahamic religions, but of course interfaith dialogue doesn't need to and should not stop there. We should support and encourage the sentiments expressed in this resolution in favor of dialogue, not only among Abrahamic religions but among all religions.

While there is much work still to be done to reach our goals, I again want to thank Mr. ELLISON and Mr. WAMP for this resolution that points the way towards developing societies, in the words of the resolution, based on peace, reconciliation and on a commitment to tolerance.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Concurrent Resolution 374, which expresses the House's backing for interfaith dialogue between Christian, Jewish and Muslim leaders.

Mr. Speaker, at a time when violent extremists are misusing Islam in order to encourage others to commit mass murder and to do away with liberty, it is more important than ever for true moderates from all faiths to come together and to unequivocally repudiate hate and violence and to embrace peace, tolerance and religious freedom for all.

As true moderates do come together for this most noble of purpose, they should know that America stands with them in their quest.

Mr. Speaker, while this important resolution deals with interfaith dialogue involving adherence to Christianity, to Judaism and to Islam, I would like to note that interfaith dialogue and religious freedom should encompass all faiths.

Finally, I would like to thank my distinguished colleague and dear friend, Mr. WAMP of Tennessee, for introducing this important resolution and for presenting it before us today.

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

Mr. BERMAN. Mr. Speaker, I am pleased to yield 4 minutes to a cosponsor of the resolution, to a gentleman who brought it to my attention some months ago. He is the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I know that it's protocol and important to thank the Chair of the committee and the ranking member, but today, I have to convey my very sincere and heartfelt thanks to Chairman BERMAN and to Ranking Member ILEANA ROS-LEHTINEN. Of course, I have to also thank my dear friend ZACH WAMP, who came to me many months ago and proposed that we offer this resolution together.

I believe this is an historic day, and I am deeply humbled. Other than the day that I had to come here before the House to talk about the collapse of our bridge in Minneapolis, I feel the most sense of emotion and of weight and of gravity today.

I also want to point out that this resolution that comes to the floor today takes place during a very special time for people of the Muslim faith, which is the month of Ramadan—a month of reflection, of fasting and, based on this resolution's coming to the floor, of good things as well.

The passion that my colleague Mr. WAMP and I share for this resolution may strike some Members as unusual, but it shouldn't. Indeed, as Members of Congress on different sides of the political aisle, Mr. WAMP and I may not always agree on policy, but we are two men who have come together as people of faith to highlight what we both believe are historic interfaith developments within the Christian, Jewish and Muslim faiths.

In late 2007, 138 Muslim scholars from every sect of Islam, representing communities of faith in countries both friendly and hostile to the United States, sent a letter to Christian leaders everywhere, declaring common ground between our faiths and seeking dialogue among leaders of two traditions that represent nearly half the world's population.

□ 1815

Responding to that letter, some 300 Christian leaders, including many leaders in the United States, declared in November 2007 their appreciation and support for this historic outreach. In March 2008 the Vatican announced that the Pope had invited these scholars to a first-ever summit, which will meet in Rome in November 2008.

I believe the mutual respect by all participants in this effort holds tremendous transformative power, not only for relations between Christians and Muslims, but also for Islam's entire relationship with the West.

I believe it is in the best interests of the United States to support and encourage those efforts so that the world knows that our Nation stands with those people who reject extremism and violence and hate and embrace reconciliation.

Let me read from the resolution: ''It is the sense of Congress . . . that the United States encourages the many people of faith around the world who reject terrorism, radicalism, and extremism to join these and similar efforts to build a common bond based on peace, reconciliation and a commitment to tolerance . . . Furthermore, the United States appreciates those voices around the world who condemn terrorism, intolerance, genocide and ethnic and religious hatred, and instead commit themselves to global peace anchored in respect and understanding among the adherents of the three Abrahamic faiths,'' Christianity, Judaism and Islam.

Today, our world knows too many people who are divided, rather than healed, by faith. I speak for myself, but I am sure most Members of the House would agree that our religious faith is a great source of strength and has the transformative effect of bringing people together, not pushing them apart.

I believe this resolution will serve to send a strong message to people everywhere that Members of the House stand in solidarity with members of the Christian, Jewish and Muslim faith as they confront ancient and modern divisions so that peace may prevail. It is brought up during a particularly special month for me.

I urge my colleagues to support this truly bipartisan resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield such time as he may consume to the author of this resolution, my good friend from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, over the last 14 years that I have had the privilege to serve here in the House, many times I have come to the floor from the head.

Today, I totally come to the floor from the heart, and that was the initial motive that I had was from the heart. We can't really speak for each other because we are speaking from our faith perspectives, but I do think that our motives are all for peace, and that is the common denominator that brings us together today. It is historic in the sense that three principal sponsors here are a Muslim, a Jew and a Christian. I happen to be an evangelical.

But we are here in a country that is pluralistic, that separates us from the entire world in that we honor and respect everyone's religious views. We may have a foundation that's Judeo-Christian, but it's so important that we cling to this pluralistic approach. We are not theocratic, and we do not want the world to be divided over our religious beliefs.

The common denominator today is that we stand together against radicalism and violence and terrorism. I have seen polling data in the Islamic world that shows that 92 percent of Islam denounces and does not believe

that terrorism is an acceptable means to an end. That's the good news.

The bad news is that 8 percent is a very large number of people. But we want to encourage the moderates, the peace lovers in all of the Abrahamic faiths to stand together against radicalism and extremism and promote tolerance and a pluralistic view, as we have in this country, that is part of our foundation that says every one has the right to worship as they please and to believe as they please, even not to believe, if they please. That is part of our fabric.

The divisions over religion in the world create this danger of some kind of an event where, over religious intolerance and difference in the world, we can have a Crusades-like event.

Now Jesus to me is love. That's my belief. I come to the floor today to say I in no way want to water down anyone's faith or beliefs, but I do believe that Jesus taught us blessed are the peacemakers, for they shall inherit the kingdom of heaven, and I want that to be me.

I am speaking for that belief, and I believe there is a time for war. I believe when we are attacked, we have to defend ourselves and our freedom and our way of life.

But there is also a time for peace, and I hope and pray that is now. I think you have to risk peace from time to time, and that's what I am doing on the floor today. I think we must, as a Nation, risk peace.

I want to commend Tony Hall, who is part of the formation of the Council of Religious Institutions of the Holy Land, also known as the Jerusalem Council, where Mr. BERMAN, Mr. ELLISON and I got together with the religious leaders from the Holy Land of all three Abrahamic faiths to promote peace.

Many times the state departments and the governments of these countries get together to talk peace, but then religious leaders are not there, engaged, buying into what the policies are that will maintain peace. We want the religious leaders to also come together and stand against radicalism and violence and division in the world.

I think the scope of these divisions are so great that this is the greatest pursuit we can engage in to lasting peace, is to stand together against radicalism and to respect each other's religious views. That's what I call risking peace. That's the common denominator.

I don't want to say that I know Mr. ELLISON's motives or Mr. BERMAN's motives, but I know mine. I ask the House to come together and stand together, even if it's for this brief moment, respecting our traditions of pluralism, and the freedom of religion, but standing together united against radicalism and violence and terrorism and encouraging all in the Islamic world, and all in every faith, to stand together against violence and destruction and death so that we have the hope of a world that could exist together in peace, because blessed are those peacemakers.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, with great appreciation to both of the sponsors of this resolution, I yield back the remainder of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 374, as amended.

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

The title was amended so as to read: ''Concurrent resolution supporting Christian, Jewish, and Muslim interfaith dialogue that promotes peace, understanding, unity, and religious freedom.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 6983, by the yeas and nays;

H.R. 5352, by the yeas and nays;

H.R. 642, by the yeas and nays.

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

PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 6983, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6983, as amended.

The vote was taken by electronic device, and there were—yeas 376, nays 47, not voting 10, as follows:

[Roll No. 625]

YEAS—376

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter

Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—47

Akin
Bachmann
Barrett (SC)
Bonner
Brady (TX)
Broun (GA)
Campbell (CA)
Cannon
Carter
Conaway
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Hastings (WA)
Hensarling
Hoekstra
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Latta
Lewis (KY)
Linder
Mack
Marchant
McCrery
McHenry
Miller (FL)
Neugebauer
Paul
Pence
Pitts
Poe
Rohrabacher
Royce
Sali
Shadegg
Smith (NE)
Thornberry
Weldon (FL)
Westmoreland

NOT VOTING—10

Bishop (UT)
Blunt
Boehner
Cantor
Cubin
Fossella
Herger
Hunter
Reyes
Saxton

□ 1849

Messrs. MCHENRY and HOEKSTRA changed their vote from ''yea'' to ''nay.''

Messrs. COLE of Oklahoma and DAVID DAVIS of Tennessee changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HERGER. Mr. Speaker, on rollcall No. 625, I was unavoidably detained. Had I been present, I would have voted "nay."

ELDER ABUSE VICTIMS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 5352, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the bill, H.R. 5352, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 387, nays 28, not voting 18, as follows:

[Roll No. 626]

YEAS—387

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

NAYS—28

Akin
Barrett (SC)
Broun (GA)
Campbell (CA)
Cannon
Conaway
Deal (GA)
Doolittle
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Hensarling
Inglis (SC)
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Linder
Neugebauer
Paul
Sali
Sensenbrenner
Shadegg
Tancredo
Thornberry
Westmoreland

NOT VOTING—18

Bishop (UT)
Blunt
Boehner
Cantor
Cubin
DeFazio
Fossella
Hunter
Kanjorski
Larson (CT)
Neal (MA)
Payne
Putnam
Reyes
Saxton
Velázquez
Weldon (FL)
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1858

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes.''.

A motion to reconsider was laid on the table.

HONORABLE STEPHANIE TUBBS JONES COLLEGE FIRE PREVENTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 642, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, H.R. 642, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 365, nays 51, not voting 17, as follows:

[Roll No. 627]

YEAS—365

Abercrombie
Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Richardson
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—51

Aderholt
Akin
Bachmann
Barton (TX)
Broun (GA)
Brown-Waite, Ginny
Buyer
Campbell (CA)
Cannon
Carter
Conaway
Culberson
Davis, David
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Hensarling
Herger
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Latta
Linder
Lungren, Daniel E.
Manzullo
Neugebauer
Paul
Pence
Poe
Price (GA)
Rohrabacher
Royce
Shadegg
Smith (NE)
Souder
Tancredo
Thornberry
Walberg
Weldon (FL)
Westmoreland

NOT VOTING—17

Bishop (UT)
Blunt
Boehner
Cantor
Cubin
Cummings
Fossella
Hunter
Keller
Murphy (CT)
Payne
Putnam
Reyes
Rodriguez
Salazar
Saxton
Serrano

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1906

Messrs. PENCE and GINGREY changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.''.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

NORTH KOREAN HUMAN RIGHTS REAUTHORIZATION ACT OF 2008

Mr. SCOTT of Georgia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5834) to amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

On page 3, beginning on line 4, strike the comma and all that follows to the end period and insert the following: ''and has increased the bounty paid for turning in North Korean refugees''.

On page 3, beginning on line 11, strike '', including'' and all that follows through ''killings'' on line 17.

On page 4, line 4, strike ''On February'', and insert the following: ''Since the passage of the North Korean Human Rights Act, Congress has on several occasions expressed interest in the status of North Korean refugees, and on February''.

On page 4, line 19, strike ''at overseas posts''.

On page 5, line 10, after ''should'', insert ''continue to''.

On page 6, line 3, strike ''rights, humanitarian, and refugee issues,'' and insert the following: ''rights and humanitarian issues, and to participate in policy planning and implementation with respect to refugee issues,''.

On page 7, line 20, strike ''$4,000,000'' and insert ''$2,000,000''.

On page 9 line 13, after ''including'', insert the following: '', in coordination with the Bureau of Population, Refugees, and Migration,''.

On page 9, line 21, strike ''coordinate'' and insert ''participate in the formulation and''.

On page 11, line 13, strike ''paragraphs'' and insert ''paragraph''.

On page 11, strike line 14 and all that follows through line 19.

On page 12, lines 3 and 4, strike ''may be provided in a classified format, if necessary'' and insert the following: ''shall be provided in unclassified form, with a classified annex, if necessary''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. SCOTT) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, I rise in strong support of this resolution, and I yield myself as much time as I may consume.

I wanted to first thank our colleague and the ranking member of the Committee on Foreign Affairs, Ms. ILEANA ROS-LEHTINEN of Florida, who introduced this important legislation.

Mr. Speaker, the human rights situation in North Korea remains one of the bleakest on the planet. This is an extraordinarily important piece of legislation which speaks to some extraordinary abuses of human rights in North Korea.

As we speak, millions of North Koreans live in desperate conditions; political, economic, and religious freedoms are nonexistent, and many are starving and undernourished and live in fear of arbitrary arrests when they know they may be tortured or executed.

The North Korean government knows that access to information outside the country is a threat to the regime's control, and so it maintains an absolute grip over all legal media using it to manipulate the population into believing that life is no better anywhere else on the planet.

Those who manage to leave the country in North Korea face further danger. They face denial of rights and threats to their lives. China stubbornly refuses to categorize North Koreans who flee horrific living conditions and persecution as refugees. Instead, they label them as ''economic migrants.'' This disingenuous semantic trick relieves Beijing of its obligation to assist the North Koreans who escape into China in accordance with international conventions on refugees to which Beijing is a signatory.

North Koreans are routinely arrested and abused by the Chinese authorities and sent back to North Korea where they are considered traitors. Upon return, they are arrested. They're likely tortured, and sometimes, Mr. Speaker, they are killed.

The suffering people of North Korea need assistance. And in 2004, Congress passed with overwhelming bipartisan support the North Korea Human Rights Act in an effort to focus U.S. attention on their plight. This Act provided new resources to assist North Korean refugees, support democracy and human rights programs and improve access to information through radio broadcasts and other activities. It is also required that the President appoint a special envoy on North Korean human rights.

Our bill, H.R. 5834, reauthorizes this vitally important legislation. The current bill extends the North Korean Human Rights Act through fiscal year 2012 and enhances the role of the special envoy by making it an ambassadorial rank and requiring it be a full-time position.

H.R. 5834 was passed by the House on May 15 of this year, and the Senate made minor amendments to the bill on September 22.

Mr. Speaker, the North Korean Human Rights Act has been instrumental in ensuring the issue of human rights for North Koreans remains a key priority of U.S. policy toward North Korea. I strongly support this legislation. It is badly needed. And I encourage my colleagues to do the same.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

I rise in strong support, also, of H.R. 5834, the North Korean Human Rights Reauthorization Act, which I introduced with my good friend from California, the chairman of our committee, Howard Berman, earlier this Congress. We passed this bill, Mr. Speaker, 4 months ago in a strong demonstration of this body's continued commitment to human rights, to transparent humanitarian assistance, and to refugee protection for the people of North Korea.

On Monday, the Senate followed our bipartisan lead and unanimously supported this bill with minor modifications, which is why we are taking it up again today.

I would like to thank Chairman BIDEN and Ranking Member LUGAR and their staffs for their input and their assistance. Special thanks to my friend, Senator SAM BROWNBACK, for his longstanding leadership on the issues of North Korea human rights, and his efforts were instrumental in securing a successful outcome in the Senate.

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During our initial House floor debate in May, Mr. Speaker, we discussed the dire traumas that the North Korean regime has perpetrated against its own people during the past half century.

Rather than recount the horrific circumstances which compelled me to draft this bill, I would instead like to focus today on some of the important clarifications contained in this legislation.

Over the past 4 years, in oversight hearings, in meetings and official letters, Members have expressed their dissatisfaction with the executive branch implementation of the North Korean Human Rights Act of 2004.

In the words of the report of the Foreign Affairs Committee on this bill, it has been ''too slow and too weak,'' and the purposes set forth in section 4 of the original act remain largely unrealized.

After enactment, the administration delayed appointment of the special envoy for nearly 8 months, 4 months after the envoy was required to file a report to Congress under the act, a deadline that was ignored. Since then, the special envoy has never filled that position on more than a part-time basis.

Mr. Speaker, House Members were genuinely surprised by that limited time commitment, which did not track with the broad duties and responsibilities assigned to the envoy and the ambitious purposes of that law. Congress has also repeatedly noted our disappointment with the inadequate pace of the North Korean refugee admissions during the past 4 years.

Even though title 3 of the act clarified North Korean eligibility for U.S. resettlement and required the Secretary of State to facilitate the submission of those refugee applications, fewer than 70 of the more than 150,000 refugees resettled here since then have been North Koreans.

Many North Koreans have been deterred or have abandoned their claims for U.S. resettlement because of the extremely long wait caused by the resistance and the delay of foreign governments, as well as the slow pace of our own screening.

One poignant case, Mr. Speaker, followed by our committee staff involved the family of three North Koreans, a husband, a wife, and their young son. That family lived a vulnerable and depressing existence in Southeast Asia, confined largely to a single room for more than 2 years while awaiting completion of the U.S. process. Even though the mother was battling cancer, they persisted in the resettlement process because she believed that life in America would provide the most freedom and opportunity for her son.

This summer, after a personal appeal by Chairman BERMAN and me, they were finally allowed to leave that Third Country and travel halfway around the world to their new home in Virginia. After years of heroic patience, the mother lived just long enough to deliver her son safely to this land of new promise. She died less than 2 weeks after their arrival.

The United States must intensify our diplomacy with foreign nations on these issues, Mr. Speaker, and work more cooperatively with our ally South Korea, which admirably continues to bear the overwhelming bulk of the refugee resettlement numbers.

To help address these deficiencies, H.R. 5834 clarifies and strengthens the role of the special envoy. It makes the special envoy for North Korean human rights an ambassadorial-rank position to ensure that the envoy has ample stature to pursue his or her duties with foreign governments, as well as to promote the priorities of the act within the Department of State.

This bill makes clear that the envoy position is to be ''a full-time position . . . as intended by the North Korean Human Rights Act of 2004.''

When combined with the requirement of the original act that the envoy ''be a person of recognized distinction in the field of human rights,'' the bill before us eliminates any misconception that the position may be a part-time undertaking, or a second hat worn by a Foreign Service officer with other, more important, supposedly, duties.

This bill also makes clear that the envoy's mandated concerns include the protection of North Korean refugees.

Finally, Mr. Speaker, the bill inserts a new paragraph at the very top of the special envoy's statutory duties that confirms the envoy's role in the formulation and implementation of the full

range of activities under the North Korean Human Rights Act, which includes, in the words of the act: ''Promoting the Human Rights of North Koreans''; ''Assisting North Koreans in Need''; and ''Protecting North Korean Refugees.''

The people of North Korea face some of the most severe repression on the planet.

I am proud of the work that our Congress began 4 years ago to help their plight, and I thank my friend Chairman BERMAN, our bipartisan cosponsors, and the numerous nongovernmental organizations who have worked with us to extend and improve the North Korean Human Rights Act.

I urge unanimous support for this measure.

Mr. Speaker, I reserve the balance of our time.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5834.

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

There was no objection.

Mr. SCOTT of Georgia. And a final comment, Mr. Speaker. House Resolution 5834 indeed gives us an ambassador rank for human rights in North Korea. This is extraordinarily important, and this is not just right and needed for the people of North Korea. It's needed and it's right for all freedom-loving people on this planet, for us to move forthrightly and to be able to finally make this a critical, key part of our foreign policy.

Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, to help explain the intent behind the full-time special envoy requirement in this bill, I would like to insert into the RECORD a brief excerpt from the Background and Purpose section of House Report 110–628 submitted to the House by Chairman BERMAN.

NORTH KOREAN HUMAN RIGHTS REAUTHORIZATION ACT OF 2008

BACKGROUND AND PURPOSE FOR THE LEGISLATION

Executive Branch implementation of the refugee provisions of the 2004 Act has been too slow and too weak. On February 21, 2006, a bipartisan group of 9 senior House Members and Senators—including the then-Chairman and Ranking Member of the Committee on International Relations and the Chairman and Ranking Member of the Subcommittee on Asia and the Pacific—wrote the Secretary of State 'to express our deep concern for the lack of progress in funding and implementing the key provisions of the North Korean Human Rights Act.' Foremost among their concerns, they noted that, 'despite the fact that the Act calls for the Department of State to facilitate the submission of North Korean refugee applications, not one North Korean has been offered asylum or refugee status in the 16 months since the unanimous passage of the legislation.' The first North Korean refugees did not arrive in the United States until 3 months later, in May 2006.

North Koreans who have requested resettlement in the United States as refugees have also faced extended delays, in some cases longer than 2 years, while residing in circumstances that are frequently unsafe, unhealthy, and insecure. Delays sometimes continue even after the refugees have passed U.S. assessment and security screening, due to foot-dragging in the issuance of exit visas by the governments of the countries where they are located. These delays have been the source of considerable discouragement, frustration, and anxiety among North Korean refugees. Just last month a group of North Koreans awaiting U.S. resettlement in Thailand reportedly conducted a hunger strike in an attempt to obtain information about the status of their cases.

In the intervening 3½ years since the 2004 Act became law, the United States has resettled fewer than 50 North Korean refugees. This does not constitute the 'credible number of North Korean refugees [to be accepted] for domestic resettlement' contemplated by House Report 108–478.

During that same time frame, the United States, which has the largest refugee resettlement program in the world by far, has resettled approximately 150,000 other refugees from around the world. The United States is also home to the largest ethnic Korean community outside of the Korean peninsular region, and many of the 2–million-strong Korean-American community have family ties to North Korea. During the same period, South Korea has resettled approximately 6,000 North Koreans.

Remedying this situation will require more persistent U.S. diplomacy at more senior levels. At present, the number of foreign governments who allow the United States to process North Koreans in their countries for resettlement is extremely limited. Having a greater number of countries in which the United States can screen and process North Korean refugees for domestic resettlement will reduce the burdens that such cooperation may pose to each individual country. The United States must make it clear that this is a humanitarian and foreign policy priority, and demonstrate a willingness to use the refugee assistance funds (authorized in section 203 of the 2004 Act and section 10 of the Reauthorization Act) to help mitigate the costs that such cooperation might impose on countries that agree to allow U.S. resettlement processing.

To further the purposes of the 2004 Act, it is also important to clarify and strengthen the role of the Special Envoy. Regrettably, the President did not appoint a Special Envoy for North Korean Human Rights Issues until August 19, 2005, more than 4 months after the Special Envoy was required to report to Congress under the 2004 Act. The Special Envoy appointed by the President has filled that position on a part-time basis only, and has continued to live and pursue a career outside of Washington, D.C. Looking ahead to the possibility of a Special Envoy who may not enjoy the same preexisting rapport with and access to the President, it is important to ensure that any successor has adequate stature and presence within the Department of State. An active presence at Main State is necessary to ensure that the concerns at the heart of the Special Envoy's mandate are adequately represented in the decision-making processes of the State Department's regional and functional bureaus, especially the Bureau of East Asian and Pacific Affairs (EAP) and the Bureau of Population, Refugees, and Migration (PRM).

I have no further requests for time, and I yield back the balance of our time, Mr. Speaker.

Mr. SCOTT of Georgia. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. SCOTT) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5834.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BREAST CANCER PATIENT PROTECTION ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 758) to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 758

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Breast Cancer Patient Protection Act of 2008''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the offering and operation of health plans affect commerce among the States;

(2) health care providers located in a State serve patients who reside in the State and patients who reside in other States;

(3) in order to provide for uniform treatment of health care providers and patients among the States, it is necessary to cover health plans operating in 1 State as well as health plans operating among the several States;

(4) currently, 20 States mandate minimum hospital stay coverage after a patient undergoes a mastectomy;

(5) according to the American Cancer Society, there were 40,954 deaths due to breast cancer in women in 2004;

(6) according to the American Cancer Society, there are currently over 2.0 million women living in the United States who have been treated for breast cancer; and

(7) according to the American Cancer Society, a woman in the United States has a 1 in 8 chance of developing invasive breast cancer in her lifetime.

SEC. 3. AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Subpart B of part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following:

''SEC. 714. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES, LUMPECTOMIES, AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and

surgical benefits shall ensure that inpatient (and in the case of a lumpectomy, outpatient) coverage and radiation therapy is provided for breast cancer treatment. Such plan or coverage may not—

''(A) insofar as the attending physician, in consultation with the patient, determines it to be medically necessary—

''(i) restrict benefits for any hospital length of stay in connection with a mastectomy or breast conserving surgery (such as a lumpectomy) for the treatment of breast cancer to less than 48 hours; or

''(ii) restrict benefits for any hospital length of stay in connection with a lymph node dissection for the treatment of breast cancer to less than 24 hours; or

''(B) require that a provider obtain authorization from the plan or the issuer for prescribing any length of stay required under this paragraph.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician, in consultation with the patient, determines that either a shorter period of hospital stay, or outpatient treatment, is medically appropriate.

''(b) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a).

''(c) NOTICE.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in the summary of the plan made available or distributed by the plan or issuer and shall be transmitted—

''(1) in the next mailing made by the plan or issuer to the participant or beneficiary; or

''(2) as part of any yearly informational packet sent to the participant or beneficiary; whichever is earlier.

''(d) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that coverage is provided for secondary consultations, on terms and conditions that are no more restrictive than those applicable to the initial consultations, by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(e) PROHIBITION ON PENALTIES OR INCENTIVES.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan or coverage involved under subsection (d).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 713 the following:

''Sec. 714. Required coverage for minimum hospital stay for mastectomies, lumpectomies, and lymph node dissections for the treatment of breast cancer and coverage for secondary consultations.''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning on or after the date that is 90 days after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act). For purposes of this paragraph, any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

SEC. 4. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE GROUP MARKET.

(a) IN GENERAL.—Subpart 2 of part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–4 et seq.) is amended by adding at the end the following:

''SEC. 2707. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES, LUMPECTOMIES, AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides medical and surgical benefits shall ensure that inpatient (and in the case of a lumpectomy, outpatient) coverage and radiation therapy is provided for breast cancer treatment. Such plan or coverage may not—

''(A) insofar as the attending physician, in consultation with the patient, determines it to be medically necessary—

''(i) restrict benefits for any hospital length of stay in connection with a mastectomy or breast conserving surgery (such as a lumpectomy) for the treatment of breast cancer to less than 48 hours; or

''(ii) restrict benefits for any hospital length of stay in connection with a lymph node dissection for the treatment of breast cancer to less than 24 hours; or

''(B) require that a provider obtain authorization from the plan or the issuer for prescribing any length of stay required under this paragraph.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician, in consultation with the patient, determines that either a shorter period of hospital stay, or outpatient treatment, is medically appropriate.

''(b) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a).

''(c) NOTICE.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in the summary of the plan made available or distributed by the plan or issuer and shall be transmitted—

''(1) in the next mailing made by the plan or issuer to the participant or beneficiary; or

''(2) as part of any yearly informational packet sent to the participant or beneficiary; whichever is earlier.

''(d) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that coverage is provided for secondary consultations, on terms and conditions that are no more restrictive than those applicable to the initial consultations, by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(e) PROHIBITION ON PENALTIES OR INCENTIVES.—A group health plan, and a health insurance issuer providing health insurance coverage in connection with a group health plan, may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan or coverage involved under subsection (d).''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to group health plans for plan years beginning on or after 90 days after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act). For purposes of this paragraph, any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

SEC. 5. AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT RELATING TO THE INDIVIDUAL MARKET.

(a) IN GENERAL.—Subpart 2 of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–51 et seq.) is amended by adding at the end the following new section:

''SEC. 2754. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES, LUMPECTOMIES, AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND SECONDARY CONSULTATIONS.

''The provisions of section 2707 shall apply to health insurance coverage offered by a health insurance issuer in the individual market in the same manner as they apply to health insurance coverage offered by a health insurance issuer in connection with a group health plan in the small or large group market.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market on or after the date of enactment of this Act.

SEC. 6. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

(a) IN GENERAL.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended—

(1) in the table of sections, by inserting after the item relating to section 9812 the following:

''Sec. 9813. Required coverage for minimum hospital stay for mastectomies, lumpectomies, and lymph node dissections for the treatment of breast cancer and coverage for secondary consultations.'';

and

(2) by inserting after section 9812 the following:

''SEC. 9813. REQUIRED COVERAGE FOR MINIMUM HOSPITAL STAY FOR MASTECTOMIES, LUMPECTOMIES, AND LYMPH NODE DISSECTIONS FOR THE TREATMENT OF BREAST CANCER AND COVERAGE FOR SECONDARY CONSULTATIONS.

''(a) INPATIENT CARE.—

''(1) IN GENERAL.—A group health plan that provides medical and surgical benefits shall ensure that inpatient (and in the case of a lumpectomy, outpatient) coverage and radiation therapy is provided for breast cancer treatment. Such plan may not—

''(A) insofar as the attending physician, in consultation with the patient, determines it to be medically necessary—

''(i) restrict benefits for any hospital length of stay in connection with a mastectomy or breast conserving surgery (such as a lumpectomy) for the treatment of breast cancer to less than 48 hours; or

''(ii) restrict benefits for any hospital length of stay in connection with a lymph node dissection for the treatment of breast cancer to less than 24 hours; or

''(B) require that a provider obtain authorization from the plan for prescribing any length of stay required under this paragraph.

''(2) EXCEPTION.—Nothing in this section shall be construed as requiring the provision of inpatient coverage if the attending physician, in consultation with the patient, determines that either a shorter period of hospital stay, or outpatient treatment, is medically appropriate.

''(b) PROHIBITION ON CERTAIN MODIFICATIONS.—In implementing the requirements of this section, a group health plan may not modify the terms and conditions of coverage based on the determination by a participant or beneficiary to request less than the minimum coverage required under subsection (a).

''(c) NOTICE.—A group health plan shall provide notice to each participant and beneficiary under such plan regarding the coverage required by this section in accordance with regulations promulgated by the Secretary. Such notice shall be in writing and prominently positioned in the summary of the plan made available or distributed by the plan and shall be transmitted—

''(1) in the next mailing made by the plan to the participant or beneficiary; or

''(2) as part of any yearly informational packet sent to the participant or beneficiary; whichever is earlier.

''(d) SECONDARY CONSULTATIONS.—

''(1) IN GENERAL.—A group health plan that provides coverage with respect to medical and surgical services provided in relation to the diagnosis and treatment of cancer shall ensure that coverage is provided for secondary consultations, on terms and conditions that are no more restrictive than those applicable to the initial consultations, by specialists in the appropriate medical fields (including pathology, radiology, and oncology) to confirm or refute such diagnosis. Such plan or issuer shall ensure that coverage is provided for such secondary consultation whether such consultation is based on a positive or negative initial diagnosis. In any case in which the attending physician certifies in writing that services necessary for such a secondary consultation are not sufficiently available from specialists operating under the plan with respect to whose services coverage is otherwise provided under such plan or by such issuer, such plan or issuer shall ensure that coverage is provided with respect to the services necessary for the secondary consultation with any other specialist selected by the attending physician for such purpose at no additional cost to the individual beyond that which the individual would have paid if the specialist was participating in the network of the plan.

''(2) EXCEPTION.—Nothing in paragraph (1) shall be construed as requiring the provision of secondary consultations where the patient determines not to seek such a consultation.

''(e) PROHIBITION ON PENALTIES.—A group health plan may not—

''(1) penalize or otherwise reduce or limit the reimbursement of a provider or specialist because the provider or specialist provided care to a participant or beneficiary in accordance with this section;

''(2) provide financial or other incentives to a physician or specialist to induce the physician or specialist to keep the length of inpatient stays of patients following a mastectomy, lumpectomy, or a lymph node dissection for the treatment of breast cancer below certain limits or to limit referrals for secondary consultations; or

''(3) provide financial or other incentives to a physician or specialist to induce the physician or specialist to refrain from referring a participant or beneficiary for a secondary consultation that would otherwise be covered by the plan involved under subsection (d).''.

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning on or after the date of enactment of this Act.

(2) SPECIAL RULE FOR COLLECTIVE BARGAINING AGREEMENTS.—In the case of a group health plan maintained pursuant to 1 or more collective bargaining agreements between employee representatives and 1 or more employers ratified before the date of enactment of this Act, the amendments made by this section shall not apply to plan years beginning before the date on which the last collective bargaining agreements relating to the plan terminates (determined without regard to any extension thereof agreed to after the date of enactment of this Act). For purposes of this paragraph, any plan amendment made pursuant to a collective bargaining agreement relating to the plan which amends the plan solely to conform to any requirement added by this section shall not be treated as a termination of such collective bargaining agreement.

SEC. 7. OPPORTUNITY FOR INDEPENDENT, EXTERNAL THIRD PARTY REVIEWS OF CERTAIN NONRENEWALS AND DISCONTINUATIONS, INCLUDING RESCISSIONS, OF INDIVIDUAL HEALTH INSURANCE COVERAGE.

(a) CLARIFICATION REGARDING APPLICATION OF GUARANTEED RENEWABILITY OF INDIVIDUAL HEALTH INSURANCE COVERAGE.—Section 2742 of the Public Health Service Act (42 U.S.C. 300gg–42) is amended—

(1) in its heading, by inserting ''**, CONTINUATION IN FORCE, INCLUDING PROHIBITION OF RESCISSION,**'' after ''**GUARANTEED RENEWABILITY**'';

(2) in subsection (a), by inserting '', including without rescission,'' after ''continue in force''; and

(3) in subsection (b)(2), by inserting before the period at the end the following: '', including intentional concealment of material facts regarding a health condition related to the condition for which coverage is being claimed''.

(b) OPPORTUNITY FOR INDEPENDENT, EXTERNAL THIRD PARTY REVIEW IN CERTAIN CASES.—Subpart 1 of part B of title XXVII of the Public Health Service Act is amended by adding at the end the following new section:

"SEC. 2746. OPPORTUNITY FOR INDEPENDENT, EXTERNAL THIRD PARTY REVIEW IN CERTAIN CASES.

''(a) NOTICE AND REVIEW RIGHT.—If a health insurance issuer determines to nonrenew or not continue in force, including rescind, health insurance coverage for an individual in the individual market on the basis described in section 2742(b)(2) before such nonrenewal, discontinuation, or rescission, may take effect the issuer shall provide the individual with notice of such proposed nonrenewal, discontinuation, or rescission and an opportunity for a review of such determination by an independent, external third party under procedures specified by the Secretary.

''(b) INDEPENDENT DETERMINATION.—If the individual requests such review by an independent, external third party of a nonrenewal,discontinuation, or rescission of health insurance coverage, the coverage shall remain in effect until such third party determines that the coverage may be nonrenewed, discontinued, or rescinded under section 2742(b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply after the date of the enactment of this Act with respect to health insurance coverage issued before, on, or after such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in strong support of the Breast Cancer Patient Protection Act of 2008, introduced by my good friend and colleague from Connecticut, Congresswoman ROSA DELAURO, and I know she's been working long and hard on this legislation. I am very pleased that we're bringing it up this evening.

This legislation is very important. It would provide protections for women across America who suffer from breast cancer.

Under the bill, doctors, in consultation with their patients, would decide the length of time the patient should remain in the hospital after having a mastectomy and other types of related procedures, and not the insurance company.

This legislation does not mandate hospitalization, but instead, restores the right of patients to consult with their physicians and decide how long she should be hospitalized, based on medical appropriateness.

Presently, 20 States have implemented minimum stay requirements to varying degrees. As a result, some people may question why this legislation is necessary. This bill is not for the women who live in States or have insurance policies that provide these protections. It is for the women who do not. For these women, a Federal remedy is their only hope. Having access to appropriate medical care should not be dependent on the State that you live in.

Mr. Speaker, for the thousands of American women diagnosed with breast cancer each year, this bill would help put an end to what has come to be known as drive-through mastectomies.

In addition, the bill clarifies existing law on when a health insurer can or cannot issue a decision of non-renewal, discontinue or rescind a health insurance policy. The bill would also create a new consumer protection by setting up a new independent review process for consumers in the individual health insurance market in the event of a non-renewal, discontinuation or rescission of a health insurance policy. Insurers would be required to continue coverage under such policy until completion of the independent review.

Once again, I want to thank my colleagues who have worked so hard on both of these bills, particularly Ms. DELAURO, the bill's sponsor; and I also want to thank the chairman of the Energy and Commerce Committee, Mr. DINGELL, who championed this cause during the patient's bill of rights debate, which some may remember—I certainly do. I also want to thank our friends in the minority, particularly Mr. BARTON and Mr. DEAL, for working across party lines to strengthen this bill. This is a very important bill, Mr. Speaker.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the ranking member of the full committee, Mr. BARTON.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Thank you, Dr. BURGESS.

Mr. Speaker, I want to rise in strongest possible support for H.R. 758, the Breast Cancer Patient Protection Act.

As you know, as our distinguished subcommittee chairman Congressman PALLONE has already said, this bill will guarantee that every woman in America in need of a mastectomy and certain other procedures related to breast cancer will have access to such care and, with her doctor's consent, will be allowed to stay in the hospital for up to 48 hours after that operation has been conducted. This is an important protection for every woman in America; and as Congressman PALLONE said, while it is allowed in some States, it's not allowed in other States.

One of the things in this bill that I want to speak briefly about, Mr. Speaker, is that for the first time we put into Federal law a provision that says if an individual has a policy that's not a group policy but an individual policy and that individual has to have a procedure and the insurer, in looking into the primary procedure, discovers that there was some inadvertent omission of information on the person's health record that's not directly related to the procedure in question, then that person's health insurance coverage cannot be canceled.

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I had a situation in my district, Mr. Speaker, within the last several months where a woman had decided to move out of State to take care of her parents. And when she did that, she lost her group coverage and she converted her group plan to a private insurance plan.

She moved, took care of her family, came back to Texas, and in a routine examination discovered that she had breast cancer. Her doctor recommended an immediate mastectomy. And when they went to schedule that, the insurance coverer began to go through her insurance application with a fine tooth comb and finally canceled it based on the proposition that she had failed to inform, in her private application, the fact that several years before she had been treated briefly for hypertension and taken some blood pressure medicine. She was no longer being treated and was no longer under medicine, but the fact that she failed to state on her original application that she had been in the past, the insurance carrier canceled her policy.

Now this is a woman who has been diagnosed with breast cancer. As we all know, if the treatment option that is recommended by the doctor is a mastectomy, that should be done as quickly as possible, yet this insurance carrier looked for a reason and finally found a reason and canceled her policy. Under the bill before us, Mr. Speaker, that would no longer be possible. The coverage would continue in force. And if it was discovered that there was an intentional fraudulent omission, then the coverage could be canceled; but if that's not the case, if it's truly inadvertent, it's not directly related, then you cannot cancel the insurance policy.

This bill and this amendment, if the other body passes it and it becomes law, literally can save tens of thousands of women's lives every year in America. So I am very honored to have played a small part in bringing this bill to the floor. And I am extremely pleased that the members of the Energy and Commerce Committee, on a bipartisan basis, included my amendment that I have just spoken about.

I urge this passage in the strongest possible terms. I thank my friend, Dr. BURGESS from Texas, for yielding me time.

Mr. PALLONE. Mr. Speaker, I am very proud now to yield 5 minutes to the sponsor of the legislation, the gentlewoman from Connecticut (Ms. DELAURO), who really has worked for so many years championing this cause.

Ms. DELAURO. I thank the gentleman from New Jersey.

After too many long years, this is a historic moment. After too many lost opportunities, this is our chance to make a difference and to take an important step toward meeting our commitment to the women of America.

I want to thank my colleague, Chairman DINGELL, with whom I introduced the very first version of the Breast Cancer Patient Protection Act over a decade ago. It is his partnership and that of our colleagues, Chairmen PALLONE, STARK, ANDREWS, MILLER, that helped to make this day and this vote possible.

I want to say thank you to the ranking member of the full committee, Mr. BARTON, for his support, and for the bipartisan support of this effort.

More than 12 years ago, I first met Dr. Kristen Zarfos. She walked into my office in Connecticut and told me that HMOs were forcing her to discharge her patients before they were ready, sometimes just hours after mastectomy surgery. Dr. Zarfos' experience inspired me to get involved. Her tireless work with patients in my State of Connecticut and with a network of doctors she knew around the country gathered support for this bill from the grass roots all the way to the Congress.

Today, a woman's chance of developing breast cancer in her lifetime is one in eight. Almost everyone knows someone who has suffered from this disease. If you have watched a loved one fighting for her life, you understand how important it is to have not only the loving support of family as I did during my fight against ovarian cancer, but also adequate recovery time in the hospital after surgery so you have the professional care to begin healing and to avoid infection.

A mastectomy is not an easy surgery; it is physically and emotionally traumatic. That is what the Breast Cancer Patient Protection bill is all about. It says that when it comes to mastectomies and lumpectomies, adequate recovery time in the hospital should not be negotiable. The last thing any woman should be doing at that time is fighting with her insurance company.

This bill does not mandate a 48-hour hospital stay if a patient chooses to go home sooner, nor does it set 48 hours as a maximum amount of time a woman can stay in the hospital. It simply ensures that any decision in favor of a shorter or longer hospital stay will be made by the patient and her doctor, and not an insurance company. It would also ensure women have access to second opinions and adequate hospital stays after having a lumpectomy.

Some may argue that the time for a bill like this has already passed, that States are beginning to address the issue, but the truth is that drive-through mastectomies continue to today.

At the Energy and Commerce Subcommittee hearing this spring—and I thank, again, the gentleman from New Jersey (Mr. PALLONE)—breast cancer patient Alva Williams testified that she had a mastectomy on March 6, 2006 and was sent home several hours after surgery. Her insurance company would not cover an overnight stay. Ms. Williams had family to take care of her at home, but they had no medical training. She developed an infection in her incisions. Recovering from the infection caused Ms. Williams' chemotherapy treatments to be delayed by 6 weeks.

All across the Nation women continue to suffer the same way that Alva Williams suffered, physically and emotionally, and yet without the care they should rightfully be getting for the insurance premiums that they have paid. And all across this Nation people everywhere are saying, ''No more.''

Twenty-three million Americans have signed Lifetime Television's petition calling for the Breast Cancer Patient Protection Act's passage. Now with 222 cosponsors in the House and Senators SNOWE and LANDRIEU leading 19 cosponsors in the Senate, strong bipartisan support exists for these most basic patient protections.

I urge my colleagues to support the Breast Cancer Patient Protection Act. Make this day a powerful turning point. We have a tremendous opportunity today to make it clear to women, to cancer patients, and to their families that we value your health.

I again thank my colleagues, and urge the support of this bill.

Mr. BURGESS. Mr. Speaker, this is an important bill. It raises a fundamental question, who should make a medical decision? Is it the insurance company? Is it the HMO? Is it the United States Congress? Or is it a Federal agency? The answer to that question is ''none of the above,'' it is the patient's physician, in consultation with the patient and her family. And this rightfully puts the decision back where it should have been all the time. Patient, in consultation with physician or family, should make the appropriate decision.

There is nothing in this bill that says a 48-hour stay is required or mandated. There is nothing in this bill that says a 48-hour stay is a maximum length of time.

I also want to thank the ranking member, Mr. BARTON, of the full committee for bringing the important amendment that would disallow an insurance company for rejecting an patient's claim based on an inadvertent error in the application process. This amounts to a clerical error that might seriously jeopardize a patient's health or leave a patient who was not expecting a very large medical expenditure to suddenly be facing one. And certainly, given the status of today's economic climate, that would be an intolerable occurrence as well.

I thank the author of the bill for bringing it forward. I thank the subcommittee chairman for bringing it to the floor.

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

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Thank you, Mr. PALLONE, and to the other side of the aisle, for bringing this wonderful bill before us, H.R. 758, the Breast Cancer Patient Protection Act.

Breast cancer is the second leading cause of cancer death among women and the leading cause of cancer death among women under the age of 40.

Marin County, in my district, just north of the Golden Gate Bridge in San Francisco, has the highest rate of breast cancer in the United States of America. Marin's rates are approximately 40 percent higher than national average, and about 30 percent higher than the rest of the Bay Area.

My constituents are personally involved in our need to increase the funding for research so that we can learn more about what is causing breast cancer and how best to treat it.

We must also pass H.R. 758, the Breast Cancer Patient Protection Act, so that we can ensure that doctors are the ones making the decisions about medical care, not health insurance companies, not clerks.

This bill, H.R. 758, will prohibit drive-through mastectomies. It will ensure that women receive the best possible care. The last thing a patient and her family needs to be dealing with when trying to fight breast cancer is battling with a health insurance company, battling about covering necessary medical treatment.

Again, Mr. Speaker, I urge my colleagues to support H.R. 758, the Breast Cancer Patient Protection Act, to leave the decisions about the medical care of breast cancer patients to doctors and their patients, not health insurance companies.

Mr. PALLONE. Mr. Speaker, I yield myself such time to close very briefly.

I cannot stress enough how important this legislation is. We obviously need to put an end to the drive-through mastectomy. And although it may be the case that they have been eliminated in a number of States, they have not been nationally. I would urge my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I speak today on an important bill that I believe in, H.R. 758, The Breast Cancer Patient Protect Action of 2007. This bill is important to people facing this horrible disease, and it is time that we protect those who are the most vulnerable among us.

Patients who have breast cancer face a very tough road ahead. The medical realities are enough to frighten anyone and these patients face financial realities as well. With an ever corporatizing of the American health care system, it's more of an in and out process. Even those with excellent healthcare are pushed out of hospitals with great speed. Worse yet, those who do survive face an uphill battle making sure they can get the follow up they need to assure a long and healthy life.

This bill will show support for those with breast cancer that they are not alone. Worried

that while they are recovering from major surgery, their insurance company will look at the bottom line, and no longer pay for hospital stays. This bill will require insurance companies to pay for the stays as long as the doctor thinks is necessary. As I am sure all of my colleagues know, you cannot get an insurance company to do anything without regulation.

This legislation will also remove the doctor's biggest challenge, needing insurer's permission before doing what they believe is medically necessary. There is nothing worse about our healthcare system today then the thought that it's not your doctor making the decisions for your care, but it's the insurance company that pays him or her. It's an unfortunate reality that doctors must choose between caring for their patients and keeping their practice and families afloat. This bill will at least give these doctors back the right to have the option of always putting their patients first.

Last, this bill also provides for secondary consultations by specialists in the appropriate medical fields to confirm or refute a diagnosis of cancer. While the vast majority of cancer diagnoses are correct, with the small numbers that are ''false positives'' this bill will allow for patients to double check their status before undergoing very expensive and dangerous treatment.

I am reminded of the American political commentator, journalist, and author, Molly Ivins of Texas. Diagnosed with breast cancer when she was 55, she didn't look down on her situation and feel sorry for herself. She instead looked at it as an opportunity saying, ''One of the things I said was that I had been in great hopes I would become a better person as a result of confronting my own mortality, but it actually never happened. I didn't become a better person.'' After two mastectomies, Molly toured around the country speaking out about breast cancer awareness, tragically she later died of the disease.

Almost everyone has had, or knows someone who has breast cancer, it's our mothers and daughters, sisters and friends who face this disease, and it's time we honor them, by protecing those who come after them. I also pay tribute to the work of Sister's Network in supporting this bill.

Mr. Speaker, we need to make sure that doctors are making the right diagnosis, that they are making the choices in care and not the insurance companies and that the health and care of these patients are in the right hands. I urge passage of this bill.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of H.R. 758: the ''Breast Care Patient Protection Act of 2008.'' I would like to commend my colleague, Congresswoman ROSA DELAURO who has fought passionately for issues like these since she entered the Congress.

Put simply, this bill protects the health of women and ensures they have the time they need to recover from difficult medical procedures. With passage of this legislation no longer will women have to feel pushed out the door following breast cancer treatment. There are too many stories of women across the country who ave suffered from not being given the proper time to recover from breast cancer surgery for Congress to stand idle.

According to the Connecticut Department of Health, in 2004, 29 percent of all new diagnosed cases of cancer in Connecticut were breast cancer. This was more than any other type of cancer diagnosed in women in the State.

While we need to continue to be vigilant in the fight against the causes of breast cancer we must also ensure that those seeking treatment are given the protections to allow for them to properly recover. I again commend my colleague Ms. DELAURO and repeat my firm support of this legislation.

Ms. SLAUGHTER. Mr. Speaker, today I rise in support of the Breast Cancer Patient Protection Act and urge its passage.

Breast cancer is so pervasive it touches every American family. One in eight women can expect to be diagnosed with breast cancer during her lifetime, and it remains the number one cause of death in women between the ages of 30 and 54. In my congressional district there are almost 1,500 incidences of breast cancer and nearly 300 women die ftom this disease every year.

Breast cancer surgery is not easy, physically or emotionally—but all too often women find themselves forced by their insurance companies to leave the hospital before they are ready—sometimes just hours after surgery.

One woman ftom New York said: ''I was one of those women that was forced out of the hospital after having a double bilateral mastectomy with four drainage tubes still attached. It was the most barbaric thing ever done to me.''

Rushing a woman through a hospital stay and pressuring her to return to her normal life almost immediately, hampers her recovery at the least and may put her in grave danger. That is why it is imperative that we pass the Breast Cancer Patient Protection Act.

This bill would help ensure that patients have adequate support after breast cancer surgery by: Guaranteeing a minimum hospital stay of 48 hours for a woman having a mastectomy or lumpectomy, and 24 hours for a woman undergoing a lymph node removal; requiring health plans to include notice of these benefits in their monthly mailing and yearly information packet sent to plan participants; and requiring plans to cover a second opinion should the patient seek one.

We must also support research into better breast cancer detection methods. Mammographies miss too many women and cannot suffice as our gold standard.

Women diagnosed with breast cancer across this country deserve the best care possible—their lives depend on it.

Mr. VANHOLLEN. Mr. Speaker, I rise in strong support of the Breast Cancer Patient Protection Act of 2008.

Over two million women living in this country have been treated for breast cancer. This common sense legislation would allow a woman and her doctor to decide—rather than the insurance company—whether she needs to have adequate time of at least 48 hours to recuperate in the hospital from a mastectomy or lumpectomy, or whether she has enough support to get quality care at home. As someone who has lost their mother to breast cancer, the last thing women undergoing these invasive procedures should have to deal with is fight with their insurance company.

Mr. Speaker, I urge my colleagues to support this compassionate bill. It will ensure that women suffering from this terrible disease have access to appropriate health care.

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 758, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HEALTH INSURANCE RESTRICTIONS AND LIMITATIONS CLARIFICATION ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6908) to require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6908

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Health Insurance Restrictions and Limitations Clarification Act of 2008''.

SEC. 2. DISCLOSURE REQUIREMENTS.

(a) ERISA.—Section 702(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(a)(2)(B)) is amended by inserting before the period at the end the following: ''so long as—

''(i) such limitations and restrictions are explicit and clear;

''(ii) in the case of such limitations and restrictions in health insurance coverage offered in connection with the group health plan, such limitations and restrictions have been disclosed in writing to the plan sponsor in advance of the point of sale to the plan;

''(iii) the plan sponsor of the health insurance coverage provide, to participants and beneficiaries in the plan in advance of the point of their enrollment under the plan, a description of such limitations and restrictions in a form that is easily understandable by such participants and beneficiaries; and

''(iv) the plan sponsor and the issuer of the coverage provide such description to participants and beneficiaries upon their enrollment under the plan at the earliest opportunity that other materials are provided''.

(b) PHSA.—Section 2702(a)(2)(B) of the Public Health Service Act (42 U.S.C. 300gg–1(a)(2)(B)) is amended by inserting before the period at the end the following: ''so long as—

''(i) such limitations and restrictions are explicit and clear;

''(ii) in the case of such limitations and restrictions in health insurance coverage offered in connection with the group health plan, such limitations and restrictions have been disclosed in writing to the plan sponsor in advance of the point of sale to the plan;

''(iii) the plan sponsor and the issuer of the group health insurance coverage make available, to participants and beneficiaries in the

plan in advance of the point of their enrollment under the plan, a description of such limitations and restrictions in a form that is easily understandable by such participants and beneficiaries; and

''(iv) the plan sponsor and the issuer of the coverage provides such description to participants and beneficiaries upon their enrollment under the plan at the earliest opportunity that other materials are provided''.

(c) INTERNAL REVENUE CODE.—Section 9802(a)(2)(B) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: ''so long as—

''(i) such limitations and restrictions are explicit and clear;

''(ii) the group health plan makes available, to participants and beneficiaries in the plan in advance of the point of their enrollment under the plan, a description of such limitations and restrictions in a form that is easily understandable by such participants and beneficiaries; and

''(iii) the plan provides such description to participants and beneficiaries upon their enrollment under the plan at the earliest opportunity that other materials are provided''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to plan years beginning after 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 6908, the Health Insurance Source of Injury Clarification Act of 2008. This bill would prohibit health insurers from restricting or denying benefits to plan participants if they are injured while engaging in legal recreational activities like riding a motorcycle, skiing, snowmobiling or horseback riding unless such restrictions were made explicitly clear by the plan to the person before he or she enrolled.

Mr. Speaker, this change is necessary because of a 2001 rule that was issued in accordance with the Health Insurance Portability and Accountability Act of 1996.

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While that 1996 rule prohibits employer health plans and insurers from denying coverage to individuals who engage in legal recreational activities, the rule ironically allows the denial of health care benefits for injuries sustained while participating in such recreational activities. If I could explain that again, you can't deny coverage, but you can deny benefits, which obviously makes no sense.

Accordingly, the rule in its current form will allow insurance companies to treat health care benefits coverage arbitrarily and capriciously. Under the current rule, a plan could for example deny coverage for someone who has broken an arm through skiing or riding a motorcycle but would cover someone who sustained a similar injury from drinking and driving. What is worse is that a person might not even know that their health care coverage was even subject to such limitations until after they were actually injured.

So, Mr. Speaker, this is an important consumer protection for millions of Americans who participate in recreational activities every day by providing greater transparency for plan participants. When we enacted the rule in 1996, we did not intend that people would be allowed to purchase health insurance only to find out after the fact that they had no coverage for an injury resulting from a common recreational activity. This bill simply clarifies that point.

I want to thank Mr. STUPAK and Dr. BURGESS who have worked very hard on this legislation. I urge my colleagues on both sides of the aisle to support its adoption.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I thank the chairman of the subcommittee for bringing the bill to the floor tonight.

This is an important bill, an important bill to me and an important bill to Mr. STUPAK of Michigan. We've worked on this for a number of years through a number of sessions of Congress. In January 2001, the Department of Labor, the Internal Revenue Service and the Health Care Financing Administration, as it was then known, issued a rule in accordance to the Health Insurance Portability and Accountability Act of 1996 that was designed to guard against discrimination in coverage in the group health market. While addressing the issue of discrimination based upon participation in certain activities, these rules allowed continued health plan nonpayment based upon the source of an injury. This resulted in a situation where some people who have paid the premiums and believed they would be covered by their plans were actually responsible for paying for their own medical treatment because the exclusions were either unclear or very, very broad.

The lack of clarity underlying these exclusions has created a confusing situation for individuals that may ride a motorcycle, might ride on horseback, might operate a snowmobile or participate in other activities that could result in an injury. Millions of Americans enjoy these activities safely every year within the framework of State laws and utilizing proper safety precautions. Earlier last year Congressman STUPAK and I introduced H.R. 1076 to restore fairness and equity to the situation.

In response to concerns raised during discussions on this bill, the House Energy and Commerce staff, my staff and Mr. STUPAK's staff have all worked together in a bipartisan manner to address certain areas of concern. As a result of these conversations in negotiations, we have reintroduced our original legislation to encapsulate the agreed-to principles.

H.R. 6908, the Health Insurance Source of Injury Clarification Act will, number one, require any limitations and restrictions on health plan benefits be spelled out, that they be explicit, that they be clear; number two, require that they be disclosed to the sponsor of the group health plan in advance of the point of sale of the group health plan; and, thirdly, require that the issuer of the health insurance coverage make available to participants and beneficiaries in an easily understandable manner a description of the limitations and restrictions upon their enrollment.

This legislation is supported by a number of groups. The American Motorcyclist Association has been very supportive and very vocal in their support of this legislation, and I certainly appreciate their efforts in advocating for an issue that is very important to them, likewise the Motorcycle Riders Foundation. In addition, the American Council of Snowmobile Association, the American Horse Council, the American Recreational Coalition, American Trails, Americans for Responsible Recreational Access, the Blue Ribbon Coalition, the International Mountain Bicycling Association, the National Ski Areas Association, the Specialty Vehicle Industry Council, the Sporting Goods Manufacturing Association, the Washington Road Riders Association, and many others support this legislation.

Mr. Speaker, again, this is a culmination of many, many months and indeed years of work on the Energy and Commerce Committee. Again I want to congratulate the cosponsor of the bill, Mr. STUPAK of Michigan, and thank the chairman and the ranking member of the subcommittee for allowing this bill to come forward this evening.

Mr. DINGELL. Mr. Speaker, I am pleased to support H.R. 6908, a bill introduced by Representatives BART STUPAK and MICHAEL BURGESS. H.R. 6908 represents a compromise that achieves everyone's goals and is acceptable to all. As a result, the Committee on Energy and Commerce favorably reported the bill last week.

H.R. 6908 requires transparency in healthcare benefits. An insurer is required to explicitly and clearly state any restrictions and limitations on benefits.

You would not buy a car without knowing if it was new or used. Why should you buy health insurance without knowing whether the benefits you may need are included?

This bill does not change what benefits an insurer provides. It merely requires that restrictions be transparent to the consumer. Specifically, this bill requires: (1) that any limitations on benefits be explicit and clear; (2) that they be disclosed to plan sponsors in advance of

the point of sale; and (3) that they be disclosed to participants and beneficiaries in a manner that is easily understandable in advance of enrollment and after enrollment.

This is a commonsense bill, and it is surprising we have not required such transparency before. I urge my fellow colleagues to support passage of H.R. 6908.

Mr. STUPAK. Mr. Speaker, this legislation does one simple thing—it requires health insurance companies to be up front and honest with their policyholders when they place limitations and restrictions on benefits prior to selling them an insurance policy.

Currently, the way insurance regulations are set, many Americans are unaware that their health insurance may not cover injuries resulting from certain recreational activities because their policy is unclear or very broad.

This lack of clarity has created a confusing situation for individuals that may ride motorcycles, horses, snowmobiles, or participate in other recreational activities.

While millions of Americans enjoy these activities safely every year, when an individual is injured, they often find that their insurance will not cover their medical expenses until it is too late.

H.R. 6908 would require that any limitations and restrictions on insurance benefits be explicit and clear. Insurance companies would be required to make available to participants and beneficiaries in an easily understandable manner a description of the limitations and restrictions included in the policy.

By passing this straightforward legislation, we will protect our constituents that ride motorcycles, horses, snowmobiles, or participate in other recreational activities from being caught by surprise when they thought that their policy covered any possible injuries from their accident.

I encourage all of my colleagues to vote in support of this legislation.

I want to thank Congressman BURGESS for his work on this legislation as well as Chairmen DINGELL and BARTON.

I also want to thank Bridgett Taylor, Ryan Long, and Josh Martin with the Committee staff and Erika Orloff of my personal staff for their hard work on this legislation.

Mr. BURGESS. Seeing no other speakers on my side, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no further requests for time, and I would urge passage of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6908, as amended.

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

A motion to reconsider was laid on the table.

STEPHANIE TUBBS JONES ORGAN TRANSPLANT AUTHORIZATION ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6469) to amend the Public Health Service Act to authorize increased Federal funding for the Organ Procurement and Transplantation Network, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6469

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stephanie Tubbs Jones Organ Transplant Authorization Act of 2008''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The National Organ Transplant Act of 1984 amended the Public Health Service Act to require the Secretary of Health and Human Services to provide for, by contract with a private nonprofit entity, the establishment and operation of an Organ Procurement and Transplantation Network.

(2) The Organ Procurement and Transplantation Network represents a unique public-private organization that requires each party to contribute a certain amount of funding to the network's operation.

(3) The National Organ Transplant Act of 1984 provided a statutory annual authorization of $2,000,000 for such purpose with remaining costs to be paid by the private sector contractor.

(4) In 1984, the annual total operating cost of the Organ Procurement and Transplantation Network was $5,000,000, but in 2007 such annual cost exceeded $27,000,000.

(5) The original authorization amount for the Organ Procurement and Transplantation Network has never been increased since the enactment of the National Organ Transplant Act of 1984, resulting in a greatly increased cost burden on the private sector contractor.

(6) Much of the increased costs of operation of the Organ Procurement and Transplantation Network have resulted from additional duties and responsibilities assigned to the private sector contractor by Federal regulations and Secretarial directives.

SEC. 3. INCREASED FUNDING FOR THE ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.

Section 372(a) of the Public Health Service Act (42 U.S.C. 274(a)) is amended by striking ''$2,000,000'' and inserting ''$7,000,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in support of H.R. 6469, the Stephanie Tubbs Jones Organ Transplant Authorization Act of 2008. This legislation would provide important new funding for the Organ Procurement and Transplantation Network.

Nearly 100,000 people are on the U.S. organ transplant waiting list, and 19 people in the U.S. die every day because a lifesaving organ does not become available to them.

The Organ Procurement and Transportation Network, OPTN, performs the critical functions of maintaining the Nation's organ transplant waiting list and facilitating the matching of deceased donor organs with individuals in need of a transplant. It also develops policies and procedures for organ recovery, distribution and transportation, collects data about organ donation and transplantation and provides professional and public education about organ donation and transplantation.

Since its creation in 1984, authorization levels for the OPTN have stagnated at no more than $2 million annually. Today the projected cost of operating the OPTN is approximately $27 million. Over the years, both the demand for transplantation and the responsibilities of the OPTN have increased, yet funding levels have obviously not followed suit. This legislation provides a much-needed increase in the authorization of appropriations for OPTN from $2 million to $7 million annually.

The bill is aptly named in honor of Representative Stephanie Tubbs Jones, our Democrat of Ohio who died on August 20, 2008, from a brain aneurysm. Representative Tubbs Jones was a strong and vocal advocate for organ donation during her life and donated her organs upon her passing. It is estimated that as many as 58 people will benefit from her donation. When enacted, Mr. Speaker, this legislation will provide critical funding to ensure the OPTN has resources it needs to continue to perform its valuable services to our Nation.

I would particularly like to thank Representative DIANA DEGETTE for all her hard work on ensuring passage of this legislation. I urge my colleagues to support this important piece of legislation.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I will reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the sponsor of the legislation, the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I want to thank the subcommittee chairman for working with us on this bill. And I especially want to thank Mr. COSTA and Mr. CAMP for all of their hard work and advocacy in helping us bring such an important bill to the House floor.

I stand here in strong support of H.R. 6469, which has been named the Stephanie Tubbs Jones Organ Transplant Act of 2008. We named this bill in honor of our dear departed colleague because Stephanie Tubbs Jones was a committed advocate of organ transplantation and was an organ and tissue donor herself. Upon her passing she was able to continue serving her constituents and the Nation by donating her tissue and organs.

As the chairman said, the National Organ Transplant Act authorized the creation and operation of the Organ Procurement and Transportation Network in 1984. Among other things, the OPTN's responsibilities include facilitating the matching of deceased donor organs with individuals waiting for an organ transplant, developing policies and procedures for organ recovery, distribution and transportation, collecting and managing scientific data about organ donation and transplantation, and maintaining the Nation's organ transplant waiting list.

The National Organ Transplant Act limits Federal support to the OPTN to no more than $2 million annually. But this figure has not been increased since the network was created in 1984. Since then, though, the annual operating costs of OPTN have increased from $5 million to $27 million. The demand for transplantation has increased, and the costs of transplantation have increased, but funding levels have remained stagnant.

The problem is compounded by the fact that OPTN has been asked to take on new responsibilities. For example, Congress recently clarified that paired kidney donation is not a violation of the act and therefore must also be facilitated by the network. But there are no plans available to implement such a national program. The Health Resources and Services Association has also directed the network to assume jurisdiction over living organ donors, a new and very challenging jurisdiction.

Therefore, Mr. Speaker, this bill increases the authorized funding by $5 million to $7 million annually. And quite frankly this amount is modest considering there are almost 100,000 patients on the waiting list for an organ transplant.

This bill is supported by numerous groups, Mr. Speaker. It is a vitally important bill. I look forward to passing it tonight and further continuing Stephanie Tubbs Jones' legacy of public service.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I too want to thank the subcommittee chairman, Mr. FRANK PALLONE from New Jersey, for his good work in this important legislation that we are going to vote on. This effort is really a culmination of a lot of people's hopes, desires and dreams to further advance the medical science that has taken place in recent decades on organ transplants.

As a founder and the cochair of the Congressional Organ and Tissue Donation Awareness Caucus, I am very pleased to support this measure before us, H.R. 6469, otherwise known thereafter as the Stephanie Tubbs Jones Organ Transplant Authorization Act.

I want to thank my colleague Congresswoman DEGETTE for her hard work with me on this important legislation, as well as the caucus cochairs, Congress Member CAMP, Congress Member CLAY and Congresswoman ROS-LEHTINEN, all champions of transplant communities throughout our country.

This bill reaffirms our Nation's commitment to providing lifesaving care through transplantation, and at the same time it honors our late colleague, Congresswoman Stephanie Tubbs Jones, who gave the gift of life by becoming an organ donor after her passing.

The Organ Procurement and Transplantation Network was created in 1984 as a public-private partnership to facilitate the safe, effective and efficient sharing of organs through donation and transplantation. Since its inception, the Organ Procurement and Transplantation Network, which contracts with the United Network for Organ Sharing, has helped facilitate the transplantation of over 435,000 organs. And nearly 53,000 of them have occurred in my home State of California. I know, because I have worked with the transplant community. My good friend, Dr. Sue McDiarmid, who was formerly the president of the United Network for Organ Sharing, and her colleagues have been doing some amazing work at UCLA Transplant Center to serve the needs of our youngest children specializing in pediatric transplantation with the largest record of transplantation that has taken place probably anywhere in the world, giving these young children, and in some cases babies, a second chance at a full life.

Whether it's a kidney transplant that ends a child's need for dialysis or a liver transplant that gives a person a second chance to play catch with his or her daughter or son, the impact of these lifesaving procedures cannot be overstated. With the advancement of medical science today, we are able to do more and more in this gift of life that is so important.

The SPEAKER pro tempore (Mr. DONNELLY). The time of the gentleman from California has expired.

Mr. PALLONE. Mr. Speaker, I yield 1 additional minute to the gentleman.

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Mr. COSTA. Still, despite the amazing advances the United Network for Organ Sharing and its partners in the transplant community have made, there is still much work to be done. As has been noted, over 100,000 people are currently waiting for an organ, and the numbers grow each day.

Today, we take an important step toward reducing that number by providing additional resources to continue the increased number of donors to improve and to expand the outreach and to help provide those in need with the access to life-saving organs.

I encourage all of my colleagues to join in honoring Congresswoman Tubbs Jones by supporting this bill and by also following her example in becoming organ donors. After all, it's perhaps the most precious gift we can give. I know because I am one of those who intends to do just that.

I urge an ''aye'' vote on this important measure.

Mr. BURGESS. Mr. Speaker, I rise in support of H.R. 6469, the Stephanie Tubbs Jones Organ Transplant Authorization Act of 2008. I am proud to support this bill in honor of the late Congresswoman Stephanie Tubbs Jones.

I would also like to commend Congresswoman DIANA DEGETTE for her work on this bill.

This bill increases the authorized funding for the Organ Procurement and Transplantation Network, which has not been increased since 1984. The Organ Procurement and Transplantation Network provides coordination between individuals in need of an organ transplant and donor organs made available from deceased donors. I support the increased authorization levels for the program, which currently represent only 7 percent of the operating cost for this valuable resource.

For those concerned about the increased expenditure, do consider for a moment, in just the arena of kidney dialysis and of kidney transplant, the cost of keeping someone on dialysis three times a week indefinitely. That person can be relieved of that burden, of that dialysis burden. The dialysis, itself, costs significant amounts of money. Of course, that's not to say anything about the quality of life that may be returned to that person who is a recipient of a transplant.

I agree with the gentleman from California. We should sign our donor cards, if we're able, and should become donors because there are people on waiting lists. There is no point in sending organs to heaven. Heaven knows we need them here. With that, I urge support of the legislation.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, at this time, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

The SPEAKER pro tempore. The gentlewoman is recognized for 3 minutes.

Ms. JACKSON-LEE of Texas. I thank the Speaker very much, and I appreciate his leadership this evening, and I appreciate his managing the floor in such a dynamic and excellent manner.

Let me also thank the chairman of the subcommittee on Energy and Commerce, Mr. PALLONE, the manager of this bill. Let me thank our loyal opposition, Dr. BURGESS, a colleague and friend from Texas. As well, let me thank DIANA DEGETTE, who has worked so hard to get this legislation to the floor, one legislative initiative that has been championed by Stephanie Tubbs Jones and the honor that has been given her by naming this the Stephanie Tubbs Jones Organ Transplant Authorization Act of 2008.

This is a difficult question to debate on the floor of the House because, whenever you think of organ transplants, you're well aware that someone you've loved or some friend or some neighbor has passed away, and we know that when a loved one dies it is never a happy moment. Experiences like this

always bring sadness and sorrow, but when that loved one's death can serve, however, as a beacon of hope for someone else, maybe there can be an additional moment of comfort for those who have lost their loved ones. That's probably one of the most difficult aspects is to predict loss of life or to be able to say to your family that you want to be an organ donor.

This legislation, I think, goes a long way in responding to the thousands and thousands who are on the list for organ donations, such as for kidney and liver donations. Currently, there are over 60,000 people on the transplant list for kidneys, praying that someday they will receive a kidney and will be able to live a full life. Liver donations, I know, are extremely difficult.

I want to pay tribute to one of our very fine public servants in the State of Texas, State Senator Mario Gallegos, who goes around speaking openly about how his life was saved because of a liver transplant and about how he works tirelessly for full coverage for those individuals who receive transplants.

This bill is an important bill because the formula that was developed for organ transplants was developed in 1984. It is old and outdated. Since then, there have been countless new regulations that have increased the cost. In response, the marketplace has been shifting this cost on to private entities. Often, these entities are nonprofits that lack the funds to help in all they should be able to do or would like to do.

We need to help these patients with high-quality, low-cost health care and assure those who are needing transplants that they can rest easy in that they will receive the care they deserve. That is the advocacy of Senator Mario Gallegos.

This bill will create the Organ Procurement and Transplantation Network public-private partnership that will greatly increase a patient's access to transplants. Additionally, it will take some of the burden off of the nonprofit entities that are already facing some of the toughest conditions in the sector.

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

Mr. PALLONE. Mr. Speaker, I yield the gentlewoman an additional minute.

Ms. JACKSON-LEE of Texas. This bill will also provide an updated reimbursement formula to these nonprofits to modernize the system. Most importantly, it will make a very important statement, Mr. Speaker—the need for organ donors and the great need of those needing organ transplants.

We know that we lost our very dear friend in August, a friend who championed health care, who championed her own health system in the State of Ohio. More importantly, she valued life because she lived it to the fullest. Yet she understood that, in death, you can also give life. This is a great tribute to Congresswoman Stephanie Tubbs Jones. It reminds us again of the need of organ transplants and of donors in the African American population, which makes up about 12 percent of the Nation's population, about 12 percent of the patients who donate but 23 percent of the need.

So this is an important step forward, this legislation that is now being renewed. It is an important tribute to Congresswoman Stephanie Tubbs Jones and to her family. Out of the joyful life that she had, she then gave life in death and reminded us of the importance of organ transplants and of the life they give to others.

I ask my colleagues to support this legislation.

Mr. Speaker, I rise today to voice my support for House Resolution 6469, The Organ Transplant Authorization Act of 2008. Whether in war or peace, the greatest gift one person can give to another is the gift of life.

When a loved one dies, it is never a happy moment; experiences like this always bring sadness and sorrow. When that loved one's death can serve as a beacon of hope for another, it does not lessen the sadness; it allows the family to have a good, if small, memory of the loss of their loved one.

Thankfully, there are a great number of cases of living donors sharing the gift of life instead of giving it. In this country, the need for kidneys grows every year as kidney disease increases. It is estimated that within the next decade, the rate of kidney disease will double. Currently there are over 60,000 people on the transplant list praying that someday they will receive a kidney and will be able to live a full life, free of dialysis three times a week. It is time to help patients, all across the country, in need of lifesaving transplants of not just the kidney, but also heart, liver, lung and other vital organs.

Currently, we are facing a crisis in this country with regards to transplanting organs. As costs and governmental regulations go up, so does the cost, and so must the funding. As of now we are using a formula that was developed in 1984. It is old and outdated. Since then, there have been countless new regulations that have increased the cost. In response, the marketplace has been shifting this cost on to private entities. Often these entities are nonprofits that lack the funds to help all they should be able to. We need to help these patients with high quality, low cost health care that will assure that even those needing transplants can rest easy that they will receive the care they deserve.

This bill will create the Organ Procurement and Transplantation Network. This public and private partnership will greatly increase patients' access to transplants. Additionally it will take some of the burden off of the nonprofit entities that are already facing some of the toughest conditions in the sector. This bill will also provide an updated reimbursement formula to these nonprofits to modernize the system.

Finally, this bill will honor an ardent supporter of transplantation, the Honorable Stephanie Tubbs Jones. Before her death, she ordered that when she passed away, her organs be donated, to any in need. Her death, while a great loss for myself, her state, and anyone who knew her and loved her, will hopefully serve as an example for her fellow Ohioans and beyond. Congresswoman Tubbs Jones knew, like all of us will, that there is a growing need among the African American community for transplantation. Currently, African Americans make up about 12 percent of the Nation's population and about 12 percent of the patients who donate. However, of all the patients requiring a transplant, 23 percent of them are African American. This disparity is a growing epidemic and must be resolved.

Mr. Speaker, Congresswoman Tubbs Jones served as a model for how we should live our lives and beyond. I hope that her memory will inspire millions around the Nation to take up the noble cause of saving those who have no other choice. I urge passage of this bill.

Mr. PALLONE. Mr. Speaker, I have no further requests for time, and I would urge the support for and the passage of this bill, not only because of its significance but also in honor of our colleague Ms. Stephanie Tubbs Jones.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6469, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

HEALTHY START REAUTHORIZATION ACT OF 2007

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1760) to amend the Public Health Service Act with respect to the Healthy Start Initiative.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1760

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Healthy Start Reauthorization Act of 2007''.

SEC. 2. AMENDMENTS TO HEALTHY START INITIATIVE.

(a) CONSIDERATIONS IN MAKING GRANTS.—Section 330H(b) of the Public Health Service Act (42 U.S.C. 254c–8(b)) is amended—

(1) by striking ''(b) REQUIREMENTS'' and all that follows through ''In making grants under subsection (a)'' and inserting the following:

''(b) CONSIDERATIONS IN MAKING GRANTS.—

''(1) REQUIREMENTS.—In making grants under subsection (a)''; and

(2) by adding at the end the following paragraphs:

''(2) OTHER CONSIDERATIONS.—In making grants under subsection (a), the Secretary shall take into consideration the following:

''(A) Factors that contribute to infant mortality, such as low birthweight.

''(B) The extent to which applicants for such grants facilitate—

''(i) a community-based approach to the delivery of services; and

''(ii) a comprehensive approach to women's health care to improve perinatal outcomes.

''(3) SPECIAL PROJECTS.—Nothing in paragraph (2) shall be construed to prevent the Secretary from awarding grants under subsection (a) for special projects that are intended to address significant disparities in perinatal health indicators in communities along the United States-Mexico border or in Alaska or Hawaii.''.

(b) OTHER GRANTS.—Section 330H of the Public Health Service Act (42 U.S.C. 254c–8) is amended—

(1) in subsection (a), by striking paragraph (3); and

(2) by striking subsections (e) and (f).

(c) FUNDING.—Section 330H of the Public Health Service Act, as amended by subsection (b) of this section, is amended by adding at the end the following subsection:

''(e) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated—

''(A) $120,000,000 for fiscal year 2008; and

''(B) for each of fiscal years 2009 through 2013, the amount authorized for the preceding fiscal year increased by the percentage increase in the Consumer Price Index for all urban consumers for such year.

''(2) ALLOCATION.—

''(A) PROGRAM ADMINISTRATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary may reserve up to 5 percent for coordination, dissemination, technical assistance, and data activities that are determined by the Secretary to be appropriate for carrying out the program under this section.

''(B) EVALUATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary may reserve up to 1 percent for evaluations of projects carried out under subsection (a). Each such evaluation shall include a determination of whether such projects have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise this evening in support of S. 1760, the Healthy Start Reauthorization Act of 2007. The Healthy Start Program was developed in 1991 in order to combat alarming rates of infant mortality and racial disparities in maternal and infant health. It has grown from a small demonstration project with 15 grantees to an impressive 97 grantees in 2005. Healthy Start has since expanded its targeted population to include women and infants through 2 years postpartum.

S. 1760 promotes grant applications that facilitate a community-based approach to the delivery of services and a comprehensive approach to women's health care to improve perinatal outcomes. S. 1760 also ensures the Secretary is not prohibited from addressing disparities in perinatal health indicators in communities along the U.S.-Mexico border and in Alaska and Hawaii.

This legislation reauthorizes appropriations through 2013 for the Healthy Start Initiative. The Healthy Start Program has made great strides in combating infant mortality and in improving maternal and infant health. With increased resources, the Healthy Start Program will be able to continue its important role in improving maternal and infant health outcomes and in reducing health disparities.

I want to particularly thank Representative TOWNS and Representative UPTON for all of their hard work on this legislation. Messrs. TOWNS and UPTON introduced the House companion to S. 1760, and both have been huge advocates for the Healthy Start Program and for its reauthorization.

S. 1760 passed the Senate by unanimous consent on April 30, 2008. I urge its passage.

I reserve the balance of my time.

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

I rise in support of S. 1760, the Healthy Start Reauthorization Act of 2007. I want to commend Congressman TOWNS and Congressman UPTON of Michigan on this bill. This bill reauthorizes the Healthy Start Program.

In the United States, each year, approximately 6 million women become pregnant. Most women have a safe pregnancy and deliver a healthy infant, but that's not the experience for all. Healthy Start provides services tailored to the needs of high-risk pregnancies—to high-risk pregnant women, infants and their mothers in geographically, racially, ethnically, and linguistically diverse communities with exceptionally high rates of infant mortality—in an effort to reduce the factors that contribute to that high infant mortality rate, particularly among minority groups.

It is an important program which deserves reauthorization. That's why I'm happy to support it this evening. I urge Members to support this legislation.

I will reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I would urge passage of the Healthy Start Reauthorization Act of 2007.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I would just also make the observation that September is Infant Mortality Awareness Month, so it's appropriate that we're passing the bill at this time.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the Senate bill, S. 1760.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

COMPREHENSIVE TUBERCULOSIS ELIMINATION ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1532) to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1532

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Comprehensive Tuberculosis Elimination Act of 2008''.

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

Sec. 1. Short title; table of contents.

TITLE I—DEPARTMENT OF HEALTH AND HUMAN SERVICES IN COORDINATION WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND OTHER APPROPRIATE AGENCIES

Subtitle A—National Strategy for Combating and Eliminating Tuberculosis

Sec. 101. National strategy.

Subtitle B—Interagency Collaboration

Sec. 111. Advisory Council for Elimination of Tuberculosis and the Federal Tuberculosis Task Force .

Subtitle C—Evaluation of Public Health Authorities

Sec. 121. Evaluation of public health authorities.

Subtitle D—Authorization of Appropriations

Sec. 131. Authorizations of appropriations.

TITLE II—NATIONAL INSTITUTES OF HEALTH

Sec. 201. Research and development concerning tuberculosis.

TITLE I—DEPARTMENT OF HEALTH AND HUMAN SERVICES IN COORDINATION WITH THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND OTHER APPROPRIATE AGENCIES

Subtitle A—National Strategy for Combating and Eliminating Tuberculosis

SEC. 101. NATIONAL STRATEGY.

Section 317E of the Public Health Service Act (42 U.S.C. 247b–6) is amended—

(1) by striking the heading for the section and inserting the following: ''NATIONAL STRATEGY FOR COMBATING AND ELIMINATING TUBERCULOSIS'';

(2) by amending subsection (b) to read as follows:

''(b) RESEARCH AND DEVELOPMENT; DEMONSTRATION PROJECTS; EDUCATION AND TRAINING.—With respect to the prevention, treatment, control, and elimination of tuberculosis, the Secretary may, directly or

through grants to public or nonprofit private entities, carry out the following:

''(1) Research, with priority given to research and development concerning latent tuberculosis infection, strains of tuberculosis resistant to drugs, and research concerning cases of tuberculosis that affect certain populations at risk for tuberculosis.

''(2) Research and development and related activities to develop new tools for the elimination of tuberculosis, including drugs, diagnostics, vaccines, and public health interventions, such as directly observed therapy and non-pharmaceutical intervention, and methods to enhance detection and response to outbreaks of tuberculosis, including multidrug resistant tuberculosis. The Secretary is encouraged to give priority to programmatically relevant research so that new tools can be utilized in public health practice.

''(3) Demonstration projects for—

''(A) the development of regional capabilities to prevent, control, and eliminate tuberculosis and prevent multidrug resistant and extensively drug resistant strains of tuberculosis;

''(B) the intensification of efforts to reduce health disparities in the incidence of tuberculosis;

''(C) the intensification of efforts to control tuberculosis along the United States-Mexico border and among United States-Mexico binational populations, including through expansion of the scope and number of programs that—

''(i) detect and treat binational cases of tuberculosis; and

''(ii) treat high-risk cases of tuberculosis referred from Mexican health departments;

''(D) the intensification of efforts to prevent, detect, and treat tuberculosis among foreign-born persons who are in the United States;

''(E) the intensification of efforts to prevent, detect, and treat tuberculosis among populations and settings documented as having a high risk for tuberculosis; and

''(F) tuberculosis detection, control, and prevention.

''(4) Public information and education activities.

''(5) Education, training, clinical skills improvement activities, and workplace exposure prevention for health professionals, including allied health personnel and emergency response employees.

''(6) Support of Centers to carry out activities under paragraphs (1) through (4).

''(7) Collaboration with international organizations and foreign countries in carrying out such activities.

''(8) Develop, enhance, and expand information technologies that support tuberculosis control including surveillance and database management systems with cross-jurisdictional capabilities, which shall conform to the standards and implementation specifications for such information technologies as recommended by the Secretary.''; and

(3) in subsection (d), by adding at the end the following:

''(3) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTIONS.—

''(A) PRIORITY.—In awarding grants under subsection (a) or (b), the Secretary shall give highest priority to an applicant that provides assurances that the applicant will contribute non-Federal funds to carry out activities under this section, which may be provided directly or through donations from public or private entities and may be in cash or in kind, including equipment or services.

''(B) FEDERAL AMOUNTS NOT TO BE INCLUDED AS CONTRIBUTIONS.—Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of non-Federal contributions as described in subparagraph (A).''.

Subtitle B—Interagency Collaboration

SEC. 111. ADVISORY COUNCIL FOR ELIMINATION OF TUBERCULOSIS AND THE FEDERAL TUBERCULOSIS TASK FORCE.

(a) IN GENERAL.—Section 317E(f) of the Public Health Service Act (42 U.S.C. 247b–6(f)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by striking paragraphs (2) through (4), and inserting the following:

''(2) DUTIES.—The Council shall provide advice and recommendations regarding the elimination of tuberculosis to the Secretary. In addition, the Council shall, with respect to eliminating such disease, provide to the Secretary and other appropriate Federal officials advice on—

''(A) coordinating the activities of the Department of Health and Human Services and other Federal agencies that relate to the disease, including activities under subsection (b);

''(B) responding rapidly and effectively to emerging issues in tuberculosis; and

''(C) efficiently utilizing the Federal resources involved.

''(3) COMPREHENSIVE PLAN.—

''(A) IN GENERAL.—In carrying out paragraph (2), the Council shall make or update recommendations on the development, revision, and implementation of a comprehensive plan to eliminate tuberculosis in the United States.

''(B) CONSULTATION.—In carrying out subparagraph (A), the Council may consult with appropriate public and private entities, which may, subject to the direction or discretion of the Secretary, include—

''(i) individuals who are scientists, physicians, laboratorians, and other health professionals, who are not officers or employees of the Federal Government and who represent the disciplines relevant to tuberculosis elimination;

''(ii) members of public-private partnerships or private entities established to address the elimination of tuberculosis;

''(iii) members of national and international nongovernmental organizations whose purpose is to eliminate tuberculosis;

''(iv) members from the general public who are knowledgeable with respect to tuberculosis elimination including individuals who have or have had tuberculosis; and

''(v) scientists, physicians, laboratorians, and other health professionals who reside in a foreign country with a substantial incidence or prevalence of tuberculosis, and who represent the specialties and disciplines relevant to the research under consideration.

''(C) CERTAIN COMPONENTS OF PLAN.—In carrying out subparagraph (A), the Council shall, subject to the direction or discretion of the Secretary—

''(i) consider recommendations for the involvement of the United States in continuing global and cross-border tuberculosis control activities in countries where a high incidence of tuberculosis directly affects the United States; and

''(ii) review the extent to which progress has been made toward eliminating tuberculosis.

''(4) BIENNIAL REPORT.—

''(A) IN GENERAL.—The Council shall submit a biennial report to the Secretary, as determined necessary by the Secretary, on the activities carried under this section. Each such report shall include the opinion of the Council on the extent to which its recommendations regarding the elimination of tuberculosis have been implemented, including with respect to—

''(i) activities under subsection (b); and

''(ii) the national plan referred to in paragraph (3).

''(B) PUBLIC.—The Secretary shall make a report submitted under subparagraph (A) public.

''(5) COMPOSITION.—The Council shall be composed of—

''(A) ex officio representatives from the Centers for Disease Control and Prevention, the National Institutes of Health, the United States Agency for International Development, the Agency for Healthcare Research and Quality, the Health Resources and Services Administration, the United States-Mexico Border Health Commission, and other Federal departments and agencies that carry out significant activities related to tuberculosis;

''(B) State and local tuberculosis control and public health officials;

''(C) individuals who are scientists, physicians, laboratorians, and other health professionals who represent disciplines relevant to tuberculosis elimination; and

''(D) members of national and international nongovernmental organizations established to address the elimination of tuberculosis.''.

(b) RULE OF CONSTRUCTION REGARDING CURRENT MEMBERSHIP.—With respect to the advisory council under section 317E(f) of the Public Health Service Act, the amendments made by subsection (a) may not be construed as terminating the membership on such council of any individual serving as such a member as of the day before the date of the enactment of this Act.

(c) FEDERAL TUBERCULOSIS TASK FORCE.—Section 317E of the Public Health Service Act (42 U.S.C. 247b–6) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following subsection:

''(g) FEDERAL TUBERCULOSIS TASK FORCE.—

''(1) DUTIES.—The Federal Tuberculosis Task Force (in this subsection referred to as the 'Task Force') shall provide to the Secretary and other appropriate Federal officials advice on research into new tools under subsection (b)(2), including advice regarding the efficient utilization of the Federal resources involved.

''(2) COMPREHENSIVE PLAN FOR NEW TOOLS DEVELOPMENT.—In carrying out paragraph (1), the Task Force shall make recommendations on the development of a comprehensive plan for the creation of new tools for the elimination of tuberculosis, including drugs, diagnostics, and vaccines.

''(3) CONSULTATION.—In developing the comprehensive plan under paragraph (1), the Task Force shall consult with external parties including representatives from groups such as—

''(A) scientists, physicians, laboratorians, and other health professionals who represent the specialties and disciplines relevant to the research under consideration;

''(B) members from public-private partnerships, private entities, or foundations (or both) engaged in activities relevant to research under consideration;

''(C) members of national and international nongovernmental organizations established to address tuberculosis elimination;

''(D) members from the general public who are knowledgeable with respect to tuberculosis including individuals who have or have had tuberculosis; and

''(E) scientists, physicians, laboratorians, and other health professionals who reside in a foreign country with a substantial incidence or prevalence of tuberculosis, and who represent the specialties and disciplines relevant to the research under consideration.''.

Subtitle C—Evaluation of Public Health Authorities

SEC. 121. EVALUATION OF PUBLIC HEALTH AUTHORITIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Comprehensive Tuberculosis Elimination Act of 2008, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report that evaluates and provides recommendations on changes needed to Federal and State public health authorities to address current disease containment challenges such as isolation and quarantine.

(b) CONTENTS OF EVALUATION.—The report described in subsection (a) shall include—

(1) an evaluation of the effectiveness of current policies to detain patients with active tuberculosis;

(2) an evaluation of whether Federal laws should be strengthened to expressly address the movement of individuals with active tuberculosis; and

(3) specific legislative recommendations for changes to Federal laws, if any.

(c) UPDATE OF QUARANTINE REGULATIONS.—Not later than 240 days after the date of enactment of this Act, the Secretary of Health and Human Services shall promulgate regulations to update the current interstate and foreign quarantine regulations found in parts 70 and 71 of title 42, Code of Federal Regulations.

Subtitle D—Authorization of Appropriations

SEC. 131. AUTHORIZATIONS OF APPROPRIATIONS.

Section 317E of the Public Health Service Act, as amended by section 111(c) of this Act, is amended by striking subsection (h) and inserting the following:

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) GENERAL PROGRAM.—

''(A) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated $200,000,000 for fiscal year 2009, $210,000,000 for fiscal year 2010, $220,500,000 for fiscal year 2011, $231,525,000 for fiscal year 2012, and $243,101,250 for fiscal year 2013.

''(B) RESERVATION FOR EMERGENCY GRANTS.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve not more than 25 percent for emergency grants under subsection (a) for any geographic area, State, political subdivision of a State, or other public entity in which there is, relative to other areas, a substantial number of cases of tuberculosis, multidrug resistant tuberculosis, or extensively drug resistant tuberculosis or a substantial rate of increase in such cases.

''(C) PRIORITY.—In allocating amounts appropriated under subparagraph (A), the Secretary shall give priority to allocating such amounts for grants under subsection (a).

''(D) ALLOCATION OF FUNDS.—

''(i) REQUIREMENT OF FORMULA.—Of the amounts appropriated under subparagraph (A), not reserved under subparagraph (B), and allocated by the Secretary for grants under subsection (a), the Secretary shall distribute a portion of such amounts to grantees under subsection (a) on the basis of a formula.

''(ii) RELEVANT FACTORS.—The formula developed by the Secretary under clause (i) shall take into account the level of tuberculosis morbidity and case complexity in the respective geographic area and may consider other factors relevant to tuberculosis in such area.

''(iii) NO CHANGE TO FORMULA REQUIRED.—This subparagraph does not require the Secretary to modify the formula that was used by the Secretary to distribute funds to grantees under subsection (a) for fiscal year 2009.

''(2) LIMITATION.—The authorization of appropriations established in paragraph (1) for a fiscal year is effective only if the amount appropriated under such paragraph for such year equals or exceeds the amount appropriated to carry out this section for fiscal year 2009.''.

TITLE II—NATIONAL INSTITUTES OF HEALTH

SEC. 201. RESEARCH AND DEVELOPMENT CONCERNING TUBERCULOSIS.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by inserting after section 424B the following section:

''SEC. 424C. TUBERCULOSIS.

''(a) IN GENERAL.—The Director of the National Institutes of Health may expand, intensify, and coordinate research and development and related activities of the Institutes with respect to tuberculosis including activities toward the goal of eliminating such disease.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) may include—

''(1) enhancing basic and clinical research on tuberculosis, including drug resistant tuberculosis;

''(2) expanding research on the relationship between such disease and the human immunodeficiency virus; and

''(3) developing new tools for the elimination of tuberculosis, including public health interventions and methods to enhance detection and response to outbreaks of tuberculosis, including multidrug resistant tuberculosis.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

I rise in support of H.R. 1532, the Comprehensive Tuberculosis Elimination Act—a bill to amend and reauthorize the preventative health services regarding tuberculosis.

Tuberculosis causes more deaths than any other infectious disease caused by a single microorganism with approximately 1.6 million people worldwide succumbing to the disease each year. While the U.S. has done well in combating the disease in the past, the global burden continues to be high, and the emergence of drug-resistant tuberculosis has added a new level of difficulty to the problem.

The bill before us recognizes these issues by creating a Federal tuberculosis task force, by modifying the structure and duties of the Advisory Council for the Elimination of Tuberculosis and by encouraging the director of the National Institutes of Health to expand, intensify and coordinate research and development activities with respect to tuberculosis.

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All of these efforts will steer us closer to the final goal of the elimination of tuberculosis.

I want to acknowledge my colleague on the Energy and Commerce Committee, Congressman GENE GREEN of Texas, for his leadership on this issue. This bill was negotiated in a bipartisan and bicameral fashion. I am proud to support it. I urge my colleagues to do the same.

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

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

I rise in support of H.R. 1532, the Comprehensive Tuberculosis Elimination Act of 2008.

I certainly want to join in commending Congressman GENE GREEN, Congresswoman TAMMY BALDWIN, and Congresswoman HEATHER WILSON for their work on this bill.

This bill revises the national strategy to combat tuberculosis at the Centers for Disease Control. The Centers for Disease Control provides leadership and assistance to domestic and international efforts to prevent, control and eliminate tuberculosis.

Despite the lower incidence rate of tuberculosis in 2007, according to the Centers for Disease Control, the average annual percentage decline in the tuberculosis rate slowed from just over 7 percent per year in the 1993 to 2000 range to under 4 percent from 2000 to 2007.

The high global burden of this disease, coupled with continued problems of drug-resistant strains and lack of better tools for tuberculosis control, threatens our ability to eliminate tuberculosis in the United States. The Centers for Disease Control's national TB program provides grants to States and other entities for prevention and control services, researches the prevention and control of tuberculosis, funds demonstration projects, sponsors public information and education programs and supports education training and clinical skills improvement activities to address tuberculosis.

This bill will help in the noble goal of continuing to try to eradicate this disease. I do urge Members to support this legislation.

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

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I would urge support of this tuberculosis act and yield back the balance of my time.

Mr. BURGESS. I also have no further requests for time, and I will yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1532, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

NATIONAL PAIN CARE POLICY ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2994) to amend the Public Health Service Act with respect to pain care, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2994

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Pain Care Policy Act of 2008''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Institute of Medicine Conference on Pain.
Sec. 3. Pain research at National Institutes of Health.
Sec. 4. Pain care education and training.
Sec. 5. Public awareness campaign on pain management.

SEC. 2. INSTITUTE OF MEDICINE CONFERENCE ON PAIN.

(a) CONVENING.—Not later than June 30, 2009, the Secretary of Health and Human Services shall seek to enter into an agreement with the Institute of Medicine of the National Academies to convene a Conference on Pain (in this section referred to as ''the Conference'').

(b) PURPOSES.—The purposes of the Conference shall be to—

(1) increase the recognition of pain as a significant public health problem in the United States;

(2) evaluate the adequacy of assessment, diagnosis, treatment, and management of acute and chronic pain in the general population, and in identified racial, ethnic, gender, age, and other demographic groups that may be disproportionately affected by inadequacies in the assessment, diagnosis, treatment, and management of pain;

(3) identify barriers to appropriate pain care, including—

(A) lack of understanding and education among employers, patients, health care providers, regulators, and third-party payors;

(B) barriers to access to care at the primary, specialty, and tertiary care levels, including barriers—

(i) specific to those populations that are disproportionately undertreated for pain;

(ii) related to physician concerns over regulatory and law enforcement policies applicable to some pain therapies; and

(iii) attributable to benefit, coverage, and payment policies in both the public and private sectors; and

(C) gaps in basic and clinical research on the symptoms and causes of pain, and potential assessment methods and new treatments to improve pain care; and

(4) establish an agenda for action in both the public and private sectors that will reduce such barriers and significantly improve the state of pain care research, education, and clinical care in the United States.

(c) OTHER APPROPRIATE ENTITY.—If the Institute of Medicine declines to enter into an agreement under subsection (a), the Secretary of Health and Human Services may enter into such agreement with another appropriate entity.

(d) REPORT.—A report summarizing the Conference's findings and recommendations shall be submitted to the Congress not later than June 30, 2010.

(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $500,000 for each of fiscal years 2009 and 2010.

SEC. 3. PAIN RESEARCH AT NATIONAL INSTITUTES OF HEALTH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409J. PAIN RESEARCH.

''(a) RESEARCH INITIATIVES.—

''(1) IN GENERAL.—The Director of NIH is encouraged to continue and expand, through the Pain Consortium, an aggressive program of basic and clinical research on the causes of and potential treatments for pain.

''(2) ANNUAL RECOMMENDATIONS.—Not less than annually, the Pain Consortium, in consultation with the Division of Program Coordination, Planning, and Strategic Initiatives, shall develop and submit to the Director of NIH recommendations on appropriate pain research initiatives that could be undertaken with funds reserved under section 402A(c)(1) for the Common Fund or otherwise available for such initiatives.

''(3) DEFINITION.—In this subsection, the term 'Pain Consortium' means the Pain Consortium of the National Institutes of Health or a similar trans-National Institutes of Health coordinating entity designated by the Secretary for purposes of this subsection.

''(b) INTERAGENCY PAIN RESEARCH COORDINATING COMMITTEE.—

''(1) ESTABLISHMENT.—The Secretary shall establish not later than 1 year after the date of the enactment of this section and as necessary maintain a committee, to be known as the Interagency Pain Research Coordinating Committee (in this section referred to as the 'Committee'), to coordinate all efforts within the Department of Health and Human Services and other Federal agencies that relate to pain research.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall be composed of the following voting members:

''(i) Not more than 7 voting Federal representatives as follows:

''(I) The Director of the Centers for Disease Control and Prevention.

''(II) The Director of the National Institutes of Health and the directors of such national research institutes and national centers as the Secretary determines appropriate.

''(III) The heads of such other agencies of the Department of Health and Human Services as the Secretary determines appropriate.

''(IV) Representatives of other Federal agencies that conduct or support pain care research and treatment, including the Department of Defense and the Department of Veterans Affairs.

''(ii) 12 additional voting members appointed under subparagraph (B).

''(B) ADDITIONAL MEMBERS.—The Committee shall include additional voting members appointed by the Secretary as follows:

''(i) 6 members shall be appointed from among scientists, physicians, and other health professionals, who—

''(I) are not officers or employees of the United States;

''(II) represent multiple disciplines, including clinical, basic, and public health sciences;

''(III) represent different geographical regions of the United States; and

''(IV) are from practice settings, academia, manufacturers or other research settings; and

''(ii) 6 members shall be appointed from members of the general public, who are representatives of leading research, advocacy, and service organizations for individuals with pain-related conditions

''(C) NONVOTING MEMBERS.—The Committee shall include such nonvoting members as the Secretary determines to be appropriate.

''(3) CHAIRPERSON.—The voting members of the Committee shall select a chairperson from among such members. The selection of a chairperson shall be subject to the approval of the Director of NIH.

''(4) MEETINGS.—The Committee shall meet at the call of the chairperson of the Committee or upon the request of the Director of NIH, but in no case less often than once each year.

''(5) DUTIES.—The Committee shall—

''(A) develop a summary of advances in pain care research supported or conducted by the Federal agencies relevant to the diagnosis, prevention, and treatment of pain and diseases and disorders associated with pain;

''(B) identify critical gaps in basic and clinical research on the symptoms and causes of pain;

''(C) make recommendations to ensure that the activities of the National Institutes of Health and other Federal agencies, including the Department of Defense and the Department of Veteran Affairs, are free of unnecessary duplication of effort;

''(D) make recommendations on how best to disseminate information on pain care; and

''(E) make recommendations on how to expand partnerships between public entities, including Federal agencies, and private entities to expand collaborative, cross-cutting research.

''(6) REVIEW.—The Secretary shall review the necessity of the Committee at least once every 2 years.''.

SEC. 4. PAIN CARE EDUCATION AND TRAINING.

(a) PAIN CARE EDUCATION AND TRAINING.—Part D of title VII of the Public Health Service Act (42 U.S.C. 294 et seq.) is amended—

(1) by redesignating sections 754 through 758 as sections 755 through 759, respectively; and

(2) by inserting after section 753 the following:

''SEC. 754. PROGRAM FOR EDUCATION AND TRAINING IN PAIN CARE.

''(a) IN GENERAL.—The Secretary may make awards of grants, cooperative agreements, and contracts to health professions schools, hospices, and other public and private entities for the development and implementation of programs to provide education and training to health care professionals in pain care.

''(b) PRIORITIES.—In making awards under subsection (a), the Secretary shall give priority to awards for the implementation of programs under such subsection.

''(c) CERTAIN TOPICS.—An award may be made under subsection (a) only if the applicant for the award agrees that the program carried out with the award will include information and education on—

''(1) recognized means for assessing, diagnosing, treating, and managing pain and related signs and symptoms, including the medically appropriate use of controlled substances;

''(2) applicable laws, regulations, rules, and policies on controlled substances, including the degree to which misconceptions and concerns regarding such laws, regulations, rules, and policies, or the enforcement thereof, may create barriers to patient access to appropriate and effective pain care;

''(3) interdisciplinary approaches to the delivery of pain care, including delivery through specialized centers providing comprehensive pain care treatment expertise;

''(4) cultural, linguistic, literacy, geographic, and other barriers to care in underserved populations; and

''(5) recent findings, developments, and improvements in the provision of pain care.

''(d) PROGRAM SITES.—Education and training under subsection (a) may be provided at or through health professions schools, residency training programs, and other graduate programs in the health professions; entities that provide continuing education in medicine, pain management, dentistry, psychology, social work, nursing, and pharmacy; hospices; and such other programs or sites as the Secretary determines to be appropriate.

''(e) EVALUATION OF PROGRAMS.—The Secretary shall (directly or through grants or contracts) provide for the evaluation of programs implemented under subsection (a) in order to determine the effect of such programs on knowledge and practice of pain care.

''(f) PEER REVIEW GROUPS.—In carrying out section 799(f) with respect to this section, the Secretary shall ensure that the membership of each peer review group involved includes individuals with expertise and experience in pain care.

''(g) DEFINITIONS.—For purposes of this section the term 'pain care' means the assessment, diagnosis, treatment, or management of acute or chronic pain regardless of causation or body location.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 758(b)(1) of the Public Health Service Act (as redesignated by subsection (a)(1) of this section) is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(3) by inserting after subparagraph (C) the following:

''(D) not less than $5,000,000 for awards of grants, cooperative agreements, and contracts under sections 754.''.

(c) TECHNICAL AMENDMENTS.—Title VII of the Public Health Service Act (42 U.S.C. 292 et seq.) is amended—

(1) in paragraph (2) of section 757(b) (as redesignated by subsection (a)(1)), by striking ''754(3)(A), and 755(b)'' and inserting ''755(3)(A), and 756(b)''; and

(2) in subparagraph (C) of section 758(b)(1) (as redesignated by subsection (a)(1)), by striking ''754, and 755'' and inserting ''755, and 756''.

SEC. 5. PUBLIC AWARENESS CAMPAIGN ON PAIN MANAGEMENT.

Part B of title II of the Public Health Service Act (42 U.S.C. 238 et seq.) is amended by adding at the end the following:

''SEC. 249. NATIONAL EDUCATION OUTREACH AND AWARENESS CAMPAIGN ON PAIN MANAGEMENT.

''(a) ESTABLISHMENT.—Not later than June 30, 2009, the Secretary shall establish and implement a national pain care education outreach and awareness campaign described in subsection (b).

''(b) REQUIREMENTS.—The Secretary shall design the public awareness campaign under this section to educate consumers, patients, their families, and other caregivers with respect to—

''(1) the incidence and importance of pain as a national public health problem;

''(2) the adverse physical, psychological, emotional, societal, and financial consequences that can result if pain is not appropriately assessed, diagnosed, treated, or managed;

''(3) the availability, benefits, and risks of all pain treatment and management options;

''(4) having pain promptly assessed, appropriately diagnosed, treated, and managed, and regularly reassessed with treatment adjusted as needed;

''(5) the role of credentialed pain management specialists and subspecialists, and of comprehensive interdisciplinary centers of treatment expertise;

''(6) the availability in the public, nonprofit, and private sectors of pain management-related information, services, and resources for consumers, employers, third-party payors, patients, their families, and caregivers, including information on—

''(A) appropriate assessment, diagnosis, treatment, and management options for all types of pain and pain-related symptoms; and

''(B) conditions for which no treatment options are yet recognized; and

''(7) other issues the Secretary deems appropriate.

''(c) CONSULTATION.—In designing and implementing the public awareness campaign required by this section, the Secretary shall consult with organizations representing patients in pain and other consumers, employers, physicians including physicians specializing in pain care, other pain management professionals, medical device manufacturers, and pharmaceutical companies.

''(d) COORDINATION.—

''(1) LEAD OFFICIAL.—The Secretary shall designate one official in the Department of Health and Human Services to oversee the campaign established under this section.

''(2) AGENCY COORDINATION.—The Secretary shall ensure the involvement in the public awareness campaign under this section of the Surgeon General of the Public Health Service, the Director of the Centers for Disease Control and Prevention, and such other representatives of offices and agencies of the Department of Health and Human Services as the Secretary determines appropriate.

''(e) UNDERSERVED AREAS AND POPULATIONS.—In designing the public awareness campaign under this section, the Secretary shall—

''(1) take into account the special needs of geographic areas and racial, ethnic, gender, age, and other demographic groups that are currently underserved; and

''(2) provide resources that will reduce disparities in access to appropriate diagnosis, assessment, and treatment.

''(f) GRANTS AND CONTRACTS.—The Secretary may make awards of grants, cooperative agreements, and contracts to public agencies and private nonprofit organizations to assist with the development and implementation of the public awareness campaign under this section.

''(g) EVALUATION AND REPORT.—Not later than the end of fiscal year 2011, the Secretary shall prepare and submit to the Congress a report evaluating the effectiveness of the public awareness campaign under this section in educating the general public with respect to the matters described in subsection (b).

''(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated $2,000,000 for fiscal year 2009 and $4,000,000 for each of fiscal years 2010 and 2011.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 2994, the National Pain Care Policy Act of 2007, a bill to amend the Public Health Service Act with respect to pain care. All of us have probably experienced pain resulting from an illness or disease in our lives. Some people are fortunate enough to be able to access drugs and other treatments to relieve pain and suffering.

However, millions are not able to obtain that relief and suffer from acute pain. The National Center for Health Statistics estimates that one in every four Americans has suffered from pain that lasts longer than 24 hours. Pain can impact every aspect of our daily lives, from an inability to work, to being unable to spend time with family and friends.

This bill would do much to help us better manage pain. H.R. 2994 would encourage the Secretary of Health and Human Services to enter into an agreement with the Institute of Medicine to convene a conference on pain, encourage the Director of the National Institutes of Health to expand a research program on the causes of and potential treatment for pain, establish an interagency pain research coordinating committee within HHS, allow the HHS Secretary to award grants to public and private entities for the development of programs to provide education and training to health care professionals in pain care, and require the HHS Secretary to establish and implement a national pain care education outreach and awareness campaign.

Pain is the leading reason Americans come into contact with the health care system, and it's also a huge contributor to the growing costs of health care. We must do a better job of helping to alleviate that suffering, and I believe this bill would go a long way towards achieving that end.

I want to thank my colleagues on the Energy and Commerce Committee, particularly Congresswoman CAPPS and Congressman ROGERS, for their leadership on this issue. I urge my colleagues to join me in voting for adoption of this bill.

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

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

I rise in support of H.R. 2994, the National Pain Care Policy Act of 2008. Certainly, I also want to join the chairman of the subcommittee in commending Congresswoman Lois Capps and Congressman Mike Rogers for their work on this bill.

Chronic pain is disabling, and it's debilitating. It would certainly be frustrating for both the patients and caregivers alike. Fortunately, most painful conditions can be relieved with proper treatment and adequate pain management. This bill will create an interagency coordinating committee to coordinate all the efforts within the Health and Human Services and other Federal agencies related to pain research.

This effort, along with other efforts of the National Institutes of Health,

via the pain consortium, will go a long way towards increasing research and awareness of chronic pain. I do urge Members to support this legislation.

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

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the sponsor of the bill, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 2994, the National Pain Care Policy Act.

I want to thank the chairman of our subcommittee, Mr. PALLONE, for yielding me the time and also for his leadership in making sure this bill has gotten to this point.

I thank the chairman of the full committee, Mr. DINGELL, and our staff who are here and have been working diligently on both sides of the aisle to get this bill to where it is today. I thank our colleague from Michigan, MIKE ROGERS, for his work in paving the way for the passage of this bill today.

The National Pain Care Policy Act would take important steps to improve the coordination of research and treatment of pain. More than 75 million Americans suffer from pain, both chronic and acute, making pain the most common reason Americans access or try to access the health care system.

Yet they often face significant barriers in receiving the proper diagnosis and treatment. Pain is often, too often, only researched and considered as a symptom of another disease, and best practices haven't always been shared across disciplines.

H.R. 2994 would amplify research at the National Institutes of Health and also improve education and outreach efforts for health professionals and the general public alike. I am proud of the significant support we have received in the community from various advocacy groups, health professionals and providers.

I urge all of our colleagues to vote ''yes'' on H.R. 2994.

AMERICAN ASSOCIATION
OF NURSE ANESTHETISTS,
Washington, DC, September 22, 2008.

Hon. LOIS CAPPS,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN CAPPS: On behalf of the more than 39,000 members of the American Association of Nurse Anesthetists (AANA), I am pleased to express the Association's support for HR 2994, the National Pain Care Policy Act of 2007.

The AANA is the professional association for Certified Registered Nurse Anesthetists (CRNAs) and student nurse anesthetists, representing over 90 percent of the nurse anesthetists in the United States. CRNAs are advanced practice nurses who administer about 30 million anesthetics to patients each year in the U.S., provide assessment and evaluation for acute and chronic pain and deliver pain management services, and are the sole anesthesia providers in most rural hospitals, affording these medical facilities obstetrical, surgical, and trauma stabilization, and pain management capabilities.

AANA is pleased to support HR 2994, which seeks to eliminate barriers to pain care and improve pain care research, education, and clinical practice. Recognizing that pain is both a significant public health challenge and a burden to millions of Americans' quality of life, we believe that adoption of the National Pain Care Policy Act would help focus our nation's healthcare research in a new and important way on the cause, prevention, treatment and management of pain. As recognized experts in the field of anesthesia and pain management, America's CRNAs have made substantial contributions to clinical practice in pain care, and help provide millions of patients relief from pain. As HR 2994 would help focus national resources on research and translate research findings into improved clinical practice, we ask that upon the measure's enactment that representatives of the profession of nurse anesthesia be represented on government panels and councils that the legislation authorizes, such as the National Institutes of Health (NIH) National Pain Care Research Advisory Committee, the development of the Institute of Medicine Conference on Pain, the development of the Secretary of Health and Human Services' Public Awareness Campaign on Pain Management, and any others intended to guide and lead this critical healthcare policy agenda. In addition, we ask that grants that the legislation would authorize for expanding education and training to health care professionals in pain care also be made available to accredited nurse anesthesia educational programs.

The AANA applauds the work of the Committee on Energy and Commerce for its bipartisan effort in advancing the National Pain Care Policy Act and will continue working toward its enactment. If we can be of further assistance, please contact Frank Purcell, AANA Senior Director Federal Government Affairs.

Sincerely,

JACKIE S. ROWLES,
President.

Mr. BURGESS. Mr. Speaker, I would just simply add that many providers, many physicians across the country, will welcome that establishment of parameters and best practices. Oftentimes we feel caught between the situation where do we provide adequate pain relief to our patients and perhaps risk scrutiny from the department of drug enforcement, or do we risk the scrutiny of the patient and their family because of inadequate efforts at pain management.

Oftentimes it can be a fine line and quite a balancing act. I think we will go a long way towards alleviating the suffering of those who are sufferers of chronic and debilitating pain, but also provide additional resources to the caregivers when faced with these difficult situations.

Mr. Speaker, I have no further requests for time on my side, and I will yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I would urge adoption of this bill dealing with pain care policy and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2994, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PAUL D. WELLSTONE MUSCULAR DYSTROPHY COMMUNITY ASSISTANCE, RESEARCH, AND EDUCATION AMENDMENTS OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5265) to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal, muscular dystrophies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5265

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The muscular dystrophies are devastating diseases that have a significant impact on quality of life—not only for the individual who experiences its painful symptoms and resulting disability, but also for family members and caregivers.

(2) DMD is the most common lethal genetic disorder of childhood worldwide, affecting approximately 1 in every 3,500 boys born each year around the globe. It is characterized by a rapidly progressive muscle weakness that almost always results in death from respiratory or cardiac failure, typically in the late teens or twenties.

(3) Myotonic muscular dystrophy is the second most prominent form of muscular dystrophy and the type most commonly found in adults affecting an estimated 1 in 8,000 people. However, it can affect people of any age—from birth to old age. Described as the most variable disease known in medicine, it is multi-systemic and can cause not only muscle atrophy and myotonia, but also serious cardiac, respiratory, endocrine, gastrointestinal, skeletal and central nervous system complications, as well as problems with the eyes, teeth and hair. As it passes from one generation to the next, it generally worsens with earlier onset. Congenital myotonic muscular dystrophy is the most severe form of myotonic muscular dystrophy affecting infants and causing severe cognitive delays. It often causes sudden death; however, others can live for many years with this slowly degenerative disorder.

(4) Facioscapulohumeral muscular dystrophy (referred to in this section as ''FSHD'') is the second most prevalent adult muscular dystrophy and the third most prevalent muscular dystrophy of men, women and children. It is inherited genetically and has an estimated incidence of 1 in 20,000 persons. Many leading FSHD scientists note

that the prevalence may be three times higher due to undiagnosed and misdiagnosed cases. FSHD, affecting between 15,000 to 40,000 persons, causes a lifelong progressive and severe loss of all skeletal muscles gradually bringing weakness and reduced mobility. It is genetically transmitted to children, can occur spontaneously, and may affect entire families. Persons with FSHD may also experience hearing loss, vision problems and respiratory insufficiency; some may become severely physically disabled and spend decades in a wheelchair and on a ventilator. FSHD is caused by a novel epigenetic phenomenon not found in other forms of muscular dystrophy and is caused by a contraction of repetitive DNA previously thought to be ''junk DNA''. The unique epigenetic structure of FSHD is unprecedented in other muscular dystrophies and genetic disorders and demands novel approaches and new research groups. Understanding this mechanism will have great benefit to other areas of biomedical research including cancer and other disease of epigenetic origin.

(5) Congenital muscular dystrophies represent a group of distinct diseases, which begin at birth, with varying severity and involvement of both muscle strength and brain. These diseases often lead to premature infant death, or severely disabled young children who require 24-hour care given their developmental delay compounded by muscle weakness. Other children live to young adulthood and typically require the use of a wheelchair for mobility.

(6) Forms of muscular dystrophy affecting children and adults include Becker, congenital, distal, Duchenne, Emery-Dreifuss, facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies. The limb-girdle muscular dystrophies are of 15 known different types.

(7) Each of the muscular dystrophies, though distinct in progressivity and severity of symptoms, has a devastating impact on hundreds of thousands of children and adults throughout the United States and worldwide, as well as imposes severe physical and economic burdens on those affected. In many of the muscular dystrophies, there are associated medical problems arising from pulmonary issues, respiratory insufficiency, cardiomyopathy, which in many cases is the cause of death for persons with muscular dystrophy.

(8) In the 5 years since enactment of the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001 (MD–CARE Act) and due directly to the momentum established by the MD–CARE Act, progress has been made in the battle against the Muscular Dystrophies.

(9) Investments made by the Federal Government as a result of the MD–CARE Act include the creation of the MD Coordinating Committee (MDCC), the development of the MDCC Action Plan, establishment of 6 Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers (co-funded, in part, by a national non-profit health organization), development of the Muscular Dystrophy Surveillance, Tracking and Research Network (MD STARnet), and the launch of a comprehensive education and outreach initiative.

(10) In the past few years, the NIH program in translational research in muscular dystrophy has grown significantly and funded a number of large-scale projects to further the development of therapies for muscular dystrophy. As part of this program, the National Institute of Neurological Disorders and Stroke (NINDS) and the National Institute of Arthritis and Musculoskeletal and Skin Diseases (NIAMS) of the National Institutes of Health (NIH) awarded a $15.4 million, five-year cooperative agreement to develop new small molecule drugs for the treatment of Duchenne muscular dystrophy (DMD) and potentially other forms of muscular dystrophy as well. The project is a unique research collaboration between private, public, and non-profit partners to build upon previous research and discovery work originally initiated by non-profit partners to identify new treatments for muscular dystrophy. Also through the translational program, three other major cooperative agreements have been awarded for highly targeted therapy development projects in the muscular dystrophies.

(11) Advancements in care have helped prolong life and quality of life for patients with muscular dystrophy.

(12) There remains a shortage of qualified researchers in the field of muscular dystrophy research. Many family physicians and health care professionals still lack the knowledge and resources to detect and properly diagnose muscular dystrophy as early as possible, thus delaying management of symptoms in cases that go undetected or misdiagnosed.

(13) As new understandings of the genetic basis for disease and potential treatment has emerged, the public and health care communities are in urgent need of education and outreach to ensure competent, informed engagement in genetic testing and counseling and appropriate patient characterization so that patients are able to participate in new avenues of research and clinical trials.

(14) As basic research into the muscular dystrophies points the way to new therapeutic targets, there is an urgent need to support the clinical research infrastructure necessary to bring these therapeutic leads to human trials; these infrastructure needs include validated endpoints, current natural history studies, biomarkers, clinical research networks, patient registries and databases.

(15) In order to improve lives and develop effective treatments for individuals with muscular dystrophy, there must be improved communications and partnerships between patients, patient advocacy, researchers, and clinical care providers. To that end, renewed effort to work together by all parties is a critical element for successful outcomes in the years to come.

(16) Continued focus and investment are required to build on the current momentum, respond to public need, and ensure that research and other innovation is translated to therapeutic targets as quickly as possible.

SEC. 3. EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NIH WITH RESPECT TO RESEARCH ON MUSCULAR DYSTROPHY.

(a) TECHNICAL CORRECTION.—Section 404E of the Public Health Service Act (42 U.S.C. 283g) is amended by striking subsection (f) (relating to reports to Congress) and redesignating subsection (g) as subsection (f).

(b) AMENDMENTS.—Section 404E of the Public Health Service Act (42 U.S.C. 283g) is amended—

(1) in subsection (a)(1), by inserting ''the National Heart, Lung, and Blood Institute,'' after ''the Eunice Kennedy Shriver National Institute of Child Health and Human Development,'';

(2) in subsection (b)(1), by adding at the end of the following: ''Such centers of excellence shall be known as the 'Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers'.''; and

(3) by adding at the end the following:

''(g) CLINICAL RESEARCH.—The Coordinating Committee may evaluate the potential need to enhance the clinical research infrastructure required to test emerging therapies for the various forms of muscular dystrophy by prioritizing the achievement of the goals related to this topic in the plan under subsection (e)(1).''.

SEC. 4. DEVELOPMENT AND EXPANSION OF ACTIVITIES OF CDC WITH RESPECT TO EPIDEMIOLOGICAL RESEARCH ON MUSCULAR DYSTROPHY.

Section 317Q of the Public Health Service Act (42 U.S.C. 247b–18) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following:

''(d) DATA.—In carrying out this section, the Secretary shall ensure that any data on patients that is collected as part of the Muscular Dystrophy STARnet (under a grant under this section) is regularly updated to reflect changes in patient condition over time.

''(e) REPORTS AND STUDY.—

''(1) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008, and annually thereafter, the Director of the Centers for Disease Control and Prevention shall submit to the appropriate committees of the Congress a report—

''(A) concerning the activities carried out by MD STARnet site funded under this section during the year for which the report is prepared;

''(B) containing the data collected and findings derived from the MD STARnet sites each fiscal year (as funded under a grant under this section during fiscal years 2008 through 2012); and

''(C) that every 2 years outlines prospective data collection objectives and strategies.

''(2) TRACKING HEALTH OUTCOMES.—The Director of the Centers for Disease Control and Prevention shall provide health outcome data on the health and survival of people with muscular dystrophy.''.

SEC. 5. INFORMATION AND EDUCATION.

Section 5 of the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001 (42 U.S.C. 247b–19) is amended—

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

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

''(c) REQUIREMENTS OF CDC.—In carrying out this section, the Director of the Centers for Disease Control and Prevention shall—

''(1) partner with leaders in the muscular dystrophy patient community; and

''(2) widely disseminate the Duchenne-Becker muscular dystrophy care considerations as broadly as possible, including through partnership opportunities with the muscular dystrophy patient community.''.

SEC. 6. STANDARDS OF CARE.

Part A of title IX of the Public Health Service Act (42 U.S.C. 299 et seq.) is amended by adding at the end the following:

''SEC. 904. STANDARDS OF CARE RELATING TO MUSCULAR DYSTROPHY.

''The Director—

''(1) shall evaluate the available scientific evidence for the appropriate medical or patient organizations for purposes of the development and issuance of an initial set of care considerations for Duchenne-Becker muscular dystrophy and provide periodic review and updates where appropriate; and

''(2) may replicate the same methodology used to develop the Duchenne-Becker muscular dystrophy care considerations developed under paragraph (1) as a model for other muscular dystrophies.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5265, the Paul Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008, a bill to reauthorize programs at the National Institutes of Health and the Centers for Disease Control and Prevention for research on various forms of muscular dystrophy.

Duchenne-Becker muscular dystrophy, DBMD, is a combined spectrum of a genetic disorder. DBMD is usually diagnosed when the child is 3 to 6 years of age. Early signs include delays in walking and frequent falling. As the child grows older, muscle deterioration continues to progress until, finally, the disease reaches a fatal conclusion in the teen years.

Enacting H.R. 5265 would make a number of improvements to current programs at the NIH and CDC. It would allow the interagency coordinating committee for muscular dystrophy to give special consideration to enhancing the clinical research infrastructure required to test emerging therapies for the various forms of muscular dystrophy, require the director of the CDC to report on muscular dystrophy surveillance, tracking, and research network data collection and provide for respective health outcome data on the health and survival of people with muscular dystrophy and require the director of the Agency for Health Care Research and Quality to evaluate the available scientific evidence to develop and issue an initial set of care considerations for DBMD and provide ongoing review and updates. All of the above coordinated research and tracking efforts will continue to lead us down a path towards one day finding a cure for this tragic condition.

I want to thank my colleague on the Commerce Committee, Congressman ENGEL of New York, for his leadership on this legislation. He has been working on this bill for a long time, and I appreciate his efforts to craft a strong bipartisan product.

I fully support H.R. 5265 and urge my colleagues to join me in its adoption.

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

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 5265, the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008. I want to commend Congressman ENGEL for bringing this bill, and I was also proud to be the lead minority cosponsor on this bill.

H.R. 5265 reauthorizes the existing Centers for Disease Control efforts towards muscular dystrophy. The muscular dystrophies are a group of more than 30 genetic diseases characterized by progressive weakness and degeneration of the skeletal muscles that control voluntary movement. Muscular dystrophy funding is used for surveillance and family needs and assessment activities.

I am supportive of the bill's efforts to reauthorize and improve the existing muscular dystrophy registry at the Centers for Disease Control, and I urge Members to support the legislation.

Mr. Speaker, I yield back the balance my time.

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Mr. PALLONE. Mr. Speaker, I have no further requests for time, and I urge adoption of this bill, the Paul Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

Mr. ENGEL. Mr. Speaker, I am so proud that today we will move to pass H.R. 5265, the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008. Today we have over 120 bipartisan cosponsors, as well as the support of the medical community.

Muscular dystrophy is a genetic disease which results in progressive degeneration of skeletal muscles and other organs, notably the heart. There are nine muscular dystrophies affecting over 300,000 individuals in the United States. The most lethal is Duchenne muscular dystrophy, which affects 1 in every 3,500 boys. There is no cure.

Prior to 2001, there were few resources directed toward research and development of therapies and care models for those afflicted with muscular dystrophy. To address this issue, the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001 was introduced. Congress overwhelmingly supported the legislation. Unfortunately, the authorization for this work expired in 2006.

The 2001 law specified a number of provisions for expanding and intensifying research on muscular dystrophy. These efforts included the establishment of six scientific centers of excellence, the creation of a Muscular Dystrophy Coordinating Committee (MDCC) to develop plans for supporting research and education on muscular dystrophy, and an expansion by the Centers for Disease Control and Prevention (CDC) into epidemiological activities regarding muscular dystrophy.

The reauthorization of the Paul D. Wellstone MD–CARE Amendments officially names the Centers of Excellence the Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers. In addition, it ensures that data collection at CDC is updated regularly with a requirement for regular reports to Congress. The bill also requires the Agency for Healthcare Research and Quality to work with appropriate medical or patient organizations to finalize an initial set of care considerations and for CDC to disseminate that information to targeted audiences.

Once again, thank you Mr. Speaker for your commitment to muscular dystrophy.

I know this bill will have a profound effect on so many families in America upon enactment.

Mr. PALLONE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5265, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

METH FREE FAMILIES AND COMMUNITIES ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6901) to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6901

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Meth Free Families and Communities Act''.

SEC. 2. ENHANCING HEALTH CARE PROVIDER AWARENESS OF METHAMPHETAMINE ADDICTION.

Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) by redesignating paragraphs (13) and (14) as paragraphs (14) and (15), respectively; and

(2) by inserting after paragraph (12) the following:

''(13) collaborate with professionals in the addiction field and primary health care providers to raise awareness about how to—

''(A) recognize the signs of a substance abuse disorder; and

''(B) apply evidence-based practices for screening and treating individuals with or at-risk for developing an addiction, including addiction to methamphetamine or other drugs;''.

SEC. 3. RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND PARENTING WOMEN.

Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''postpartum women treatment for substance abuse'' and inserting ''parenting women treatment for substance abuse (including treatment for addiction to methamphetamine)'';

(B) in paragraph (1), by striking ''reside in'' and inserting ''reside in or receive outpatient treatment services from''; and

(C) in paragraph (2), by striking ''reside with the women in'' and inserting ''reside with the women in, or receive outpatient treatment services from,'';

(2) in subsection (d), by amending paragraph (2) to read as follows:

''(2) Referrals for necessary hospital and dental services.'';

(3) by amending subsection (h) to read as follows:

''(h) ACCESSIBILITY OF PROGRAM.—A funding agreement for an award under subsection (a) for an applicant is that the program operated pursuant to such subsection will be accessible to—

''(1) pregnant and parenting women in low-income households; and

''(2) pregnant and parenting women in health disparity populations.'';

(4) by amending subsection (m) to read as follows:

''(m) ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall give priority to any entity that agrees to use the award for a program serving an area that—

''(1) is a rural area, an area designated under section 332 by the Administrator of the Health Resources and Services Administration as a health professional shortage area with a shortage of mental health professionals, or an area determined by the Director to have a shortage of family-based substance abuse treatment options; and

''(2) is determined by the Director to have high rates of addiction to methamphetamine or other drugs.'';

(5) in subsection (p)—

(A) by striking ''October 1, 1994'' and inserting ''October 1, 2009'';

(B) by inserting ''In submitting reports under this subsection, the Director may use data collected under this section or other provisions of law.'' after ''biennial report under section 501(k).''; and

(C) by striking ''Each report under this subsection shall include'' and all that follows and inserting ''Each report under this subsection shall, with respect to the period for which the report is prepared, include the following:

''(1) A summary of any evaluations conducted under subsection (o).

''(2) Data on the number of pregnant and parenting women in need of, but not receiving, treatment for substance abuse under programs carried out pursuant to this section. Such data shall include, but not be limited to, the number of pregnant and parenting women in need of, but not receiving, treatment for methamphetamine abuse under such programs, disaggregated by State and tribe.

''(3) Data on recovery and relapse rates of women receiving treatment for substance abuse under programs carried out pursuant to this section, including data disaggregated with respect to treatment for methamphetamine abuse.'';

(6) by redesignating subsections (q) and (r) as subsections (r) and (s), respectively;

(7) by inserting after subsection (p) the following:

''(q) METHAMPHETAMINE ADDICTION.—In carrying out this section, the Director shall expand, intensify, and coordinate efforts to provide pregnant and parenting women treatment for addiction to methamphetamine or other drugs.'';

(8) in subsection (r) (as so redesignated)—

(A) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(B) by inserting after paragraph (3) the following:

''(4) The term 'health disparity population' means a population in which there is a significant disparity in the overall rate of disease incidence, prevalence, morbidity, mortality, or survival rates in the population as compared to the health status of the general population.''; and

(9) in subsection (s) (as so redesignated), by striking ''such sums as may be necessary to fiscal years 2001 through 2003'' and inserting ''$20,000,000 for fiscal year 2009, $21,000,000 for fiscal year 2010, $22,050,000 for fiscal year 2011, $23,152,500 for fiscal year 2012, and $24,310,125 for fiscal year 2013''.

SEC. 4. DRUG-FREE WORKPLACE INFORMATION CLEARINGHOUSE.

Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) in paragraph (10), by striking ''and'' at the end;

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following:

''(11) develop a clearinghouse that provides information and educational materials to employers and employees about drug testing policies and programs; and''.

SEC. 5. STUDENT-DRIVEN METHAMPHETAMINE AWARENESS PROJECT.

Section 519E(c)(1) of the Public Health Service Act (42 U.S.C. 290bb–25e(c)(1)) is amended—

(1) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(2) by inserting after subparagraph (A) the following:

''(B) to develop, with the guidance of adult mentors and professionals, a student-driven methamphetamine awareness project such as a public service announcement or a television, radio, or print advertisement;''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise this evening in support of H.R. 6901, the Meth Free Families and Communities Act. Despite recent Federal efforts to curb abuse, meth addiction remains a national epidemic. In 2006, the National Survey on Drug Use and Health estimated that 1.9 million Americans age 12 and older had abused meth at least once in the year prior to being surveyed. Recent trends suggest that meth use is up among women, including pregnant women and women of child-bearing age.

H.R. 6901 would amend the Public Health Service Act to improve prevention and treatment programs for meth addiction. The bill expands grants available for student-driven meth awareness programs, and prioritizes grants that are intended to reach areas lacking in mental health professionals and substance abuse treatment options.

This legislation seeks to improve treatment for meth addiction to pregnant and parenting women, and aims to help professionals recognize vulnerable populations for the purpose of preventing and treating addiction.

H.R. 6901 also provides information and educational materials to employers and employees about drug testing policies and programs.

H.R. 6901 helps our communities battle meth addiction by providing targeted education and treatment programs to the areas and people that need it most. It is the result of the very hard work of Representatives HOOLEY and CUBIN. I urge my colleagues to support the passage of the bill.

I want to particularly thank Representative HOOLEY for her work on this legislation. As many of you know, she will not be with us after this session and I very much regret that because of all she has contributed as a congresswoman over the years. But passage of this bill is important to her legacy and important for the American people.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, in deference to the sponsor of the bill, I will reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield at this time 5 minutes to the sponsor of the bill, the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. I want to thank my colleague and good friend and wonderful chairman of my subcommittee on Energy and Commerce for giving me this opportunity.

I also want to thank, and I am sorry she is not here tonight, Representative CUBIN who has worked so hard on this issue. Battling the meth epidemic has been amongst my top priorities in Congress, and it is also a priority for the gentlewoman from Wyoming (Mrs. CUBIN). It is something that we share.

Those of us in the West have long been familiar with the ways that meth has worked to destroy communities, families and property. For over two decades as a county commissioner and as a Member of Congress representing the mid-Willamette Valley and Oregon's central coast, I've dealt with the fallout of meth production in small communities and rural areas where law enforcement and social services are stretched beyond their limit to handle this scourge.

The Federal Government must step up to the plate and do its part in defending families and communities against this threat. Meth is one of the fastest-growing drug problems in the

country because it is cheap, easy to make, and gives addicts an intense, long-lasting high. The consequences of its use can be severe not just for the addict but for the community.

Meth addicts frequently abuse or neglect their children. Meth labs are toxic to our environment. Meth use and production raise the rate of property crime and identity theft.

When we talk about fighting drug abuse, we frequently talk about this concept of a three-legged stool: prevention, treatment and enforcement. Just like a stool, our efforts to fight drug abuse will collapse if we try to stand on just one or two of those legs.

During the last Congress we in the Meth Caucus worked together to make significant progress on both the enforcement aspect and controlling the meth supply through the Combat Methamphetamine Epidemic Act. But treatment and prevention issues have largely been ignored, which is why I am so pleased that today we will consider the Meth Free Families and Communities Act that Congresswoman BARBARA CUBIN and I have worked together to craft.

Our legislation has four important provisions that will help our communities. One concern I have heard throughout Oregon in meetings with treatment and prevention officials and nationally is that we need to start looking at the meth epidemic as not just a criminal problem, but as a public health problem.

The first section will require the Center for Substance Abuse Treatment to work with primary care providers to apply evidence-based practices for screening and treating people with drug addiction or those at risk of developing one. It will also direct the center to collaborate with both addiction professionals and primary care providers to raise awareness of how do we recognize the signs of drug addiction so doctors can direct the addicted patients into treatment.

The second provision will reauthorize an existing grant program for pregnant and parenting women so they can receive comprehensive, family-based substance abuse treatment. Congresswoman CUBIN has led the way in fighting for the resources needed for this vital initiative. Too many children have gone into the foster system because their mothers are sent to jail for meth addiction. This initiative will provide treatment to pregnant and parenting women which is much more effective for the mother and certainly cost effective and better for the child.

Another issue that has employers seeking our help is ensuring safe and drug free workplaces. Employers are concerned about finding employees who are able to pass a drug test. In some cases, companies are worried about implementing drug free workplace policies out of concern for the employee filing suit against them. Although the Substance Abuse and Mental Health Services Administration already provides guidelines to employers on creating a drug free workplace policy, the chief concern I have heard from businesses is that the guidelines can be difficult to navigate and assistance is not readily accessible.

So this legislation will create a single information clearinghouse in the Office for Substance Abuse Prevention that will serve as a resource for both employers and employees on drug testing policies and programs.

Finally, this legislation will create a national version of an incredibly successful program we have in Oregon, the Methamphetamine Awareness Project. The project goes into the high schools throughout the State with a film production crew and works with the students to produce anti-meth advertisements or sometimes even short documentaries that are entirely student driven. It is a great project that allows students to create the message that they think will best reach their fellow students. And it also gives them an after-school activity that keeps them from being idle and teaches them new skills. This project has been so effective in Oregon, I want to see it expanded on a national level which is why this legislation will allow SAMHSA prevention grant dollars to be used for professionally mentored, student-driven methamphetamine awareness projects around the country.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. PALLONE. I yield the gentlewoman an additional 2 minutes.

Ms. HOOLEY. I thank the gentleman.

Congresswoman CUBIN and I have both met extensively with prevention and treatment experts in our respective States and throughout the country. These provisions reflect what professionals have told us are the greatest needs in their field.

With gratitude, I would like to recognize Alison Craig of my own staff and Landon Stropko of Congresswoman CUBIN's staff who have taken these ideas from sessions and turned them into provisions in this legislation.

I also want to recognize the work of the late Timm O'Cobhthaigh of my staff who helped Alison Craig put together many of these forums in Oregon.

I would like to thank Congresswoman CUBIN for her leadership and her great passion to do a bill against methamphetamine that isn't just limited to enforcement efforts. I urge my colleagues to join us in supporting the Meth Free Families and Communities Act.

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

I rise in support of H.R. 6901, the Meth Free Families and Communities Act. I also want to commend Congresswoman HOOLEY and Congresswoman CUBIN for their tireless work on this bill.

This bill reauthorizes a grant program administered by the Substance Abuse and Mental Health Services Administration. Methamphetamine is a powerful central nervous system stimulant which affects neurochemical mechanisms responsible for regulating heart rate, body temperature, blood pressure, appetite, attention and mood. The grant program at the agency provides comprehensive family-based substance abuse treatment for methamphetamine addiction for pregnant and parenting women.

The bill updates the law by directing the agency to expand, intensify and coordinate efforts to provide for pregnant and parenting women and for the family-based treatment for methamphetamine addiction. In addition, the bill attempts to increase awareness of methamphetamine addiction amongst providers and employers.

By helping people break their addiction, this program helps to put them on a road towards self-sufficiency and ends the vicious cycle of methamphetamine addiction.

I commend Congresswoman HOOLEY and Congresswoman CUBIN for their work on this bill and for all of their years of service to this body and to our Committee on Energy and Commerce. Both Members will be sorely missed, and I wish them well in whatever life has in store for them in the future.

Mrs. CUBIN. Mr. Speaker, I rise today in partnership with Representative DARLENE HOOLEY to address an issue that transcends district boundaries and party lines—methamphetamine addiction.

While we hail from different political parties, Representative HOOLEY and I are natural partners in the fight against meth. We both represent rural, western districts that have struggled with the horrible effects of the meth epidemic. We both feel that we need a comprehensive approach to fighting meth, including increased education, awareness, and treatment for the addicted.

For the benefit of Wyoming, Oregon, and other rural areas across the Nation, we decided to combine our work into one bill, H.R. 6901, the Meth Free Families and Communities Act. This legislation incorporates portions of H.R. 405, the Family-Based Meth Treatment Access Act, which I introduced in both the 109th and 110th Congresses. My meth treatment provisions, combined with the education and awareness provisions authored by Representative HOOLEY, will give our citizens more tools to fight meth in our schools, in places of work, and in the family unit itself.

Too many young men and women in Wyoming are getting hooked on meth. In a survey conducted in my home State of Wyoming, nearly half of Wyoming's young adults believe there are significant benefits to meth use, including weight loss and happiness.

It's this misperception that leads young people into the nightmare of meth. These people have families, and children, that suffer right along with them. We need increased awareness in Wyoming. We also need treatment options for those that succumb to meth addiction.

I crafted the provisions of H.R. 6901 that reauthorize the pregnant and parenting women grant program. These grants support family-based treatment centers, which meet the needs of the entire family—mother, father, and children, rather than just the addict. This

means healthy mothers, healthy fathers, and safe and healthy children. Every success story is one less family torn apart by meth.

H.R. 6901 authorizes over $110 million for family-based treatment over 5 years. We need this funding in rural areas like Wyoming that otherwise lack treatment options. This legislation points us in that direction,

I know that some question the wisdom of spending taxpayer dollars on drug treatment. I don't think we can afford not to invest in treatment. The cost of treatment pales in comparison to what meth has cost the taxpayer through our courtrooms, our prisons, our emergency rooms, and our foster care system. Moreover, the emotional cost to Wyoming's families has been immeasurable. Family treatment is a sound investment, one that this body should make.

I want to thank Representative HOOLEY for her leadership and willingness to tackle the meth problem in a bipartisan fashion. I urge my colleagues on both sides of the aisle to join me in support of H.R. 6901, which will make a real difference for meth-affected families in Wyoming and across the Nation.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would urge passage of this meth addiction bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6901.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

PHYSICIAN WORKFORCE ENHANCEMENT ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2583) to amend title VII of the Public Health Service Act to establish a loan program for eligible hospitals to establish residency training programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2583

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Physician Workforce Enhancement Act of 2008''.

SEC. 2. HOSPITAL RESIDENCY LOAN PROGRAM.

Subpart 2 of part E of title VII of the Public Health Service Act is amended by adding at the end the following new section:

''SEC. 771. HOSPITAL RESIDENCY LOAN PROGRAM.

''(a) ESTABLISHMENT.—Not later than October 1, 2010, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a hospital residency loan program that provides loans to eligible hospitals to establish a residency training program.

''(b) APPLICATION.—No loan may be provided under this section to an eligible hospital except pursuant to an application that is submitted and approved in a time, manner, and form specified by the Administrator of the Health Resources and Services Administration. A loan under this section shall be on such terms and conditions and meet such requirements as the Administrator determines appropriate, in accordance with the provisions of this section.

''(c) ELIGIBILITY; PREFERENCE FOR RURAL AREAS.—

''(1) ELIGIBLE HOSPITAL DEFINED.—For purposes of this section, an 'eligible hospital' means, with respect to a loan under this section, a public or non-profit hospital that, as of the date of the submission of an application under subsection (b), meets, to the satisfaction of the Administrator of the Health Resources and Services Administration, each of the following criteria:

''(A) The hospital does not operate a residency training program and has not previously operated such a program.

''(B) The hospital has secured initial accreditation by the American Council for Graduate Medical Education or the American Osteopathic Association.

''(C) The hospital provides assurances to the satisfaction of the Administrator of the Health Resources and Services Administration that such loan shall be used, consistent with subsection (d), only for the purposes of establishing and conducting an allopathic or osteopathic physician residency training program in at least one of the following, or a combination of the following:

''(i) Family medicine.

''(ii) Internal medicine.

''(iii) Obstetrics or gynecology.

''(iv) Behavioral or Mental health.

''(v) Pediatrics.

''(D) The hospital enters into an agreement with the Administrator that certifies the hospital will provide for the repayment of the loan in accordance with subsection (e).

''(2) PREFERENCE FOR RURAL AREAS.—In making loans under this section, the Administrator of the Health Resources and Services Administration shall create guidelines that give preference to rural areas (as such term is defined in section 1886(d)(2)(D) of the Social Security Act).

''(d) PERMISSIBLE USES OF LOAN FUNDS.—A loan provided under this section shall be used, with respect to a residency training program, only for costs directly attributable to the residency training program, except as otherwise provided by the Administrator of the Health Resources and Services Administration.

''(e) REPAYMENT OF LOANS.—

''(1) REPAYMENT PLANS.—For purposes of subsection (c)(1)(D), a repayment plan for an eligible hospital is in accordance with this subsection if it provides for the repayment of the loan amount in installments, in accordance with a schedule that is agreed to by the Administrator of the Health Resources and Services Administration and the hospital and that is in accordance with paragraphs (2), (3), and (4).

''(2) COMMENCEMENT OF REPAYMENT.—Repayment by an eligible hospital of a loan under this section shall commence not later than the date that is 18 months after the date on which the loan amount is disbursed to such hospital.

''(3) REPAYMENT PERIOD.—A loan made under this section shall be fully repaid not later than the date that is 24 months after the date on which the repayment is required to commence.

''(4) LOAN PAYABLE IN FULL IF RESIDENCY TRAINING PROGRAM CANCELED.—In the case that an eligible hospital borrows a loan under this section, with respect to a residency training program, and terminates such program before the date on which such loan has been fully repaid in accordance with a plan under paragraph (1), such loan shall be payable by the hospital not later than 45 days after the date of such termination.

''(f) NO INTEREST CHARGED.—The Administrator of the Health Resources and Services Administration may not charge or collect interest on any loan made under this section.

''(g) LIMITATION ON TOTAL AMOUNT OF LOAN.—The cumulative annual dollar amount of a loan made to an eligible hospital under this section may not exceed $250,000.

''(h) PENALTIES.—The Administrator of the Health Resources and Services Administration shall establish penalties to which an eligible hospital receiving a loan under this section would be subject if such hospital is in violation of any of the criteria described in subsection (c)(1). Such penalties shall include the charge or collection of interest, at a rate to be determined by the Administrator of the Health Resources and Services Administration. Except as otherwise provided, penalties collected under this subsection shall be paid to the Administrator of the Health Resources and Services Administration and shall, subject to appropriation Acts, be available until expended for the purpose of enforcing the provisions of this section.

''(i) REPORTS.—Not later than January 1, 2012, and annually thereafter (before January 2, 2014), the Administrator of the Health Resources and Services Administration shall submit to Congress a report on the efficacy of the program under this section in increasing the number of residents practicing in each medical specialty described in subsection (c)(1)(C) during such year and the extent to which the program resulted in an increase in the number of available practitioners in each of such medical specialties that serve medically underserved populations.

''(j) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of providing amounts for loans under this section, there are authorized to be appropriated such sums as may be necessary to provide—

''(A) $8,000,000 in loans for fiscal year 2010;

''(B) $8,400,000 in loans for fiscal year 2011;

''(C) $8,820,000 in loans for fiscal year 2012;

''(D) $9,261,000 in loans for fiscal year 2013; and

''(E) $9,724,050 in loans for fiscal year 2014.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

''(k) TERMINATION OF PROGRAM.—No loan may be made under this section after December 31, 2013.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise this evening in support of H.R. 2583, the Physician Workforce Enhancement Act of 2008. This legislation seeks to address shortages in the physician workforce by creating a loan program for rural and

urban hospitals to start residency training programs.

Demand for primary care has grown due to an increase in the number of people living with chronic diseases and due to the long-term care needs of an aging population. However, recent trends show that the growth in the physician workforce is not keeping pace with the growth of the general population. In fact, there has been a decline in the number of medical students and training opportunities for primary care in certain areas of practice, including pediatrics, which are expected to have more critical shortages in the future.

H.R. 2583 seeks to address the physician shortage by establishing a loan program for eligible hospitals to establish residency training programs in allopathic and osteopathic medicine with a preference for hospitals located in rural areas.

Residency training programs are an integral way for rural and small urban communities to attract physicians as it encourage doctors to put down roots in the community where they completed their residency.

One important source of funding for residency training programs is Medicare. However, the Medicare program caps the number of residents and fellows eligible for Medicare reimbursement.

□ 2045

This can narrow the number of resources available to some smaller hospitals that have the greater need for residents that will later serve the community as physicians. That cap was implemented at the time when it appeared that the physician workforce would enjoy surpluses for some time, and that the use of managed care services would reduce the demand of medical services. But both trends have significantly reversed in recent years, precipitating the need for a new strategy to improve the health and vitality of the U.S. physician workforce.

H.R. 2583 provides such a strategy. This legislation will make great strides in attracting new physicians to serve in rural and small urban districts that need them most.

I want to urge my colleagues to support the passage of this bill.

I reserve the balance of my time.

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

Health care workforce issues are going to be a major and developing problem over the next several years, and it's a problem that the country really doesn't know a great deal about. In fact, in the next 20 to 30 years our population is going to age, and it's going to grow. And the current trends suggest that we will reach a critical shortage of physicians in growing communities, and it'll be especially acute in some specialties.

The problem is complex. The problem is varied, and does not have just one solution. But in a modest attempt to spark the discussion on how to increase the domestic supply of physicians and provide at least one solution, Congressman MATHESON and I introduced H.R. 2583 last year.

H.R. 2583 will assist small hospitals that serve rural or growing areas by providing them with financial resources to establish a residency training program for certain high need medical specialties.

While we need to increase the number of doctors, we also need to make certain that they practice in areas where they're needed. We need to develop new residency training programs away from the major urban centers. It is a rule of thumb that most physicians tend to settle and start their families and integrate into the community where they complete their residency training program. H.R. 2583 will help smaller emerging communities attract and retain the medical professionals that their communities will need to rely on well into the future.

H.R. 2583 would establish an interest-free loan program for eligible hospitals to establish residency training programs. Over the period of its authorization, it should operate at no cost to the American taxpayer.

To qualify, hospitals will need to have secured preliminary accreditation from the American Council of Graduate Medical Education or the American Osteopathic Association, and have not had a residency training program in the past. These loans would go to pay salaries or benefits for residents, salaries of faculty and other costs directly attributable to the residency training program.

Mr. Speaker, in response to concerns raised during discussions on this bill, House Energy and Commerce staff and Member office staff have worked together in a bipartisan manner to address areas of concern. This bill represents a modest and an accountable approach to the growing problem of physician workforce issues.

This bill is supported by medical groups, and most notably, the American Osteopathic Association. I'm pleased also to have worked with Congressman MATHESON on this important proposal.

So, Mr. Speaker, if Members want to help their smaller rural communities, and if they want to help attract medical professionals that their communities will need in the future, I urge a ''yes'' vote on H.R. 2583 today.

I reserve the balance of my time.

Mr. MATHESON. Mr. Speaker, I rise today in support of H.R. 2583, the "Physician Workforce and Graduate Medical Education Enhancement Act." I am proud to join Representative BURGESS as a lead sponsor of this legislation and want to thank him along with Chairman DINGELL and the Energy and Commerce staff for moving this legislation forward.

Data shows that physicians typically will practice within 100 miles of where they train. While current residency training programs continue to excel at producing high quality physicians, they do not adequately distribute physicians to communities across the Nation. H.R. 2583 aims to create new residency programs in geographic regions that face physician shortages, especially those in the South, Southwest, Rocky Mountain, and West regions.

A major obstacle often preventing the establishment of new residency training programs are the costs associated with the creation of such programs. Under current law, a hospital starting a new residency program is not eligible immediately for direct graduate medical education or indirect medical education funding. This financing arrangement presents challenges for hospitals that operate on narrow margins, especially community hospitals that lack adequate reserve funds to offset the financial commitments associated with staffing a new residency program.

I believe this legislation provides the appropriate incentives that would lead to the creation of new residency training programs in geographic areas that lack an adequate supply of physicians, thus enhancing the Nation's ability to meet future physician workforce needs. If carried out over 10 years, the loan program established by the "Physician Workforce and Graduate Medical Education Enhancement Act" has the potential of assisting in the establishment of up to 50 new residency programs.

Thank you and I urge my colleagues to support this piece of legislation.

Mr. PALLONE. Mr. Speaker, I have no further speakers. I urge passage of the Physician Workforce and Graduate Medical Education bill, and I yield back the balance of my time.

Mr. BURGESS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2583, as amended.

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

A motion to reconsider was laid on the table.

SUPPORTING THE WE DON'T SERVE TEENS CAMPAIGN

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1042) supporting the We Don't Serve Teens campaign, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 1042

Whereas the 2007 National Survey on Drug Use and Health conducted by the Substance Abuse and Mental Health Services Administration estimates there are 10,700,000 underage alcoholic beverage drinkers in the United States;

Whereas research shows that young people who start drinking alcoholic beverages before the age of 15 are 4 times more likely to develop an alcohol-related disorder later in life;

Whereas surveys show that 17 percent of 8th graders, 33 percent of high school sophomores, and 47 percent of high school seniors

report recent drinking of alcoholic beverages;

Whereas in a 2003 survey of such drinkers ages 10 to 18, 65 percent said they got the alcohol from family members or friends—some took alcohol from their home or a friend's home without permission, and in other cases adults, siblings, or friends provided the alcohol;

Whereas the Surgeon General issued a national Call to Action against underage drinking in March 2007, asking Americans to do more to stop current underage drinkers from using alcohol and to keep other youth from starting to drink alcohol before the age of 21;

Whereas the Leadership to Keep Children Alcohol Free initiative is a coalition of Governors' spouses, Federal agencies, and public and private organizations which specifically targets prevention of drinking in the 9- to 15-year-old age group;

Whereas the National Alliance to Prevent Underage Drinking is a coalition of public health, law enforcement, religious, treatment and prevention, and other organizations with the goal of supporting and promoting implementation of a comprehensive strategy to reduce underage drinking;

Whereas the best protections against underage drinking are comprehensive prevention and enforcement strategies that include educating parents and members of the community;

Whereas beverage alcohol is a unique product and is regulated in such a way as to encourage social responsibility;

Whereas parents should be encouraged to talk to their children about the dangers of underage drinking;

Whereas the goal of the We Don't Serve Teens campaign is to educate parents and community leaders about effective ways of reducing underage drinking;

Whereas the Federal Trade Commission has partnered with other Government entities, members of the beverage alcohol industry, and members of the advocacy community to educate the public on the dangers of underage drinking;

Whereas the Federal Trade Commission has created a Web site, www.dontserveteens.gov, as a resource for parents, educators, and community leaders concerned with underage drinking;

Whereas Congress has demonstrated its commitment to the prevention of underage drinking by enacting the Sober Truth on Preventing Underage Drinking Act (STOP), which recognizes that the continued State regulation of all three tiers of the beverage alcohol industry (manufacturer, wholesaler, and retailer), as well as of the sale, distribution, transportation, and importation of alcohol is critical to preventing access to alcohol by persons under 21 years of age; and

Whereas the We Don't Serve Teens campaign seeks to unite State officials, business leaders, parents, community leaders, and all three tiers of the beverage alcohol industry in fighting underage drinking, and unites all those participants in a concerted effort to protect America's youth: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of campaigns working to improve long-term public health and well being, including campaigns that work to prevent underage drinking of alcoholic beverages, such as the We don't Serve Teens Campaign;

(2) encourages Americans to utilize resources, including the Web site of the Federal Trade Commission at www.dontserveteens.gov and the Web site of the National Institute of Alcohol Abuse and Alcoholism at www.alcoholfreekids.org, that provide a wealth of information beneficial to combating and reducing such underage drinking; and

(3) commends the leadership and continuing efforts of all groups working to reduce such underage drinking, including the Federal Trade Commission, the Department of Health and Human Services, State and local officials, law enforcement, public health organizations, community groups, and the beverage alcohol industry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 1042, supporting the We Don't Serve Teens Campaign.

Underage drinking is an ongoing problem in our country, as over half of high school seniors drink alcoholic beverages, while more than a quarter of them engage in binge drinking. Binge drinking at a young age is an especially troubling activity, as those teens are more susceptible to both alcohol addiction and dependence.

Besides binge drinking, teens who drink are more likely to engage in other risky behavior, including smoking, having sex without birth control, and drinking and driving. This last behavior should be a particular concern to everyone as the combination of inexperience behind the wheel and alcohol often results in a deadly conclusion.

Currently, car crashes rank as the leading cause of death among individuals ages 15 to 20. We must all work to prevent such tragedies from occurring.

The resolution before us supports the goals and ideals of campaigns working to improve long-term health, encourages Americans to use resources to help combat underage drinking, and commends organizations that are already working to reduce underage drinking.

I want to thank my colleague, Representative BONO MACK, for her leadership on this resolution. It's an important issue to address.

I urge my colleagues on both sides of the aisle to join me in support of its adoption.

I reserve the balance of my time.

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

And I do rise in support of House Resolution 1042.

Since Congress passed the National Minimum Drinking Age in 1984, teen drinking rates have dropped; 25 percent fewer high school seniors drink than in 1983. But despite these gains, many teens still drink, and when they do, it can be to excess, with 25 percent of seniors reporting binge drinking.

Mr. Speaker, adolescent years can be fraught with peril. It is said that being a teenager is risky business. Adding alcohol to the mix can compound the difficulties, and especially when driving, being behind the wheel of a car. Drunk driving is the leading cause of death among people ages 15 to 20. These crashes claim and kill almost 2,000 teenagers each year; and in 65 percent of them, the kids got the alcohol without permission from family or friends.

The best protections against underage drinking are prevention and enforcement strategies by parents and members of the community. Parents should take the time to discuss with their children the dangers of underage drinking, and can use the Federal Trade Commission's Web site as a resource for parents, educators and community leaders concerned about underage drinking.

The We Don't Serve Teens campaign has worked to unite State officials, business leaders, parents and all three tiers of the beverage alcohol industry in fighting underage drinking, and unites all of those participants in a concerted effort to protect America's youth.

I do want to thank the sponsor of the resolution, Mrs. BONO MACK of California, for raising public awareness and her continued effort to reduce underage drinking.

I encourage all of my colleagues to vote in favor of this resolution.

Having no additional requests for time on my side, I will yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would yield 5 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of H. Res. 1042, which supports the We Don't Serve Teens campaign.

I commend my California colleague, MARY BONO MACK, for her leadership in offering this resolution, and for highlighting the public health crisis of underage drinking in our country. This crisis is real, and the impact on the health and safety of our children is profound.

During the 10 years I've been working on this issue, one thing has been made perfectly clear: underage drinking and its serious consequences are not inevitable. From research, we know that parents are the leading influence over their children's decision to drink or not drink alcohol. Simply stated, when parents talk, kids really do listen. Unfortunately, many parents under estimate the problem of underage drinking in their communities and therefore do not talk to their children about the dangers of alcohol consumption.

The facts are, however, that each year, 10.8 million Americans between the ages of 12 and 20 report illegal alcohol consumption. This number includes

41 percent of 8th grade students, 62 percent of 10th grade students, and 73 percent of 12th graders.

State officials, business leaders, parents and community leaders can also make a difference. When they come together to fight this public health crisis, it is possible to reduce the terrible toll underage drinking has on our youth. The We Don't Serve Teens Campaign will help us reach that goal.

From my personal experience in my own district, I can attest to how highly successful the program is in educating parents and their children about the dangers of underage drinking. Last fall I worked with the Century Council and the Federal Trade Commission to bring this important public safety campaign to Los Angeles during National We Don't Serve Teens Week.

The Wine and Spirits Wholesalers Association and the California Highway Patrol joined us in sending a strong message to retailers, parents and adults that providing alcohol to any person under the age of 21 is unsafe, irresponsible, and illegal.

I was privileged to host this important campaign in my district, and I am honored to support this resolution today.

I hope that passage of this resolution will encourage others to become more actively involved in the fight against underage drinking. By working together to reduce underage drinking, we will provide a safer and healthier future for our children.

I encourage my colleagues to vote ''yes'' on H. Res. 1042 and to do what they can in their communities to get the message out.

Mr. PALLONE. Mr. Speaker, I have no additional requests for time, I would urge passage of this resolution relative to underage drinking, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1042, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL SUDDEN CARDIAC ARREST AWARENESS MONTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 393) supporting the goals and ideals of ''National Sudden Cardiac Arrest Awareness Month''.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. Con. Res. 393

Whereas sudden cardiac arrest is a leading cause of death in the United States;

Whereas sudden cardiac arrest takes the lives of more than 250,000 people in the United States each year, according to the Heart Rhythm Society;

Whereas anyone can experience sudden cardiac arrest, including infants, high school athletes, and people in their 30s and 40s who have no sign of heart disease;

Whereas sudden cardiac arrest is extremely deadly, with the National Heart, Lung, and Blood Institute giving the disease a mortality rate of approximately 95 percent;

Whereas to have a chance of surviving an attack, the American Heart Association states that victims of sudden cardiac arrest must receive a lifesaving defibrillation within the first 4 to 6 minutes of an attack;

Whereas for every minute that passes without a shock from an automated external defibrillator, the chance of survival decreases by approximately 10 percent;

Whereas lifesaving treatments for sudden cardiac arrest are effective if administered in time;

Whereas according to joint research by the American College of Cardiology and the American Heart Association, implantable cardioverter defibrillators are 98 percent effective at protecting people at risk for sudden cardiac arrest;

Whereas according to the American Heart Association, cardiopulmonary resuscitation and early defibrillation with an automated external defibrillator more than double the chances that a victim will survive;

Whereas the Yale-New Haven Hospital and the New England Journal of Medicine state that women and African-Americans are at a higher risk than the general population for dying as a result of sudden cardiac arrest, yet this fact is not well known to people at risk;

Whereas there is a need for comprehensive educational efforts designed to increase awareness of sudden cardiac arrest and related therapies among medical professionals and the greater public in order to promote early detection and proper treatment of this disease and to improve quality of life; and

Whereas the Heart Rhythm Society and the Sudden Cardiac Arrest Coalition are preparing related public awareness and education campaigns on sudden cardiac arrest to be held each year during the month of October: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the goals and ideals of ''National Sudden Cardiac Arrest Awareness Month'';

(2) supports efforts to educate people about sudden cardiac arrest and to raise awareness about the risk of sudden cardiac arrest, identifying warning signs, and the need to seek medical attention in a timely manner;

(3) acknowledges the critical importance of sudden cardiac arrest awareness to improving national cardiovascular health; and

(4) calls upon the people of the United States to observe this month with appropriate programs and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H. Con. Res. 393, a resolution expressing support for the goals and ideals of National Sudden Cardiac Arrest Awareness Month.

While many of us are aware of the importance of maintaining a healthy diet in order to mitigate the risk of heart attacks, there is much less information concerning the risk of cardiac arrest. However, the dangers to the public are no less severe. It's estimated that more than 250,000 people die each year from sudden cardiac arrest.

Sudden cardiac arrest occurs when the heart stops functioning properly, usually as a result of an irregular heart rhythm. Any type of heart disease can lead to cardiac arrest.

□ 2100

Often, though, two or more major coronary arteries are narrowed due to fatty buildups.

H. Con. Res. 393 recognizes October as an appropriate month to support National Sudden Cardiac Heart Awareness. This resolution would support efforts to educate the American public about cardiac arrest and raise awareness regarding prevention and warning signs.

It's especially important that warning signs are recognized immediately because death can occur in as little as 6 minutes after experiencing cardiac arrest. Moreover, women and African Americans need to make themselves particularly familiar with this health problem as they are at a higher risk than other populations.

I want to thank my colleague, Representative PICKERING, for his work in bringing this resolution to the floor. I urge my colleagues to join me in support of H. Con. Res. 393.

I reserve the balance of my time.

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

I rise today in support of House Concurrent Resolution 393, recognizing October as the National Sudden Cardiac Awareness Month.

Sudden cardiac arrest is one of the Nation's leading killers, claiming the lives of over a quarter million Americans a year. The most incidents of sudden cardiac arrest occur without any warning signs and can strike at any age, even in healthy infants, high school athletes, and adults with no prior signs of distress or heart disease.

Most victims of sudden cardiac arrest—95 percent—die because they are not able to receive a life-saving shock from an automated external defibrillator within 4 to 6 minutes before brain and permanent death start to occur.

Sudden cardiac arrest occurs when the heart stops working and no blood is

pumped to vital organs. The heart's electrical system malfunctions. And in fact, for those who can be identified to be at risk for SCA, an implantable cardioverter-defibrillator is very effective at preventing a deadly arrest.

This resolution will support continued efforts to raise awareness about the risk of sudden cardiac arrest, to improve the public's ability to identify warning signs and encourage individuals to seek medical attention in a timely manner.

I certainly would like to thank the Heart Rhythm Society and the 29 organizations that comprise the Sudden Cardiac Arrest Coalition for their support. I would also like to point out their ongoing efforts promoting public awareness and education campaigns that will be held each year during the month of October.

Certainly I also want to thank the sponsor of the resolution, Mr. CHIP PICKERING of Mississippi, for raising awareness about sudden cardiac arrest and improving national cardiovascular health.

I encourage all of my colleagues to vote in favor of this resolution.

I will yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would yield 2 minutes to the sponsor of the legislation, the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of House Concurrent Resolution 393 which would recognize October as Sudden Cardiac Arrest Awareness Month, and I want to thank my colleague from New Jersey, our chairman of our Health Subcommittee, for recognizing me. I also want to thank the resolution's sponsor, CHIP PICKERING, and thank him for his leadership on this topic.

I have proudly served with Mr. PICKERING as cochair of the Heart and Stroke Coalition for the past 2 years. I have enjoyed working with him as well on the Stop Stroke Act, which we are so close to passing into law, and for his advocacy on behalf of these issues. He will sorely be missed when he retires this year from Congress.

Sudden cardiac arrest claims the life of over 300,000 people per year. It's known as SCA, and it can strike at any age in people who appear to be otherwise healthy. We all know the famous stories of young athletes mysteriously dying on the basketball court or the football field. But perhaps none of us know enough about how to prevent it from happening in the future in our families with our loved ones and in the future.

There are certain warning signs for sudden cardiac arrest which can be identified through screenings, and we hope that establishing a Sudden Cardiac Awareness Month will help more Americans learn what those warning signs are and to encourage more medical professionals to conduct proper screenings.

I'd also like to take this time to promote awareness about the greatest chance for survival after a sudden cardiac arrest: the automated external defibrillators, or AEDs. Throughout my tenure in Congress, I have been proud of the efforts to increase the presence of AEDs on school campuses and other public buildings. Many of you are probably familiar with the placement of AEDs on every floor through the Capitol and our office buildings. They are so simple to use and are crucial to improving survival.

I urge my colleagues to vote in favor of House Concurrent Resolution 393 and help improve awareness about sudden cardiac events and AEDs.

Mr. PALLONE. Mr. Speaker, I have no additional speakers. I would urge passage of this resolution with regard to sudden cardiac arrest.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 393.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

MRSA AWARENESS MONTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 988) designating the month of March 2008 as ''MRSA Awareness Month,'' as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 988

Whereas Methicillin-resistant Staphylococcus aureus (MRSA) is a type of infection that is resistant to treatment with the usual antibiotics and is one of the most common pathogens that cause Healthcare-Associated Infections (HAIs) in the United States and in many parts of the world;

Whereas a study led by the Centers for Disease Control and Prevention estimates that in 2005 more than 94,000 invasive MRSA infections occurred in the United States and more than 18,500 of these infections resulted in death;

Whereas the percentage of Staphylococcus aureus infections in the United States that are attributable to MRSA has grown from 2 percent in 1974 to 63 percent in 2004;

Whereas the annual number of hospitalizations associated with MRSA infections, including both HAIs and community-based infections, more than tripled between 1999 and 2005, from 108,600 to 368,600;

Whereas approximately 85 percent of all invasive MRSA infections were associated with healthcare;

Whereas serious MRSA infections occur most frequently among individuals in hospitals and healthcare facilities, particularly the elderly, those undergoing dialysis, and those with surgical wounds;

Whereas individuals infected with MRSA are most likely to have longer and more expensive hospital stays, with an average cost of $35,000;

Whereas there has been an increase in reported community-acquired staph infection outbreaks, including antibiotic-resistant strains, in States such as Illinois, New York, Kentucky, Virginia, Maryland, Ohio, North Carolina, Florida, the District of Columbia, and Alaska;

Whereas clusters of community-acquired MRSA infections have been reported since the late 1990s among competitive sports teams, correctional facilities, schools, workplaces, military facilities, and other community settings;

Whereas a person who is not infected with MRSA can be a vehicle for the transmission of infections through skin-to-skin contact; and

Whereas many instances of MRSA transmission can be prevented through the use of appropriate hygienic practices, such as hand washing and appropriate first aid for open wounds and active skin infections, are followed: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) recognizes the importance of reducing the transmission of infections in hospitals and ensuring appropriate use and utilization of antibiotics to meet patient and public health needs;

(2) recognizes the importance of operational research for finding the best ways of preventing hospital- and community-acquired Methicillin-resistant Staphylococcus aureus (MRSA) and developing new antibiotics for improving care for MRSA patients;

(3) recognizes the importance of raising awareness of MRSA and methods of preventing MRSA infections; and

(4) supports the work of advocates, healthcare practitioners, and science-based experts in educating, supporting, and providing hope for individuals and their families affected by community and healthcare associated infections.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise this evening in support of H. Res. 988 designating the month of March 2008 as MRSA Awareness Month.

MRSA is a type of infection that is resistant to treatment with regular antibiotics. While healthy individuals can acquire MRSA as well, it is most likely to occur among parts of our population least equipped to deal with its

effects such as those individuals in hospitals and health care facilities who have weakened immune systems.

The latest information regarding MRSA is disconcerting. Infections are on the rise as hospitalizations associated with MRSA more than tripled from 1999 to 2005. We must do more to raise awareness and stem the tide of this infection.

The resolution before us recognizes the need to continue research to find the best ways of preventing hospital and community-acquired MRSA. As a community, we must be careful to prevent overuse of antibiotics and to create hygienic and sanitary conditions in our hospitals and other health care facilities.

This resolution also lends support to advocates, health care practitioners, and others on the front line in the battle against MRSA. Through a unified effort, we can provide hope for those who are personally affected by this infection.

I want to thank my colleague, Congressman MATHESON of Utah, for his hard work in bringing this resolution to the floor.

I urge my colleagues on both sides of the aisle to join me in support of its adoption.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I also rise in favor of House Resolution 988 and support designating the month of March as the Methicillin-Resistant Staphylococcus Aureus Awareness Month. I also want to thank the sponsor of this resolution, Representative JIM MATHESON of Utah, for his work on this issue.

Staphylococcus aureus, commonly known as ''staph,'' is a potentially dangerous bacterium that can cause skin infections that look like pimples or boils. Staph infections also can cause redness, swelling, pain, and drainage at the site of infection. They can be warm to the touch and cause a fever.

Some staph infections are resistant to certain antibiotics and this makes it harder to treat. These infections are known as methicillin-resistant Staphylococcus aureus, or MRSA. They result from direct contact with people who have the infection.

Now anyone can get a staph infection, anyone can get a resistant staph infection. It is becoming more and more common. The national Centers for Disease Control and Prevention says that Americans visit their physicians approximately 12 million times a year to get checked for potential staph infections. In some areas of the country, more than half of the skin infections are caused by resistant strains of staph, according to the CDC.

While most serious methicillin-resistant staph infections occur among individuals in hospitals and health care facilities, there are community-acquired infections among competitive sports teams, correctional facilities, schools, workplaces, military facilities, homeless shelters, and other community settings. These infections usually occur through skin-to-skin contact, and even individuals who are not infected with resistant staph can be a vehicle for its transmission.

This resolution recognizes the importance of raising the awareness of methicillin-resistant staph aureus and methods of preventing infections through appropriate hygienic practices, such as hand washing, appropriate first aid to open wounds. In addition, the Centers for Disease Control conducts MRSA surveillance, prevention, education campaigns to raise awareness, and laboratory research to identify genetic patterns or relationships among the different types of resistant staph that could be used for prevention and control strategies.

I urge my colleagues to join us in recognizing March as the Methicillin-Resistant Staphylococcus Aureus Awareness Month, and I urge Members to support the resolution.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no further requests for time. I urge adoption of this MRSA Awareness Month Resolution.

Mr. MATHESON. Mr. Speaker, I rise today in support of H. Res. 988, a resolution honoring MRSA awareness. I introduced this resolution with my colleague, Congresswoman BARBARA CUBIN. First, I would like to thank Representative CUBIN for working with me on this resolution, as well as the staff of the Energy and Commerce Committee, several stakeholder organizations who advocated in support of this resolution, and most importantly over 80 of my colleagues who joined me on this resolution.

Since the 1940s, the widespread availability of antibiotics, such as penicillin, and the subsequent discovery of additional antibiotics have led to a dramatic reduction in illness and death from infectious diseases. Today, antibiotics continue to save lives and also have led to many other advances. However, bacteria and other infectious disease-causing organisms through mutation and other mechanisms are able to develop resistance to antimicrobial drugs. The more antimicrobials are used, whether appropriately or inappropriately, the quicker resistance develops. Worrisome recent examples of drug resistance which have been highlighted in the news include community-associated MRSA.

An October 2007 article published in the Journal of the American Medical Association (JAMA) concluded that more than 94,000 invasive methicillin-resistant Staph aureus, MRSA, infections occurred in the United States in 2005. More than 18,500 of these infections ended in death. The CDC estimates that Americans visit doctors more than 12 million times per year for skin infections typical of those caused by staph bacteria. In some areas of the country, more than half of the skin infections are MRSA. In my home State of Utah, reported cases of MRSA are steadily rising. According to the Bureau of Epidemiology for the Utah Department of Health, there were 4,904 cases in 2006.

MRSA and other drug-resistant microbes that were once confined to ill hospital patients are now striking down otherwise healthy individuals, including schoolchildren, athletes and members of the Armed Forces. The resulting ''super infections'' are painful, difficult to treat, and cost billions of dollars to the U.S. health care system annually. Patient stories about this silent, yet sinister, pandemic are tragic and heart-wrenching. They should not go unnoticed and unanswered by Congress.

By bringing much needed attention to MRSA, this resolution will highlight the need for Congress and Federal health agencies to identify and coordinate efforts to address this growing problem.

Thank you and I urge my colleagues to support adoption of the resolution.

Mr. PALLONE. I yield back the balance of my time.

Mr. BURGESS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 988, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SENSE OF HOUSE REGARDING PREVENTION AND PUBLIC HEALTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1381) expressing the sense of the House that there should be an increased Federal commitment prioritizing prevention and public health for all people in the United States, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1381

Whereas the United States has the highest rate of preventable deaths among 19 industrialized U.N. nations and lags behind 28 other U.N. nations in life expectancy;

Whereas various research studies estimate that nearly 60 percent of premature deaths in the United States could be addressed through prevention activities;

Whereas of the more than $2,200,000,000,000 spent nationally on health care in the United States every year (more than any other nation in the world), approximately $88,000,000,000 (or about 4 percent) is estimated to be spent on prevention and public health;

Whereas chronic diseases are the leading causes of preventable death and disability in the United States, accounting for 7 out of every 10 deaths and killing more than 1,700,000 people in the United States every year;

Whereas these often preventable chronic diseases account for 75 percent of health care

spending in the United States, including more than 96 cents out of every dollar spent in Medicare and more than 83 cents out of every dollar spent in Medicaid;

Whereas these chronic diseases cost the United States an additional $1,000,000,000,000 each year in lost productivity, and are a major contributing factor to the overall poor health that is placing the Nation's economic security and competitiveness in jeopardy;

Whereas the number of people with chronic conditions is rapidly increasing, and it is estimated that if we do not intervene now that by 2025 nearly half of the population will suffer from at least one chronic disease;

Whereas current research has shown that increasing to 90 percent the use of just 5 preventive services, including—

(1) the portion of adults who take aspirin daily to prevent heart disease;

(2) the portion of smokers who are advised by a health professional to quit and are offered medication or other assistance;

(3) the portion of adults age 50 and older who are up to date with any recommended screening for colorectal cancer;

(4) the portion of adults age 50 and older immunized against flu annually; and

(5) the portion of women age 40 and older who have been screened for breast cancer in the past 2 years, would save more than 100,000 lives each year in the United States; and

Whereas research has shown that prevention and community-level interventions that promote and enable proper nutrition, increased access to physical activity, and smoking cessation programs can prevent and mitigate chronic diseases, improve quality of life, increase economic productivity, and reduce health care costs: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that in order to reduce the disease burden and health care costs associated with preventable disease and injury, it is imperative that this Nation strengthen its public health system to—

(A) encourage all persons in the United States to obtain the proper information and educational resources they need to make healthier choices and live healthier lives; and

(B) protect all people in this country from health threats beyond their control, such as bioterrorism, natural disasters, infectious disease outbreaks, and environmental hazards;

(2) encourages the creation of public health strategies in the public and private sectors to improve the health of all people in the United States regardless of race, ethnicity, or socioeconomic status;

(3) supports public and private partnerships focusing on the prevention of disease and injury, and encourages community-based programs to support healthy lifestyles, including those that promote proper nutrition and increased access to physical activity;

(4) emphasizes the importance of the 5 prevention strategies of daily aspirin therapy, smoking cessation, colorectal cancer screening, annual flu immunizations, and breast cancer screening that can save more than 100,000 lives each year;

(5) believes that the congressional budget process should reflect the significant savings associated with investments in prevention of disease and injury, and therefore strongly encourages the Congressional Budget Office to consider the health care savings associated with reduced chronic disease burden due to clinical and community preventive services and programs when formulating its health care cost estimates; and

(6) supports helping the United States be the healthiest nation by encouraging an increased focus on public health and prevention efforts in the public and private sectors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) will each control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, I rise this evening in support of H. Res. 1381, expressing the sense of the House that there should be an increased commitment to prioritizing prevention and public health for all people in the United States.

At a time when our health care costs are rising exponentially, it's important now more than ever for us to prioritize public health spending. Spending on chronic diseases is particularly egregious as these diseases are the leading cause of preventible death and disability costing the Nation approximately $1 billion a year. If we can better manage this type of disease, we can dramatically reduce the costs of health care spending.

We know from our past efforts with screenings and vaccines that prevention has proven to work to reduce incidences of illness. Accordingly, any step that we can undertake to prevent the spread of illness and disease needs to be implemented.

I want to thank my colleague and friend, the gentlewoman from California, Congresswoman ROYBAL-ALLARD, for her and her staff's late-night work to bring this resolution to the floor this evening.

I urge my colleagues on both sides of the aisle to join me in support of its adoption.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, again, in deference to the author of the bill, I will reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 5 minutes to the sponsor of the legislation, the gentlewoman from California, Congresswoman ROYBAL-ALLARD.

Ms. ROYBAL-ALLARD. Mr. Speaker, the passage of H. Res. 1381 gives us an opportunity to send a clear message to the 111th Congress that public health and prevention must be an essential part of any health care reform package.

I introduced H. Res. 1381 because as we began the debate on national health care reform, focusing on prevention strategies is a key component to our ultimate success.

Currently our country spends a staggering $2.2 trillion each year on health care, more than any other country in the world, yet we are dying younger and we have the highest rate of preventible deaths among 19 industrialized nations.

□ 2115

Research tells us that nearly 60 percent of premature deaths in the United States could be prevented by strategies that address environmental conditions, social circumstances, and behavioral choices.

But we have not prioritized prevention in this country, and the serious consequences of neglecting prevention strategies has both an economic and a human toll.

When we survey the economic components of our health care budget, we see that chronic diseases account for 75 percent of the health care spending in the United States, including more than 96 cents out of every dollar spent in Medicare and more than 83 cents out of every dollar spent in Medicaid.

The human cost is reflected in the fact that each year these largely preventable chronic diseases account for seven out of ten deaths in the United States every year.

Science and the medical community are warning us that if we do not focus on prevention now, by the year 2025 nearly half of our U.S. population will suffer from at least one chronic disease.

Mr. Speaker, the entire public health community agrees that prevention is a critical component to successfully addressing our Nation's public health crisis and to reining in the astronomical cost of health care.

A study by the Partnership for Prevention found that each year there is the potential to save 100,000 lives through five simple behavioral changes.

And an analysis by the Trust for America's Health found that an annual investment of just $10 per person in proven community-based programs could save the country more than $60 billion annually within 5 years.

It is time for our country to adopt a proactive and strategic approach to health care aimed at preventable conditions.

H. Res. 1381 calls on our Nation to prioritize prevention and public health for all people in the United States.

The resolution urges community-based programs to support healthy lifestyles, and it promotes the expansion of prevention strategies like daily aspirin therapy, smoking cessation, colorectal and breast cancer screening, and annual flu immunizations.

The resolution also calls for the creation of public health strategies to improve our Nation's health and eliminate health disparities.

Finally, H. Res. 1381 challenges the Congressional Budget Office to consider the savings associated with the prevention of chronic disease when formulating its health care cost estimates.

I extend my sincere thanks to the bipartisan group of original cosponsors

who join me in this effort, including my co-chairs from the Study Group on Public Health, KAY GRANGER and JIM MCGOVERN; my colleagues, JIM MORAN from the Prevention Caucus and DIANA DEGETTE and MIKE CASTLE from the Diabetes Caucus.

We share a passion for improving public health and preventing chronic disease.

I also thank The Trust for America's Health and the Campaign for Public Health, in addition to over 150 public health organizations that have endorsed this resolution.

Mr. Speaker, the future health of our Nation depends on the priorities we set as we begin the process of health care reform.

By passing H. Res. 1381 today, we are sending an important message to the new 111th Congress that Public Health and Prevention must be a priority in any health reform package.

I urge my colleagues to vote ''yes'' on the passage of H. Res. 1381. We cannot solve the health care crisis in this country until we get serious about prevention.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume, and I also rise in support of House Resolution 1381, a resolution expressing the sense of the House that there should be an increased public and private commitment prioritizing prevention and public health for all people in the United States.

Each year almost 2 million people in the United States die from chronic diseases that are often preventible and also account for almost three-quarters of health care spending. It costs the United States almost $1 trillion a year in lost productivity that erodes our national competitiveness.

In an effort to alleviate chronic diseases, Americans need to eat right, quit smoking, and get exercise. You probably don't need to be an economist to understand why that will help increase economic productivity, and it's intuitively obvious to the most casual observer that this can help prevent the onset of chronic disease and improve the quality of our lives.

This resolution urges the people of the United States to use the five prevention strategies to create healthier lifestyles. It encourages daily aspirin therapy, smoking cessation, colorectal cancer screening, annual flue immunizations, and breast cancer screenings that can save more than 100,000 lives each year by addressing behavioral choices.

In addition, the resolution suggests that the Congressional Budget Office process should reflect the significant savings associated with prevention of disease and injury. And that's of particular concern to me and something that I argue for in many other vocations and other legislation that we have to have the ability to do dynamic scoring when we follow policies that are likely to result in savings.

So the line in the bill, that it is the sense of the House we believe ''the congressional budget process should reflect the significant savings associated with investments in prevention of disease and injury,'' and that is an important concept and one that this Congress and the next Congress would do well to recognize and encourage our Congressional Budget Office to follow likewise.

I would like to thank the author of this resolution, Representative LUCILLE ROYBAL-ALLARD of California, for her leadership in improving the awareness of the benefits of prevention and her efforts to lower the number of preventable chronic diseases in the United States.

I encourage all of my colleagues to vote in favor of this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I stand for a commitment to making public healthcare a priority. I stand for universal healthcare as a universal right. I stand to support H. Res. 1381, "expressing the sense of the House that there should be an increased Federal commitment prioritizing prevention and public health for all people in the United States." I thank my colleague, Representative ROYBAL-ALLARD for introducing this important resolution.

I would be remiss if I did not also thank my dear colleague from Michigan, Chairman of Judiciary, and Congressman JOHN CONYERS, for his tireless work on prioritizing healthcare in this Congress. His bimonthly meetings to bring together the healthcare community, congressional Members and staff, and other stakeholders; speaks to his commitment to making universal healthcare a priority.

Sadly, the United States is the only wealthy, industrialized nation that does not have a universal health care system. Some of the other disturbing healthcare statistics are that:

HEALTH INSURANCE STATISTICS

In 2006, the percentage of Americans without health insurance was 15.8 percent, or approximately 47 million uninsured people. Source: US Census Bureau.

Among the 84.2 percent with health insurance in 2006, coverage was provided through an employer 59.7 percent, purchased individually 9.1 percent, and 27.0 percent was Government funded (Medicare, Medicaid, Military). Source: US Census Bureau.

The primary reason given for lack of health insurance coverage in 2005 was cost (more than 50 percent), lost job or a change in employment (24 percent), Medicaid benefits stopped (10 percent), ineligibility for family insurance coverage due to age or leaving school (8 percent). Source: National Center for Health Statistics.

Medicare, a federally funded health insurance program that covers the health care of most individuals 65 years of age and over and disabled persons, accounted for 13.6 percent of health care coverage in 2006. Source: US Census Bureau.

Medicare operates with 3 percent overhead, non-profit insurance 16 percent overhead, and private (for-profit) insurance 26 percent overhead. Source: Journal of American Medicine 2007.

HEALTH CARE EXPENDITURES

In 2005, personal health care expenditures were paid by private health insurance 36 percent, federal government 35 percent, state and local governments 11 percent, and out-of-pocket payments 15 percent. Source: National Center for Health Statistics.

The United States spends twice as much on health care per capita ($7,129) than any other country * * * and spending continues to increase. In 2005, the national health care expenditures totaled $2 trillion. Source: National Center for Health Statistics.

75 percent of all health care dollars are spent on patients with one or more chronic conditions, many of which can be prevented, including diabetes, obesity, heart disease, lung disease, high blood pressure, and cancer. Source: Health Affairs.

From 2000 to 2006, overall inflation has increased 3.5 percent, wages have increased 3.8 percent, and health care premiums have increased 87 percent. Source: Kaiser Family Foundation.

Mr. Speaker, it is time we make public health a priority for all Americans. Children cannot do well in school when they do not have proper healthcare. Parents are afraid to change jobs because of possible loss or reductions in healthcare coverage. Our elders, our seniors have to choose between groceries and prescriptions.

Healthcare will become a priority when we make it one. This body has the power to create a fundamental change in how our country views and manages its healthcare system. We have the power to make a change in the lives of everyday Americans for the better. For it does not matter how much money you have, how many languages you speak, or how many degrees you have earned—without your health, you have nothing. A healthier America—starts right here, right now. Let's make it a priority Today!

Mr. Speaker, I encourage my colleagues to join me in supporting American families in their struggle to provide basic needs to their children, to their parents, and for themselves. I encourage my colleagues to remember that they hold the power of the pen and the vote, to make universal healthcare a priority.

Mr. Burgess. Having no other requests for time, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no further requests for time, I would urge support of this resolution for an increased commitment to prevention in public health, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1381, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title was amended so as to read: ''A resolution expressing the sense of the House that there should be an increased public and private commitment prioritizing prevention and public health for all people in the United States.''.

A motion to reconsider was laid on the table.

HEART FOR WOMEN ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1014) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1014

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Heart Disease Education, Analysis Research, and Treatment for Women Act'' or the ''HEART for Women Act''.

SEC. 2. REPORTING OF DATA IN APPLICATIONS FOR DRUGS, BIOLOGICS, AND DEVICES.

(a) DRUGS.—

(1) NEW DRUG APPLICATIONS.—Section 505(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)) is amended—

(A) in paragraph (1), in the second sentence—

(i) by striking ''drug, and (G)'' and inserting ''drug; (G)''; and

(ii) by inserting before the period the following: ''; and (H) the information required under paragraph (7)''; and

(B) by adding at the end the following:

''(7)(A) With respect to clinical data in an application under this subsection, the Secretary may deny such an application if the application fails to meet the requirements of sections 314.50(d)(5)(v) and 314.50(d)(5)(vi)(a) of title 21, Code of Federal Regulations.

''(B) The Secretary shall modify the sections referred to in subparagraph (A) to require that an application under this subsection include any clinical data possessed by the applicant that relates to the safety or effectiveness of the drug involved by gender, age, and racial subgroup.

''(C) Promptly after approving an application under this subsection, the Secretary shall, through an Internet site of the Department of Health and Human Services, make available to the public the information submitted to the Secretary pursuant to subparagraphs (A) and (B), subject to sections 301(j) and 520(h)(4) of this Act, subsection (b)(4) of section 552 of title 5, United States Code (commonly referred to as the 'Freedom of Information Act'), and other provisions of law that relate to trade secrets or confidential commercial information.

''(D) The Secretary shall develop guidance for staff of the Food and Drug Administration to ensure that applications under this subsection are adequately reviewed to determine whether the applications include the information required pursuant to subparagraphs (A) and (B).''.

(2) INVESTIGATIONAL NEW DRUG APPLICATIONS.—Section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) is amended—

(A) in paragraph (2), by striking ''Subject to paragraph (3),'' and inserting ''Subject to paragraphs (3) and (5),'' ; and

(B) by adding at the end the following:

''(5)(A) The Secretary may place a clinical hold (as described in paragraph (3)) on an investigation if the sponsor of the investigation fails to meet the requirements of section 312.33(a) of title 21, Code of Federal Regulations.

''(B) The Secretary shall modify the section referred to in subparagraph (A) to require that reports under such section include any clinical data possessed by the sponsor of the investigation that relates to the safety or effectiveness of the drug involved by gender, age, and racial subgroup.''.

(b) BIOLOGICS LICENSE APPLICATIONS.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by adding at the end the following:

''(k) The provisions of section 505(b)(7) of the Federal Food, Drug, and Cosmetic Act (relating to clinical data submission) apply with respect to an application under subsection (a) of this section to the same extent and in the same manner as such provisions apply with respect to an application under section 505(b) of such Act.''.

(c) DEVICES.—

(1) PREMARKET APPROVAL.—Section 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e) is amended—

(A) in subsection (c)(1)—

(i) in subparagraph (G)—

(I) by moving the margin 2 ems to the left; and

(II) by striking ''and'' after the semicolon at the end;

(ii) by redesignating subparagraph (H) as subparagraph (I); and

(iii) by inserting after subparagraph (G) the following subparagraph:

''(H) the information required under subsection (d)(7); and''; and

(B) in subsection (d), by adding at the end the following paragraph:

''(7) To the extent consistent with the regulation of devices, the provisions of section 505(b)(7) (relating to clinical data submission) apply with respect to an application for premarket approval of a device under subsection (c) of this section to the same extent and in the same manner as such provisions apply with respect to an application for premarket approval of a drug under section 505(b).''.

(2) INVESTIGATIONAL DEVICES.—Section 520(g)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(g)(2)) is amended by adding at the end the following subparagraph:

''(D) To the extent consistent with the regulation of devices, the provisions of section 505(i)(5) (relating to individual study information) apply with respect to an application for an exemption pursuant to subparagraph (A) of this paragraph to the same extent and in the same manner as such provisions apply with respect to an application for an exemption under section 505(i).''.

(d) RULES OF CONSTRUCTION.—This Act and the amendments made by this Act may not be construed—

(1) as establishing new requirements under the Federal Food, Drug, and Cosmetic Act relating to the design of clinical investigations that were not otherwise in effect on the day before the date of the enactment of this Act; or

(2) as having any effect on the authority of the Secretary of Health and Human Services to enforce regulations under the Federal Food, Drug, and Cosmetic Act that are not expressly referenced in this Act or the amendments made by this Act.

(e) APPLICATION.—This section and the amendments made by this section apply only with respect to applications received under section 505 or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355, 360e) or section 351 of the Public Health Service Act (42 U.S.C. 262) on or after the date of the enactment of this Act.

SEC. 3. REPORTING AND ANALYSIS OF PATIENT SAFETY DATA.

(a) DATA STANDARDS.—Section 923(b) of the Public Health Service Act (42 U.S.C. 299b–23(b)) is amended by adding at the end the following: ''The Secretary shall provide that all nonidentifiable patient safety work product reported to and among the network of patient safety databases be stratified by sex.''.

(b) USE OF INFORMATION.—Section 923(c) of the Public Health Service Act (42 U.S.C. 299b–23(c)) is amended by adding at the end the following: ''Such analyses take into account data that specifically relates to women and any disparities between treatment and the quality of care between males and females.''.

SEC. 4. QUALITY OF CARE REPORTS BY THE AGENCY FOR HEALTHCARE RESEARCH AND QUALITY.

Section 903 of the Public Health Service Act (42 U.S.C. 299a–1) is amended—

(1) in subsection (b)(1)(B), by inserting before the semicolon the following: '', including quality of and access to care for women with heart disease, stroke, and other cardiovascular diseases''; and

(2) in subsection (c), by adding at the end the following:

''(4) ANNUAL REPORT ON WOMEN AND HEART DISEASE.—Not later than September 30, 2009, and annually thereafter, the Secretary, acting through the Director, shall prepare and submit to Congress a report concerning the findings related to the quality of and access to care for women with heart disease, stroke, and other cardiovascular diseases. The report shall contain recommendations for eliminating disparities in, and improving the treatment of, heart disease, stroke, and other cardiovascular diseases in women.''.

SEC. 5. EDUCATIONAL CAMPAIGNS.

(a) DISTRIBUTION OF EDUCATIONAL MATERIAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall develop and distribute to females who are age 65 or older, physicians, and other appropriate healthcare professionals, educational materials relating to the prevention, diagnosis, and treatment of heart disease, stroke, and cardiovascular diseases in women. The Secretary may carry out this subsection through contracts with public and private nonprofit entities.

(b) HEALTHCARE PROFESSIONAL EDUCATIONAL CAMPAIGN.—The Secretary, acting through the Bureau of Health Professions of the Health Resources and Services Administration, shall conduct an education and awareness campaign for physicians and other healthcare professionals relating to the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women. The Bureau of Health Professions may carry out this subsection through contracts with public and private nonprofit entities.

SEC. 6. EXTENSION OF WISEWOMAN PROGRAM.

Section 1509 of the Public Health Service Act (42 U.S.C. 300n–4a) is amended—

(1) in subsection (a)—

(A) by striking the heading and inserting ''IN GENERAL.—''; and

(B) in the matter preceding paragraph (1), by striking ''may make grants'' and all that follows through ''purpose'' and inserting the following: ''may make grants to such States for the purpose''; and

(2) in subsection (d)(1), by striking ''there are authorized'' and all that follows through the period and inserting ''there are authorized to be appropriated $37,000,000 for fiscal year 2009, $38,850,000 for fiscal year 2010, $40,792,500 for fiscal year 2011, $42,832,000 for fiscal year 2012, and $44,974,000 for fiscal year 2013.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1014, the Heart Disease Education, Analysis Research, and Treatment (HEART) for Women Act. This

legislation will go a long way in improving the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

Heart disease and other forms of cardiovascular disease are the leading cause of death in the United States and a major cause of disability. More than 850,000 people die of cardiovascular disease in the U.S. annually, representing nearly 36 percent of all U.S. deaths.

Although heart disease is sometimes thought of as ''man's disease,'' one in three American women die of heart disease and other cardiovascular diseases, making it the leading cause of death for both women and men in the United States. Heart disease is the leading cause of death among women aged 65 years and older and is the second and third leading cause of death among women aged 45 to 64 years, and women aged 25 to 44 years respectively.

H.R. 1014 proposes to reduce the cardiovascular disease death rate for women through improved health education, gender-specific analysis and research, and increased access to screening for women. H.R. 1014 authorizes the Department of Health and Human Services to educate health care professionals and older women about unique aspects of care in the prevention, diagnosis, and treatment of women with heart disease and stroke.

H.R. 1014 requires clinical data that is already being reported to the Federal Government by drug and advice manufacturers to be gender-specific. Additionally, the bill before us authorizes the expansion of the CDC's Well-Integrated Screening and Evaluation for Women Across the Nation (WISEWOMAN) program. This program, currently available in only 20 States, provides free cardiovascular screenings to low-income uninsured women.

H.R. 1014 is the result of the leadership of Representative LOIS CAPPS and BARBARA CUBIN and the hard work and cooperation of the Democratic and Republican members of the Energy and Commerce Committee. The bill enjoys the support of a majority of the House of Representatives and numerous public health organizations, including the American Heart Association and the American Stroke Association, the Society for Women's Health Research, and WomenHeart: The National Coalition for Women with Heart Disease.

I strongly urge all of my colleagues to vote to improve the health of women by passing this bill.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, in deference to the primary sponsor of the bill, I will reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield once again to the gentlewoman from California, the sponsor of the bill, the vice-chair of the Health Subcommittee and obviously someone who's worked very hard on so many health care initiatives, 3 minutes.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 1014, the HEART for Women Act. I thank my colleague for yielding to me, and I thank the lead co-sponsor of this bill, Congresswoman BARBARA CUBIN of Wyoming.

I was proud to first introduce the HEART for Women Act in 2006 with the help of organizations such as the American Heart Association, WomenHeart, and the Society for Women's Health Research. Since then, the list of supporters has grown to over 50 organizations, 237 cosponsors in the House, and 47 cosponsors of the Senate companion legislation.

This legislation was borne out of the realization that despite heart disease being the number one killer of women, too few people are aware of it. In 2006, only 21 percent of women identified heart disease as women's greatest health problem, and too few people were aware that heart disease manifests itself differently in women than in men.

The HEART for Women Act would improve the diagnosis and treatment of cardiovascular disease in women in three important ways.

First, it would authorize educational campaigns aimed at health providers and older women to make them more aware of the risks for cardiovascular disease among women.

Secondly, it will authorize the expansion of CDC's highly successful WISEWOMAN program, to which our chairman alluded. Since 2000, WISEWOMAN has been providing screenings for low-income uninsured women. The CDC has touted the success of WISEWOMAN in that they have screened over 79,000 women in need, identified over 7,600 new cases of high blood pressure, over 7,900 new cases of high cholesterol, and over 1,000 cases of diabetes.

I am proud that this legislation will play a part in reaching hundreds of thousands of new women in the years to come.

Finally, H.R. 1014 will improve the way we collect and analyze research data. By directing the FDA to collect data about safety and the efficacy of new and investigational drugs and devices according to gender, age, and racial subgroups.

We will help women and their health care providers better understand which course of treatment may yield the best outcome.

Once again, I thank our colleague Congresswoman CUBIN, the coalition of supporters, and the Energy and Commerce Committee majority and minority staff.

I urge my colleagues to vote ''yes'' on H.R. 1014.

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

Mr. Speaker, I rise in support of H.R. 1014. This legislation encourages manufacturers of drugs and devices to report to the Food and Drug Administration gender and race-specific information on their products. The legislation also authorizes the Secretary to develop a public awareness campaign relating to the prevention, diagnosis, and treatment of heart disease, stroke, and cardiovascular diseases in women.

Lastly, the bill authorizes the WISEWOMAN program at the Centers for Disease Control which provides heart disease and stroke prevention screening, such as tests for high blood pressure and high cholesterol, to low-come uninsured and underinsured women.

I urge Members to support the bill.

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

Mr. PALLONE. Mr. Speaker, I urge support of this important legislation relative to heart disease.

Mr. RADANOVICH. Mr. Speaker, I would like to thank my colleagues Mrs. CAPPS and Mrs. CUBIN for sponsoring H.R. 1014, the Heart Disease Education, Analysis Research and Treatment, or HEART, for Women Act. I lend my strong support for its swift passage both here and on the House floor Heart for Women Act will be a vital step forward in addressing the disparities in the diagnosis and treatment of heart disease and stroke between men and women.

Heart disease, stroke, and other cardiovascular diseases are the number one killer of women, both nationally and in my home state of California. They account for over 30 percent of all female deaths in California, and there are currently approximately 43 million adult women living with one or more forms of heart disease.

These numbers are very telling about the need for this reporting and authorization. But to really understand the importance of this legislation, you must look at how this can affect the lives of any one of those 43 million women living with heart disease today. I personally have seen the effects it can have—the struggles for the individual and the difficulties it can place on a family—through the experiences of a longtime and valued member of my staff But also through her, I have seen the courage displayed by women living with heart disease. They are dedicated to this cause, so that others may have it a little easier than they have. For her and all women living with this disease, this legislation today is a triumph and a testament to their strength.

Thank you again to the bill's sponsors, and I encourage all my colleagues to fully support this extremely important legislation.

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1014, as amended.

The question was taken.

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

Mr. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

RYAN HAIGHT ONLINE PHARMACY CONSUMER PROTECTION ACT OF 2008

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6353) to amend the Controlled Substances Act to address online pharmacies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6353

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ryan Haight Online Pharmacy Consumer Protection Act of 2008''.

SEC. 2. REQUIREMENT OF A VALID PRESCRIPTION FOR CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.

Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following:

''(e) CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.—

''(1) No controlled substance that is a prescription drug as determined under the Federal Food, Drug, and Cosmetic Act may be delivered, distributed, or dispensed by means of the Internet without a valid prescription.

''(2) As used in this subsection:

''(A) The term 'valid prescription' means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by—

''(i) a practitioner who has conducted at least 1 in-person medical evaluation of the patient; or

''(ii) a covering practitioner.

''(B)(i) The term 'in-person medical evaluation' means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

''(ii) Nothing in clause (i) shall be construed to imply that 1 in-person medical evaluation demonstrates that a prescription has been issued for a legitimate medical purpose within the usual course of professional practice.

''(C) The term 'covering practitioner' means, with respect to a patient, a practitioner who conducts a medical evaluation (other than an in-person medical evaluation) at the request of a practitioner who—

''(i) has conducted at least 1 in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine, within the previous 24 months; and

''(ii) is temporarily unavailable to conduct the evaluation of the patient.

''(3) Nothing in this subsection shall apply to—

''(A) the delivery, distribution, or dispensing of a controlled substance by a practitioner engaged in the practice of telemedicine; or

''(B) the dispensing or selling of a controlled substance pursuant to practices as determined by the Attorney General by regulation, which shall be consistent with effective controls against diversion.''.

SEC. 3. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT RELATING TO THE DELIVERY OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.

(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

''(50) The term 'Internet' means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

''(51) The term 'deliver, distribute, or dispense by means of the Internet' refers, respectively, to any delivery, distribution, or dispensing of a controlled substance that is caused or facilitated by means of the Internet.

''(52) The term 'online pharmacy'—

''(A) means a person, entity, or Internet site, whether in the United States or abroad, that knowingly or intentionally delivers, distributes, or dispenses, or offers or attempts to deliver, distribute, or dispense, a controlled substance by means of the Internet; and

''(B) does not include—

''(i) manufacturers or distributors registered under subsection (a), (b), (d), or (e) of section 303 who do not dispense controlled substances to an unregistered individual or entity;

''(ii) nonpharmacy practitioners who are registered under section 303(f) and whose activities are authorized by that registration;

''(iii) any hospital or other medical facility that is operated by an agency of the United States (including the Armed Forces), provided such hospital or other facility is registered under section 303(f);

''(iv) a health care facility owned or operated by an Indian tribe or tribal organization, only to the extent such facility is carrying out a contract or compact under the Indian Self-Determination and Education Assistance Act;

''(v) any agent or employee of any hospital or facility referred to in clause (iii) or (iv), provided such agent or employee is lawfully acting in the usual course of business or employment, and within the scope of the official duties of such agent or employee, with such hospital or facility, and, with respect to agents or employees of health care facilities specified in clause (iv), only to the extent such individuals are furnishing services pursuant to the contracts or compacts described in such clause;

''(vi) mere advertisements that do not attempt to facilitate an actual transaction involving a controlled substance;

''(vii) a person, entity, or Internet site that is not in the United States and does not facilitate the delivery, distribution, or dispensing of a controlled substance by means of the Internet to any person in the United States;

''(viii) a pharmacy registered under section 303(f) whose dispensing of controlled substances via the Internet consists solely of—

''(I) refilling prescriptions for controlled substances in schedule III, IV, or V, as defined in paragraph (55); or

''(II) filling new prescriptions for controlled substances in schedule III, IV, or V, as defined in paragraph (56); or

''(ix) any other persons for whom the Attorney General and the Secretary have jointly, by regulation, found it to be consistent with effective controls against diversion and otherwise consistent with the public health and safety to exempt from the definition of an 'online pharmacy'.

''(53) The term 'homepage' means the opening or main page or screen of the website of an online pharmacy that is viewable on the Internet.

''(54) The term 'practice of telemedicine' means, for purposes of this title, the practice of medicine in accordance with applicable Federal and State laws by a practitioner (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act, which practice—

''(A) is being conducted—

''(i) while the patient is being treated by, and physically located in, a hospital or clinic registered under section 303(f); and

''(ii) by a practitioner—

''(I) acting in the usual course of professional practice;

''(II) acting in accordance with applicable State law; and

''(III) registered under section 303(f) in the State in which the patient is located, unless the practitioner—

''(aa) is exempted from such registration in all States under section 302(d); or

''(bb) is—

''(AA) an employee or contractor of the Department of Veterans Affairs who is acting in the scope of such employment or contract; and

''(BB) registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(B) is being conducted while the patient is being treated by, and in the physical presence of, a practitioner—

''(i) acting in the usual course of professional practice;

''(ii) acting in accordance with applicable State law; and

''(iii) registered under section 303(f) in the State in which the patient is located, unless the practitioner—

''(I) is exempted from such registration in all States under section 302(d); or

''(II) is—

''(aa) an employee or contractor of the Department of Veterans Affairs who is acting in the scope of such employment or contract; and

''(bb) registered under section 303(f) in any State or is using the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(C) is being conducted by a practitioner—

''(i) who is an employee or contractor of the Indian Health Service, or is working for an Indian tribe or tribal organization under its contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act;

''(ii) acting within the scope of the employment, contract, or compact described in clause (i); and

''(iii) who is designated as an Internet Eligible Controlled Substances Provider by the Secretary under section 311(g)(2);

''(D)(i) is being conducted during a public health emergency declared by the Secretary under section 319 of the Public Health Service Act; and

''(ii) involves patients located in such areas, and such controlled substances, as the Secretary, with the concurrence of the Attorney General, designates, provided that such designation shall not be subject to the procedures prescribed by subchapter II of chapter 5 of title 5, United States Code;

''(E) is being conducted by a practitioner who has obtained from the Attorney General a special registration under section 311(h);

''(F) is being conducted—

''(i) in a medical emergency situation—

''(I) that prevents the patient from being in the physical presence of a practitioner registered under section 303(f) who is an employee or contractor of the Veterans Health Administration acting in the usual course of business and employment and within the scope of the official duties or contract of that employee or contractor;

''(II) that prevents the patient from being physically present at a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f);

''(III) during which the primary care practitioner of the patient or a practitioner otherwise practicing telemedicine within the meaning of this paragraph is unable to provide care or consultation; and

''(IV) that requires immediate intervention by a health care practitioner using controlled substances to prevent what the practitioner reasonably believes in good faith will be imminent and serious clinical consequences, such as further injury or death; and

''(ii) by a practitioner that—

''(I) is an employee or contractor of the Veterans Health Administration acting within the scope of that employment or contract;

''(II) is registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f); and

''(III) issues a controlled substance prescription in this emergency context that is limited to a maximum of a 5-day supply which may not be extended or refilled; or

''(G) is being conducted under any other circumstances that the Attorney General and the Secretary have jointly, by regulation, determined to be consistent with effective controls against diversion and otherwise consistent with the public health and safety.

''(55) The term 'refilling prescriptions for controlled substances in schedule III, IV, or V'—

''(A) means the dispensing of a controlled substance in schedule III, IV, or V in accordance with refill instructions issued by a practitioner as part of a valid prescription that meets the requirements of subsections (b) and (c) of section 309, as appropriate; and

''(B) does not include the issuance of a new prescription to an individual for a controlled substance that individual was previously prescribed.

''(56) The term 'filling new prescriptions for controlled substances in schedule III, IV, or V' means filling a prescription for an individual for a controlled substance in schedule III, IV, or V, if—

''(A) the pharmacy dispensing that prescription has previously dispensed to the patient a controlled substance other than by means of the Internet and pursuant to the valid prescription of a practitioner that meets the applicable requirements of subsections (b) and (c) of section 309 (in this paragraph referred to as the 'original prescription');

''(B) the pharmacy contacts the practitioner who issued the original prescription at the request of that individual to determine whether the practitioner will authorize the issuance of a new prescription for that individual for the controlled substance described in subparagraph (A); and

''(C) the practitioner, acting in the usual course of professional practice, determines there is a legitimate medical purpose for the issuance of the new prescription.''.

(b) REGISTRATION REQUIREMENTS.—Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended in the matter preceding paragraph (1)—

(1) in the first sentence, by adding after ''schedule II, III, IV, or V'' the following: ''and shall modify the registrations of pharmacies so registered to authorize them to dispense controlled substances by means of the Internet''; and

(2) in the second sentence, by striking ''if he determines that the issuance of such registration'' and inserting ''or such modification of registration if the Attorney General determines that the issuance of such registration or modification''.

(c) REPORTING REQUIREMENTS.—Section 307(d) of the Controlled Substances Act (21 U.S.C. 827(d)) is amended by—

(1) striking ''(d) Every'' and inserting ''(d)(1) Every''; and

(2) adding at the end the following:

''(2) Each pharmacy with a modified registration under section 303(f) that authorizes the dispensing of controlled substances by means of the Internet shall report to the Attorney General the controlled substances it dispenses, in the amount specified, and in such time and manner as the Attorney General by regulation shall require, except that the Attorney General, under this paragraph, may not require any pharmacy to report any information other than the total quantity of each controlled substance that the pharmacy has dispensed each month. For purposes of this paragraph, no reporting shall be required unless the pharmacy has met 1 of the following thresholds in the month for which the reporting is required:

''(A) 100 or more prescriptions dispensed.

''(B) 5,000 or more dosage units of all controlled substances combined.''.

(d) ONLINE PRESCRIPTION REQUIREMENTS.—

(1) IN GENERAL.—The Controlled Substances Act is amended by inserting after section 310 (21 U.S.C. 830) the following:

''ADDITIONAL REQUIREMENTS RELATING TO ONLINE PHARMACIES AND TELEMEDICINE

''SEC. 311. (a) IN GENERAL.—An online pharmacy shall display in a visible and clear manner on its homepage a statement that it complies with the requirements of this section with respect to the delivery or sale or offer for sale of controlled substances and shall at all times display on the homepage of its Internet site a declaration of compliance in accordance with this section.

''(b) LICENSURE.—Each online pharmacy shall comply with the requirements of State law concerning the licensure of pharmacies in each State from which it, and in each State to which it, delivers, distributes, or dispenses or offers to deliver, distribute, or dispense controlled substances by means of the Internet, pursuant to applicable licensure requirements, as determined by each such State.

''(c) INTERNET PHARMACY SITE DISCLOSURE INFORMATION.—Each online pharmacy shall post in a visible and clear manner on the homepage of each Internet site it operates, or on a page directly linked thereto in which the hyperlink is also visible and clear on the homepage, the following information for each pharmacy that delivers, distributes, or dispenses controlled substances pursuant to orders made on, through, or on behalf of, that website:

''(1) The name and address of the pharmacy as it appears on the pharmacy's Drug Enforcement Administration certificate of registration.

''(2) The pharmacy's telephone number and email address.

''(3) The name, professional degree, and States of licensure of the pharmacist-in-charge, and a telephone number at which the pharmacist-in-charge can be contacted.

''(4) A list of the States in which the pharmacy is licensed to dispense controlled substances.

''(5) A certification that the pharmacy is registered under this part to deliver, distribute, or dispense by means of the Internet controlled substances.

''(6) The name, address, telephone number, professional degree, and States of licensure of any practitioner who has a contractual relationship to provide medical evaluations or issue prescriptions for controlled substances, through referrals from the website or at the request of the owner or operator of the website, or any employee or agent thereof.

''(7) The following statement, unless revised by the Attorney General by regulation: 'This online pharmacy will only dispense a controlled substance to a person who has a valid prescription issued for a legitimate medical purpose based upon a medical relationship with a prescribing practitioner. This includes at least one prior in-person medical evaluation or medical evaluation via telemedicine in accordance with applicable requirements of section 309.'.

''(d) NOTIFICATION.—

''(1) IN GENERAL.—Thirty days prior to offering a controlled substance for sale, delivery, distribution, or dispensing, the online pharmacy shall notify the Attorney General, in such form and manner as the Attorney General shall determine, and the State boards of pharmacy in any States in which the online pharmacy offers to sell, deliver, distribute, or dispense controlled substances.

''(2) CONTENTS.—The notification required under paragraph (1) shall include—

''(A) the information required to be posted on the online pharmacy's Internet site under subsection (c) and shall notify the Attorney General and the applicable State boards of pharmacy, under penalty of perjury, that the information disclosed on its Internet site under subsection (c) is true and accurate;

''(B) the online pharmacy's Internet site address and a certification that the online pharmacy shall notify the Attorney General of any change in the address at least 30 days in advance; and

''(C) the Drug Enforcement Administration registration numbers of any pharmacies and practitioners referred to in subsection (c), as applicable.

''(3) EXISTING ONLINE PHARMACIES.—An online pharmacy that is already operational as of the effective date of this section, shall notify the Attorney General and applicable State boards of pharmacy in accordance with this subsection not later than 30 days after such date.

''(e) DECLARATION OF COMPLIANCE.—On and after the date on which it makes the notification under subsection (d), each online pharmacy shall display on the homepage of its Internet site, in such form as the Attorney General shall by regulation require, a declaration that it has made such notification to the Attorney General.

''(f) REPORTS.—Any statement, declaration, notification, or disclosure required under this section shall be considered a report required to be kept under this part.

''(g) NOTICE AND DESIGNATIONS CONCERNING INDIAN TRIBES.—

''(1) IN GENERAL.—For purposes of sections 102(52) and 512(c)(6)(B), the Secretary shall notify the Attorney General, at such times and in such manner as the Secretary and the Attorney General determine appropriate, of the Indian tribes or tribal organizations with which the Secretary has contracted or compacted under the Indian Self-Determination and Education Assistance Act for the tribes or tribal organizations to provide pharmacy services.

''(2) DESIGNATIONS.—

''(A) IN GENERAL.—The Secretary may designate a practitioner described in subparagraph (B) as an Internet Eligible Controlled Substances Provider. Such designations shall be made only in cases where the Secretary has found that there is a legitimate need for the practitioner to be so designated because the population served by the practitioner is in a sufficiently remote location that access to medical services is limited.

''(B) PRACTITIONERS.—A practitioner described in this subparagraph is a practitioner who is an employee or contractor of the Indian Health Service, or is working for an Indian tribe or tribal organization under its contract or compact under the Indian Self-Determination and Education Assistance Act with the Indian Health Service.

''(h) SPECIAL REGISTRATION FOR TELEMEDICINE.—

''(1) IN GENERAL.—The Attorney General may issue to a practitioner a special registration to engage in the practice of telemedicine for purposes of section 102(54)(E) if the practitioner, upon application for such special registration—

''(A) demonstrates a legitimate need for the special registration; and

''(B) is registered under section 303(f) in the State in which the patient will be located when receiving the telemedicine treatment, unless the practitioner—

''(i) is exempted from such registration in all States under section 302(d); or

''(ii) is an employee or contractor of the Department of Veterans Affairs who is acting in

the scope of such employment or contract and is registered under section 303(f) in any State or is utilizing the registration of a hospital or clinic operated by the Department of Veterans Affairs registered under section 303(f).

''(2) REGULATIONS.—The Attorney General shall, with the concurrence of the Secretary, promulgate regulations specifying the limited circumstances in which a special registration under this subsection may be issued and the procedures for obtaining such a special registration.

''(3) DENIALS.—Proceedings to deny an application for registration under this subsection shall be conducted in accordance with section 304(c).

''(i) REPORTING OF TELEMEDICINE BY VHA DURING MEDICAL EMERGENCY SITUATIONS.—

''(1) IN GENERAL.—Any practitioner issuing a prescription for a controlled substance under the authorization to conduct telemedicine during a medical emergency situation described in section 102(54)(F) shall report to the Secretary of Veterans Affairs the authorization of that emergency prescription, in accordance with such requirements as the Secretary of Veterans Affairs shall, by regulation, establish.

''(2) TO ATTORNEY GENERAL.—Not later than 30 days after the date that a prescription described in subparagraph (A) is issued, the Secretary of Veterans Affairs shall report to the Attorney General the authorization of that emergency prescription.

''(j) CLARIFICATION CONCERNING PRESCRIPTION TRANSFERS.—Any transfer between pharmacies of information relating to a prescription for a controlled substance shall meet the applicable requirements under regulations promulgated by the Attorney General under this Act.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91–513; 84 Stat. 1236) is amended by inserting after the item relating to section 310 the following:

''Sec. 311. Additional requirements relating to online pharmacies and telemedicine.''.

(e) OFFENSES INVOLVING CONTROLLED SUBSTANCES IN SCHEDULES III, IV, AND V.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''or in the case of any controlled substance in schedule III (other than gamma hydroxybutyric acid), or 30 milligrams of flunitrazepam''; and

(B) by adding at the end the following:

''(E)(i) Except as provided in subparagraphs (C) and (D), in the case of any controlled substance in schedule III, such person shall be sentenced to a term of imprisonment of not more than 10 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 15 years, a fine not to exceed the greater of that authorized in accordance with the provisions of title 18, United States Code, or $500,000 if the defendant is an individual or $2,500,000 if the defendant is other than an individual, or both.

''(ii) If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment of not more than 20 years and if death or serious bodily injury results from the use of such substance shall be sentenced to a term of imprisonment of not more than 30 years, a fine not to exceed the greater of twice that authorized in accordance with the provisions of title 18, United States Code, or $1,000,000 if the defendant is an individual or $5,000,000 if the defendant is other than an individual, or both.

''(iii) Any sentence imposing a term of imprisonment under this subparagraph shall, in the absence of such a prior conviction, impose a term of supervised release of at least 2 years in addition to such term of imprisonment and shall, if there was such a prior conviction, impose a term of supervised release of at least 4 years in addition to such term of imprisonment.'';

(2) in paragraph (2)—

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

(B) by striking ''6 years'' and inserting ''10 years'';

(C) by striking ''after one or more prior convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and

(3) in paragraph (3)—

(A) by striking ''2 years'' and inserting ''4 years'';

(B) by striking ''after one or more convictions'' and all that follows through ''have become final,'' and inserting ''after a prior conviction for a felony drug offense has become final,''; and

(C) by adding at the end the following ''Any sentence imposing a term of imprisonment under this paragraph may, if there was a prior conviction, impose a term of supervised release of not more than 1 year, in addition to such term of imprisonment.''.

(f) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

''(h) OFFENSES INVOLVING DISPENSING OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—

''(1) IN GENERAL.—It shall be unlawful for any person to knowingly or intentionally—

''(A) deliver, distribute, or dispense a controlled substance by means of the Internet, except as authorized by this title; or

''(B) aid or abet (as such terms are used in section 2 of title 18, United States Code) any activity described in subparagraph (A) that is not authorized by this title.

''(2) EXAMPLES.—Examples of activities that violate paragraph (1) include, but are not limited to, knowingly or intentionally—

''(A) delivering, distributing, or dispensing a controlled substance by means of the Internet by an online pharmacy that is not validly registered with a modification authorizing such activity as required by section 303(f) (unless exempt from such registration);

''(B) writing a prescription for a controlled substance for the purpose of delivery, distribution, or dispensation by means of the Internet in violation of section 309(e);

''(C) serving as an agent, intermediary, or other entity that causes the Internet to be used to bring together a buyer and seller to engage in the dispensing of a controlled substance in a manner not authorized by sections 303(f) or 309(e);

''(D) offering to fill a prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire; and

''(E) making a material false, fictitious, or fraudulent statement or representation in a notification or declaration under subsection (d) or (e), respectively, of section 311.

''(3) INAPPLICABILITY.—

''(A) This subsection does not apply to—

''(i) the delivery, distribution, or dispensation of controlled substances by nonpractitioners to the extent authorized by their registration under this title;

''(ii) the placement on the Internet of material that merely advocates the use of a controlled substance or includes pricing information without attempting to propose or facilitate an actual transaction involving a controlled substance; or

''(iii) except as provided in subparagraph (B), any activity that is limited to—

''(I) the provision of a telecommunications service, or of an Internet access service or Internet information location tool (as those terms are defined in section 231 of the Communications Act of 1934); or

''(II) the transmission, storage, retrieval, hosting, formatting, or translation (or any combination thereof) of a communication, without selection or alteration of the content of the communication, except that deletion of a particular communication or material made by another person in a manner consistent with section 230(c) of the Communications Act of 1934 shall not constitute such selection or alteration of the content of the communication.

''(B) The exceptions under subclauses (I) and (II) of subparagraph (A)(iii) shall not apply to a person acting in concert with a person who violates paragraph (1).

''(4) KNOWING OR INTENTIONAL VIOLATION.—Any person who knowingly or intentionally violates this subsection shall be sentenced in accordance with subsection (b).''.

(g) PUBLICATION.—Section 403(c) of the Controlled Substances Act (21 U.S.C. 843(c)) is amended by—

(1) striking ''(c)'' and inserting ''(c)(1)''; and

(2) adding at the end the following:

''(2)(A) It shall be unlawful for any person to knowingly or intentionally use the Internet, or cause the Internet to be used, to advertise the sale of, or to offer to sell, distribute, or dispense, a controlled substance where such sale, distribution, or dispensing is not authorized by this title or by the Controlled Substances Import and Export Act.

''(B) Examples of activities that violate subparagraph (A) include, but are not limited to, knowingly or intentionally causing the placement on the Internet of an advertisement that refers to or directs prospective buyers to Internet sellers of controlled substances who are not registered with a modification under section 303(f).

''(C) Subparagraph (A) does not apply to material that either—

''(i) merely advertises the distribution of controlled substances by nonpractitioners to the extent authorized by their registration under this title; or

''(ii) merely advocates the use of a controlled substance or includes pricing information without attempting to facilitate an actual transaction involving a controlled substance.''.

(h) INJUNCTIVE RELIEF.—Section 512 of the Controlled Substances Act (21 U.S.C. 882) is amended by adding at the end the following:

''(c) STATE CAUSE OF ACTION PERTAINING TO ONLINE PHARMACIES.—

''(1) IN GENERAL.—In any case in which the State has reason to believe that an interest of the residents of that State has been or is being threatened or adversely affected by the action of a person, entity, or Internet site that violates the provisions of section 303(f), 309(e), or 311, the State may bring a civil action on behalf of such residents in a district court of the United States with appropriate jurisdiction—

''(A) to enjoin the conduct which violates this section;

''(B) to enforce compliance with this section;

''(C) to obtain damages, restitution, or other compensation, including civil penalties under section 402(b); and

''(D) to obtain such other legal or equitable relief as the court may find appropriate.

''(2) SERVICE; INTERVENTION.—

''(A) Prior to filing a complaint under paragraph (1), the State shall serve a copy of the complaint upon the Attorney General and upon the United States Attorney for the judicial district in which the complaint is to be filed. In any case where such prior service is not feasible, the State shall serve the complaint on the Attorney General and the appropriate United States Attorney on the same day that the State's complaint is filed in Federal district court of the United States. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or any other proceedings under this title or any other laws of the United States.

''(B) Upon receiving notice respecting a civil action pursuant to this section, the United States shall have the right to intervene in such action and, upon so intervening, to be heard on all matters arising therein, and to file petitions for appeal.

''(C) Service of a State's complaint on the United States as required in this paragraph shall be made in accord with the requirements of rule 4(i)(1) of the Federal Rule of Civil Procedure.

''(3) POWERS CONFERRED BY STATE LAW.—For purposes of bringing any civil action under paragraph (1), nothing in this Act shall prevent an attorney general of a State from exercising the powers conferred on the attorney general of a State by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses of or the production of documentary or other evidence.

''(4) VENUE.—Any civil action brought under paragraph (1) in a district court of the United States may be brought in the district in which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.

''(5) NO PRIVATE RIGHT OF ACTION.—No private right of action is created under this subsection.

''(6) LIMITATION.—No civil action may be brought under paragraph (1) against—

''(A) the United States;

''(B) an Indian Tribe or tribal organization, to the extent such tribe or tribal organization is lawfully carrying out a contract or compact under the Indian Self-Determination and Education Assistance Act; or

''(C) any employee of the United States or such Indian tribe or tribal organization, provided such agent or employee is acting in the usual course of business or employment, and within the scope of the official duties of such agent or employee therewith.''.

(i) IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (4)—

(A) by striking ''or any quantity of a controlled substance in schedule III, IV, or V, (except a violation involving flunitrazepam and except a violation involving gamma hydroxybutyric acid)'';

(B) by inserting ''or'' before ''less than one kilogram of hashish oil''; and

(C) by striking ''imprisoned'' and all that follows through the end of the paragraph and inserting ''sentenced in accordance with section 401(b)(1)(D).'';

(2) by adding at the end the following:

''(5) In the case of a violation of subsection (a) involving a controlled substance in schedule III, such person shall be sentenced in accordance with section 401(b)(1).

''(6) In the case of a violation of subsection (a) involving a controlled substance in schedule IV, such person shall be sentenced in accordance with section 401(b)(2).

''(7) In the case of a violation of subsection (a) involving a controlled substance in schedule V, such person shall be sentenced in accordance with section 401(b)(3).''; and

(3) in paragraph (3), by striking '', nor shall a person so sentenced be eligible for parole during the term of such a sentence'' in the final sentence.

(j) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(2) DEFINITION OF PRACTICE OF TELEMEDICINE.—

(A) IN GENERAL.—Until the earlier of 3 months after the date on which regulations are promulgated to carry out section 311(h) of the Controlled Substances Act, as amended by this Act, or 15 months after the date of enactment of this Act—

(i) the definition of the term ''practice of telemedicine'' in subparagraph (B) of this paragraph shall apply for purposes of the Controlled Substances Act; and

(ii) the definition of the term ''practice of telemedicine'' in section 102(54) of the Controlled Substances Act, as amended by this Act, shall not apply.

(B) TEMPORARY PHASE-IN OF TELEMEDICINE REGULATION.—During the period specified in subparagraph (A), the term ''practice of telemedicine'' means the practice of medicine in accordance with applicable Federal and State laws by a practitioner (as that term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)), if the practitioner is using an interactive telecommunications system that satisfies the requirements of section 410.78(a)(3) of title 42, Code of Federal Regulations.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to create a precedent that any specific course of conduct constitutes the ''practice of telemedicine'' (as that term is defined in section 102(54) of the Controlled Substances Act, as amended by this Act) after the end of the period specified in subparagraph (A).

(k) GUIDELINES AND REGULATIONS.—

(1) IN GENERAL.—The Attorney General may promulgate and enforce any rules, regulations, and procedures which may be necessary and appropriate for the efficient execution of functions under this Act or the amendments made by this Act, and, with the concurrence of the Secretary of Health and Human Services where this Act or the amendments made by this Act so provide, promulgate any interim rules necessary for the implementation of this Act or the amendments made by this Act, prior to its effective date.

(2) SENTENCING GUIDELINES.—The United States Sentencing Commission, in determining whether to amend, or establish new, guidelines or policy statements, to conform the Federal sentencing guidelines and policy statements to this Act and the amendments made by this Act, should not construe any change in the maximum penalty for a violation involving a controlled substance in a particular schedule as being the sole reason to amend, or establish a new, guideline or policy statement.

(l) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this Act, and annually for 2 years after the initial report, the Drug Enforcement Administration, in consultation with the Department of State, shall submit to Congress a report describing—

(1) the foreign supply chains and sources of controlled substances offered for sale without a valid prescription on the Internet;

(2) the efforts and strategy of the Drug Enforcement Administration to decrease the foreign supply chain and sources of controlled substances offered for sale without a valid prescription on the Internet; and

(3) the efforts of the Drug Enforcement Administration to work with domestic and multinational pharmaceutical companies and others to build international cooperation and a commitment to fight on a global scale the problem of distribution of controlled substances over the Internet without a valid prescription.

SEC. 4. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed as authorizing, prohibiting, or limiting the use of electronic prescriptions for controlled substances.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 6353, the Ryan Haight Online Pharmacy Consumer Protection Act of 2008. This legislation addresses serious concerns about the purchase of controlled substances through online pharmacies.

According to the Drug Enforcement Agency, nearly seven million Americans are abusing prescription drugs, more than the number who are abusing cocaine, heroin, hallucinogens, ecstasy and inhalants combined.

Prescription pain relievers are new drug users' drug of choice. Nearly one in 10 high school seniors admits to abusing powerful prescription pain relievers. And prescription pain relievers appear to be among the drugs most heavily dispensed by certain Internet pharmacies using prescriptions that are issued based on online questionnaires. Most times, the doctor providing the prescription has never seen the patient or even had a conversation with them. This practice has sometimes been abused by rogue sites and it has led to instances of addiction, overdose and death.

H.R. 6353 will go a long way in combating this harmful practice. The bill prohibits the delivery, distribution, or dispensing of controlled substances over the Internet without a valid prescription. A valid prescription is defined as a prescription that is issued for a legitimate purpose by a practitioner who has conducted at least one in-person medical evaluation of the patient.

H.R. 6353 also imposes new registration and reporting requirements for online pharmacies. The legislation before us also increases criminal penalties involving controlled substances in Schedules II, IV and V of the Controlled Substances Act.

H.R. 6353 is named after Ryan Haight, a young man who unfortunately was the victim of illegal sales of pharmaceuticals through the Internet. Ryan died on February 12, 2001 at the age of 18 from an overdose of prescription drugs he had purchased on the Internet. Ryan was prescribed the drugs by a doctor whom he never saw and was never examined by, and an Internet pharmacy delivered them to his home.

H.R. 6353 is the result of the leadership of Representative BART STUPAK

and the hard work and cooperation of the Democratic and Republican members of the Energy and Commerce Committee and the Judiciary Committee.

The bill is a bipartisan product. It enjoys the support of the administration and the National Association of Chain Drug Stores.

I strongly urge all of my colleagues to vote to prevent another needless death similar to that of Ryan Haight and vote for the passage of this bill.

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

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume and rise in support of H.R. 6353. I would like to commend Congressman BART STUPAK and Ranking Member LAMAR SMITH of the Judiciary Committee for their work on this bill.

This bill prohibits the delivery, distribution or dispensing of controlled substances over the Internet without a valid prescription. Ryan Haight overdosed and died on February 12, 2001 on narcotics that he had purchased over the Internet. He was prescribed the medication from a doctor on the Internet, and the doctor never examined the patient. He was 17 when he purchased the narcotics and 18 when he died.

This bill will provide the Drug Enforcement Agency better tools to combat rogue Internet sites that are peddling narcotics to our children.

I urge Members to support this legislation.

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

Mr. PALLONE. Mr. Speaker, I yield 5 minutes to the gentlewoman from California. Again, Mrs. CAPPS has played such an important role on this and other bills of this nature that are important. Reading about this legislation, it really is so crucial.

Mrs. CAPPS. I thank our chairman for yielding and for his leadership.

Mr. Speaker, I rise in support of H.R. 6353, the Ryan Haight Online Pharmacy bill. And in doing so, I want to pay tribute to its author, BART STUPAK, who would be here giving this statement except that his voice ran out tonight. So I am stepping in on his behalf, but it is something that I truly support as well.

Nearly 7 million Americans are abusing prescription drugs; more than the number of individuals who are abusing cocaine, heroin, hallucinogens, ecstasy and inhalants all combined.

Over the past 6 years, we have witnessed a dramatic 80 percent increase in prescription drug abuse from 3.8 million to 7 million. That's more than double. A large number of individuals are obtaining their prescription drugs over the Internet through rogue Internet pharmacies.

Purchasing drugs online without a valid prescription can be simple: A consumer just types the name of the drug into a search engine, quickly identifies a site selling the medication, fills out a brief questionnaire, and then clicks to purchase.

The risks of self-medicating, however, can include potential adverse reactions from inappropriately prescribed medicines, dangerous drug interactions, use of counterfeit or tainted products, and addiction to habit-forming substances.

Several of these illegitimate sites failed to produce information about potential adverse side effects, effectiveness, and where the pharmacies are located.

A 2004 GAO study obtained 68 samples of 11 different prescription drugs, each from a different Web site. GAO found that 45 online pharmacies provided a prescription based on their own medical questionnaire or had no prescription requirement. Among the drugs GAO obtained without prescription were those with special safety restrictions and highly addictive narcotic pain killers.

The tragic case of Ryan Haight has already been mentioned. His mother has testified before Congress and is nationally known. Ryan died at the age of 18, as has been stated, from an overdose of pain killers, including Vicodin. He ordered these over the Internet without a legitimate prescription while he was a 17-year-old minor.

The Ryan Haight Online Pharmacy Consumer Protection Act would bar the sale or distribution of all controlled substances via the Internet without a valid prescription. In order for a prescription to be valid, it must be issued by a practitioner who has conducted at least one in-person examination of the particular patient.

H.R. 6353 would also require online pharmacies to clearly display on their Web site a statement of compliance with U.S. laws and DEA regulations. This would allow consumers to clearly identify which pharmacies are safe and which are not.

This legislation also creates a new Federal cause of action that would allow a State attorney general to shut down a rogue site selling controlled substances in any State and increase the penalties for all illegal distributions of controlled substances classified as Schedule III, IV or V substances.

This legislation is supported by the administration, including the DEA and FDA, the Chain Drug Stores, Go Daddy, eBay, Federation of State Medical Boards, and the Fraternal Order of Police.

I encourage all of my colleagues to vote in favor of this legislation. I thank Congressman LAMAR SMITH, Congresswoman MARY BONO MACK, Senator FEINSTEIN, Chairman DINGELL and Ranking Member BARTON. I also want to thank Virgil Miller, Ryan Long, Caroline Lynch and Jeff Spalding with the committee staff, and Erika Orloff of Mr. STUPAK's personal staff for their hard work on this bill.

Mr. BURGESS. I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I want to urge, strongly, passage of this important bill regarding consumer protection for controlled substances.

Mr. SMITH of Texas. Mr. Speaker, America is no stranger to the plague of illegal drugs and drug addiction. For decades, Congress has fought to curb the flow of drugs such as heroin, cocaine, and marijuana into our country.

Today, America is facing a new threat—prescription drug abuse. According to the Office of National Drug Control Policy, prescription drugs now rank second—only behind marijuana—as America's drug of choice.

The Drug Enforcement Administration estimates that as many as 7 million Americans are addicted to prescription drugs—more than the number of cocaine and heroin addicts combined.

Today, prescription painkillers cause a higher number of overdose-related deaths than cocaine or heroin. And large quantities of these drugs are just a few mouse clicks away. The dangers posed by illegal online pharmacies are real. The National Center on Addiction and Substance Abuse reports a 542-percent increase in abuse of prescription opiates among 12- to 17-year olds between 1992 and 2002.

Hundreds of rogue online pharmacies peddle these highly-addictive painkillers to adults and teenagers without a valid prescription. The most popular of these drugs is commonly known as Vicodin.

Teenagers are fast becoming addicted to prescription painkillers, in large part because of their availability on the Internet. The Partnership for a Drug Free America reports that every day, 2,500 teenagers use a prescription drug to get high for the first time. Teenagers are abusing prescription drugs at a higher rate because they perceive them as less dangerous than illegal drugs.

Today, the House has the opportunity to put a stop to illegal online pharmacies. I am pleased to join Congressman BART STUPAK and Congresswoman MARY BONO MACK as an original sponsor of H.R. 6353, the Ryan Haight Online Pharmacy Consumer Protection Act of 2008.

On February 12, 2001, Ryan Haight died of an overdose of Vicodin. He was just 18. An investigation into his death revealed that Ryan ordered the drugs from a doctor he had never seen and who had never examined him. The drugs were shipped directly to his home by an online pharmacy.

This legislation amends the Controlled Substances Act to address the growing sale of prescription drugs by these so-called online pharmacies. The bill prohibits the sale or distribution of all controlled substances via the Internet without a valid prescription and requires online pharmacies to display information identifying the business and any pharmacy and doctor associated with the Web site. The bill also provides tough penalties for the illegal sale of prescription drugs.

Legislation sponsored by Senators FEINSTEIN and SESSIONS unanimously passed the Senate in April. It is time for the House to do the same.

This legislation represents months of hard work and bipartisan negotiations by House and Senate Republicans and Democrats. I wish to thank my House colleagues, Mr. STUPAK and Mrs. BONO MACK and my Senate colleagues, Senators FEINSTEIN and SESSIONS, for their efforts to complete this legislation.

I urge my colleagues to join me in supporting this important bill.

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6353, as amended.

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

A motion to reconsider was laid on the table.

CODE TALKERS RECOGNITION ACT OF 2008

Mr. GUTIERREZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4544) to require the issuance of medals to recognize the dedication and valor of Native American code talkers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4544

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Code Talkers Recognition Act of 2008''.

SEC. 2. PURPOSE.

The purpose of this Act is to require the issuance of medals to express the sense of the Congress that—

(1) the service of Native American code talkers to the United States deserves immediate recognition for dedication and valor; and

(2) honoring Native American code talkers is long overdue.

SEC. 3. FINDINGS.

The Congress finds the following:

(1) When the United States entered World War I, Native Americans were not accorded the status of citizens of the United States.

(2) Without regard to that lack of citizenship, members of Indian tribes and nations enlisted in the Armed Forces to fight on behalf of the United States.

(3) The first reported use of Native American code talkers was on October 17, 1918.

(4) Because the language used by the Choctaw code talkers in the transmission of information was not based on a European language or on a mathematical progression, the Germans were unable to understand any of the transmissions.

(5) This use of Native American code talkers was the first time in modern warfare that such a transmission of messages in a native language was used for the purpose of confusing an enemy.

(6) On December 7, 1941, Japan attacked Pearl Harbor, Hawaii, and the Congress declared war the following day.

(7) The Federal Government called on the Comanche Nation to support the military effort during World War II by recruiting and enlisting Comanche men to serve in the Army to develop a secret code based on the Comanche language.

(8) The United States Army recruited approximately 50 Native Americans for special native language communication assignments.

(9) The United States Marine Corps recruited several hundred Navajos for duty in the Pacific region.

(10) During World War II, the United States employed Native American code talkers who developed secret means of communication based on native languages and were critical to winning the war.

(11) To the frustration of the enemies of the United States, the code developed by the Native American code talkers proved to be unbreakable and was used extensively throughout the European theater.

(12) In 2001, the Congress and President Bush honored Navajo code talkers with congressional gold medals for the contributions of the code talkers to the United States Armed Forces as radio operators during World War II.

(13) The heroic and dramatic contributions of Native American code talkers were instrumental in driving back Axis forces across the Pacific during World War II.

(14) The Congress should provide to all Native American code talkers the recognition the code talkers deserve for the contributions of the code talkers to United States victories in World War I and World War II.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) CODE TALKER.—The term ''code talker'' means a Native American who—

(A) served in the Armed Forces during a foreign conflict in which the United States was involved; and

(B) transmitted (encoded and translated) secret coded messages for tactical military operations during World War I and World War II using their native tribal language (non-spontaneous communications)

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

SEC. 5. CONGRESSIONAL GOLD MEDALS.

(a) AWARD AUTHORIZATION.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of gold medals of appropriate design in recognition of the service of Native American code talkers during World War I and World War II.

(b) IDENTIFICATION OF RECIPIENTS.—The Secretary, in consultation with the Secretary of Defense and the tribes, shall—

(1) determine the identity, to the maximum extent practicable, of each Native American tribe that had a member of that tribe serve as a Native American code talker, with the exception of the Navajo Nation;

(2) include the name of each Native American tribe identified under subparagraph (A) on a list; and

(3) provide the list, and any updates to the list, to the Smithsonian Institution for maintenance under section 5(c)(2).

(c) DESIGN AND STRIKING OF MEDALS.—

(1) IN GENERAL.—The Secretary shall strike the gold medals awarded under subsection (a) with appropriate emblems, devices, and inscriptions, as determined by the Secretary.

(2) DESIGNS OF MEDALS EMBLEMATIC OF TRIBAL AFFILIATION AND PARTICIPATION.—The design of a gold medal under paragraph (1) shall be emblematic of the participation of the code talkers of each recognized tribe.

(3) TREATMENT.—Each medal struck pursuant to this subsection shall be considered to be a national medal for purposes of chapter 51 of title 31, United States Code.

(d) ACTION BY SMITHSONIAN INSTITUTION.—The Smithsonian Institution—

(1) shall accept and maintain such gold medals, and such silver duplicates of those medals, as recognized tribes elect to send to the Smithsonian Institution;

(2) shall maintain the list developed under section 6(1) of the names of Native American code talkers of each recognized tribe; and

(3) is encouraged to create a standing exhibit for Native American code talkers or Native American veterans.

SEC. 6. NATIVE AMERICAN CODE TALKERS.

The Secretary, in consultation with the Secretary of Defense and the tribes, shall—

(1) with respect to tribes recognized as of the date of the enactment of this Act —

(A) determine the identity, to the maximum extent practicable, of each Native American code talker of each recognized tribe with the exception of the Navajo Nation;

(B) include the name of each Native American code talker identified under subparagraph (A) on a list, to be organized by recognized tribe; and

(C) provide the list, and any updates to the list, to the Smithsonian Institution for maintenance under section 5(d)(2);

(2) in the future, determine whether any Indian tribe that is not a recognized as of the date of the enactment of this Act, should be eligible to receive a gold medal under this Act; and

(3) with consultation from the tribes listed in following subsection, examine the following specific tribes to determine the existence of Code Talkers:

(A) Assiniboine.
(B) Chippewa and Oneida.
(C) Choctaw.
(D) Comanche.
(E) Cree.
(F) Crow.
(G) Hopi.
(H) Kiowa.
(I) Menominee.
(J) Mississauga.
(K) Muscogee.
(L) Sac and Fox.
(M) Sioux.

SEC. 7. DUPLICATE MEDALS.

(a) SILVER DUPLICATE MEDALS.—

(1) IN GENERAL.—The Secretary shall strike duplicates in silver of the gold medals struck under section 5(b), to be awarded in accordance with paragraph (2).

(2) ELIGIBILITY FOR AWARD.—

(A) IN GENERAL.—A Native American shall be eligible to be awarded a silver duplicate medal struck under paragraph (1) in recognition of the service of Native American code talkers of the recognized tribe of the Native American, if the Native American served in the Armed Forces as a code talker in any foreign conflict in which the United States was involved during the 20th century.

(B) DEATH OF CODE TALKER.—In the event of the death of a Native American code talker who had not been awarded a silver duplicate medal under this subsection, the Secretary may award a silver duplicate medal to the next of kin or other personal representative of the Native American code talker.

(C) DETERMINATION.—Eligibility for an award under this subsection shall be determined by the Secretary in accordance with section 6.

(b) BRONZE DUPLICATE MEDALS.—The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 4 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold and silver medals.

SEC. 8. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There are authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the cost of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 7(b) shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. GUTIERREZ) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Mr. GUTIERREZ. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in strong support of H.R. 4544, the Code Talkers Recognition Act of 2008.

This legislation directs the Speaker of the House and the President pro tempore of the Senate to authorize the award of gold medals to deserving individual Native American code talkers from specified Native American tribes.

The bill defines ''code talker'' as a Native American who served in the Armed Forces during a foreign conflict and who participated in military communications using a native language. However, the bill excludes members of the Navajo tribe because, in 2001, the Congress honored Navajo code talkers with Congressional Gold Medals for their contributions as radio operators during World War II.

The legislation further directs the Secretary of the Treasury and the Secretary of Defense to identify individual code talkers deserving of this recognition.

I urge passage of this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, September 12, 2008.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, Rayburn HOB, Washington, DC.

DEAR CHAIRMAN FRANK: I understand that your committee is considering bringing to the Floor H.R. 4544, the ''Code Talkers Recognition Act of 2007.'' The Committee on House Administration received an additional referral for this bill due to the inclusion of section 5(c), which gives an important role to the Smithsonian Institution in maintaining a list of tribes and receiving medals which the tribes may choose to donate. It is my understanding that the intent of the legislation is that, if the tribes provide the medals to the Smithsonian, they then would become the Smithsonian's property for possible exhibition or other appropriate purpose.

The House Administration Committee is the principal committee of jurisdiction over the Smithsonian Institution under Rule X. We recognize that, at this point in the session, there is a desire to move legislation as expeditiously as possible. Therefore, we will waive any further consideration of the bill and agree to be discharged. However, we do so with the understanding that the Committee does not waive any future jurisdictional claims over similar measures. In the event of any conference with the Senate, the Committee reserves the right to seek the appointment of conferees and to have your support.

I would appreciate the inclusion of this letter in the Congressional Record during any consideration of H.R. 4544 on the House floor.

Sincerely,

ROBERT A. BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 19, 2008.

Hon. ROBERT A. BRADY,
Chairman, Committee on House Administration, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your letter regarding H.R. 4544, the ''Code Talkers Recognition Act of 2007.'' This bill was introduced in the House on December 13, 2007 and referred to the Committee on Financial Services and in addition to the Committee on House Administration. It is my understanding that this bill will be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. The legislation gives an important role to the Smithsonian Institution in maintaining a list of tribes and receiving medals which the tribe may wish to donate and I acknowledge your committee's jurisdictional interest in such matters. However, I appreciate your willingness to forego committee action on H.R. 4544 in order to allow the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on House Administration with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

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

Mrs. CAPITO. Mr. Speaker, I rise in strong support of H.R. 4544, the Code Talkers Recognition Act of 2008, introduced by the gentleman from Oklahoma (Mr. BOREN).

This legislation honoring the Native American code talkers, who served this country so honorably in the First and Second World Wars, is long overdue.

Mr. Speaker, the history of Native American code talkers is long and honorable. And I'm going to go through a little bit of this, beginning with their striking display of patriotism.

When the First World War broke out, Native Americans were technically not citizens of the United States—hard to believe, really; nevertheless, many enlisted and fought honorably as part of the American Expeditionary Force that helped to defeat the German armies.

In those days, as the technology of warfare changed and the size of the battlefields grew, it was necessary to transmit tactical information over what we would consider rudimentary and very unsecure communications methods that in many cases were easy for the enemy to intercept.

During the Second Battle of the Somme in September of 1918, and later during the Meuse-Argonne campaign in the waning days of the war, Cherokee and Choctaw natives used their own language to communicate tactical information. Since their languages were not related to any European language, the Germans intercepting it were baffled, even though the code itself was rather simple—a tank was a turtle, for example.

Again, in the Second World War, Native Americans signed up in large numbers to fight in both Europe and in the Pacific theater. The best known of these were the Navajos, who worked with the Marines in the Pacific. But considering both wars, code talkers came from as many as 17 different tribes.

Interestingly, the code talkers weren't used much in the European theater until D-day, because it was known that Adolf Hitler had been aware of the code talkers' successful role in World War I and had sent teams of German anthropologists to learn Native American languages before the start of the Second World War. The effort was largely unsuccessful, though, because there were so many different languages and dialects of those languages.

The role of the code talkers was largely unknown until 1968, when the story was declassified. Since then, President Reagan declared a ''Code Talkers Day,'' and in 2001 President Bush presented the Congressional Gold Medal to several Navajo code talkers.

□ 2145

Unfortunately, the bill authorizing that medal did not acknowledge the role of Code Talker heroes from other tribes in the First World War as well as the second.

Mr. Speaker, it has taken nearly a decade to address this oversight, and through the hard work of the gentlelady from Texas, Ms. GRANGER, and most recently Mr. BOREN, bills were introduced to do so in each Congress since the original legislation passed. We are now at the historic point, thanks to Mr. BOREN's legislation, that we can move to recognize the other heroes from the other tribes. I urge my colleagues to support this bill enthusiastically.

With that, Mr. Speaker, I would like to reserve the balance of my time.

Mr. GUTIERREZ. Mr. Speaker, I recognize the gentleman from Oklahoma (Mr. BOREN) for 7 minutes.

Mr. BOREN. Mr. Speaker, I rise today with the support of 300 of my colleagues to honor a forgotten group of American war heroes. As many of you know, the State of Oklahoma has a long and rich Native American heritage. My congressional district is home to 17 of the 37 federally recognized tribes headquartered in Oklahoma.

Millions of these Native Americans count themselves among the proud veterans who defended this Nation during a time of war. But today, Mr. Speaker, I ask my fellow colleagues to join me in honoring the brave service of a small group of veterans. It is estimated that 12,000 Native Americans served in our Armed Forces during World War I and over 45,000 bravely fought during World War II. Among those was a small band of Choctaw Indians that were the beginning of what would become the Native American Code Talkers. They

would eventually play a critical but very unique role in the Allies' victory over evil and tyranny.

During World War I, feeling a sense of duty to the cause of freedom, a number of Choctaws answered the call to serve. They began their service assigned to the 142nd Infantry of the 36th Division of the Texas-Oklahoma National Guard. Their first action was as a unit in France. At that time, communication by telephone and by radio on the battlefield was still developing. But both types of transmissions were under constant surveillance by the German enemy.

Army movements and supply shipments were being ambushed by the Germans on a constant basis costing thousands of lives. At one point Colonel A.W. Bloor, the commanding officer of the 142nd Infantry, believed that the Germans were cracking every message his division sent by radio or by phone. Frustrated with the division's inability to communicate safely, an officer recalled that the division included a company of Native Americans. After hearing these men speak to one another on a regular basis, it occurred to him that their language could hold the key to encoding the Allies' transmissions. After all, a few of these men spoke 20 dialects, many of which had never even been written.

In October of 1918, the Choctaw Code Talkers' ability to secretly communicate over radio resulted in a surprise momentum-shifting attack on the German enemy in northern France's Argonne forest. What began as 6 to 10 Choctaw transmitting a handful of coded messages quickly grew into a much larger group of soldiers spread across the European battle front. As the tide of World War I began to turn in favor of the Allies, military commanders came to rely on these Native American Code Talkers to communicate their most sensitive information.

Many believe to this day that not a single Code Talker transmission was ever cracked by the enemy. Army leaders began to notice immediately that troop movements were no longer mirrored and supply convoys were not ambushed. After realizing the effectiveness of the Choctaw Code Talkers, U.S. military leadership sought out and recruited leaders of such tribes as the Comanche, Choctaw, Seminole, Hopis, Cherokee, Sioux, Navaho, as well as many others.

During World War II, the Native American Code Talkers would once again prove their effectiveness, this time on two fronts, in the Pacific and in Europe. Many high-ranking military officials contend that the United States would have never won the Battle of Iwo Jima without the unbreakable communications of the Native American Code Talkers.

So, Mr. Speaker, with this historical contribution to liberty and freedom in mind, it is our duty to honor these brave men, their families and their tribes. Let us never forget the valiant and noble service of the Native American Code Talkers. They are truly some of America's greatest war heroes.

In closing, I would like to take a moment to thank the many people who have worked tirelessly to commemorate these brave men. There are far too many to name in a brief time, but I would like to mention a few. I would like to commend the National Congress of American Indians for supporting this legislation and for their unwavering dedication to Native Americans everywhere. I would also like to acknowledge Chairman FRANK and his staff for working with me on bringing this legislation to the floor. I would also pay tribute to DALE KILDEE, and most especially my colleague from Oklahoma, TOM COLE, for his tireless effort in getting so many of the cosponsors on this legislation.

Finally, I would like to thank Chief Gregory Pyle of the Choctaw Nation. His dedication and leadership to his people, to all Native Americans, to the State of Oklahoma and to this great Nation is the mark of a true statesman. I am proud to call him both a mentor and a friend.

With that, Mr. Speaker, I urge support for the Native American Code Talkers Act.

Mrs. CAPITO. Mr. Speaker, I would like to yield such time as he may consume to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE of Oklahoma. I thank my good friend from West Virginia for yielding so graciously.

Mr. Speaker, it is with great pleasure that I rise today in support of H.R. 4544, the Code Talkers Recognition Act, which would award the Congressional Gold Medal to Native American Code Talkers who assisted the allied powers in World War I and World War II to deceive and confuse our enemies in both conflicts. It's a particular personal pleasure to me, Mr. Speaker, because not only am I a Native American, Chickasaw, but my ancestry is both Choctaw and Chickasaw. My great grandfather had both tribes in his veins. And it's a wonderful treat for me to be able to participate in this.

I would also first like to thank my dear friend and colleague, Mr. BOREN, who introduced this legislation and without whose hard work this bill would simply not be here today. He has worked hard and tirelessly to honor a group of Americans that deserve recognition. And I appreciate it so much, my dear friend.

To date only the famous Navaho Wind Talkers have received this prestigious award, and it's only right and proper, Mr. Speaker, that Congress finally recognize all of the Code Talkers that dedicated their service to the United States of America. As an Oklahoman and as the only Native American currently serving in Congress, I am very happy to be here before you today to participate in awarding this honor to these fine individuals and their tribes.

Native Americans have a long, complex and honorable relationship with the United States military. Native Americans have fought against and with the United States military throughout the entire history of our country. And despite the often egregious policies of our government towards Indian country, thousands of Native Americans from dozens of tribes have helped protect our homeland. Indeed the first allies of the United States in the Revolution were the Oneida tribe. There was the Seneca present with Grant when he accepted the surrender of Robert E. Lee. As a matter of fact Robert E. Lee called him the only real American present at the ceremony. And of course in the Plains wars in the West, Indians fought on both sides of the conflict. Indeed our first President, General Washington, once commented the only way to defeat Native Americans was to be allied with Native Americans against other Native Americans because they were formidable and elusive foes.

Over the course of American history, Native Americans have demonstrated outstanding valor on the battlefield. And they have consistently received awards and commendations for their outstanding service. Historically Native Americans have the highest record of service per capita of any ethnic group or demographic group in our country. There are currently over 190,000 Native American veterans.

Mr. Speaker, this legislation awards the congressional medal to 13 individual tribes whose members assisted in this effort of defending our country. By using Native languages that were unidentifiable to the enemy forces in Europe and in the Pacific, the Code Talkers contributed to the victory of allied powers in both the First and the Second World Wars. Without their efforts it is clear that we would have lost countless additional lives and wars would have dragged on longer than necessary. Though most Native Americans did not even have United States citizenship in the First World War, there were a few. My tribe actually did. And we were pretty good negotiators. And most Oklahoma tribes got theirs a little bit ahead. But most tribes and most members who served in our Armed Forces were not citizens. They volunteered their service to defend their country despite that lack of citizenship.

It is estimated that more than 12,000 American Indians and about 600 Oklahoma tribal members served the United States military in the First World War. Despite the fact that most in the United States considered their heritage and their language to be obsolete in the first decade of the 20th century, these individuals volunteered for their country and helped turn the tide in one of the bloodiest wars in human history.

In 1917 a group of eight Choctaw serving in the Army's 36th Infantry Division trained to use their language in code. They helped the American Expeditionary Force win several key battles

in the final big push of the war. Other tribes continued to be recruited into the service of our country in later conflicts. Almost immediately after the Japanese attacked Pearl Harbor and the United States entered the Second World War, the Army recruited members of the Comanche Nation, located in my district, to assist the Allied Forces. Throughout the war other tribes were also recruited to carry out these efforts. And throughout that conflict, the Axis powers could neither decipher the codes based on Native language nor significantly undermine efforts to communicate in that language. The use of these languages significantly improved the tactical efforts of the Allied powers. These efforts were certainly remarkable, Mr. Speaker, and the contribution of these men clearly deserves to be recognized by Congress.

Mr. Speaker, Native American Code Talkers of the First and Second World War are true American heroes without whose efforts our troops would have certainly suffered greater casualties and would have certainly experienced slower progress in their efforts to end these conflicts. For too long our country has failed to recognize the efforts made by these great Native American citizens. It is time that we acknowledge and honor the contributions and service of these Native Americans who dedicated their service to our country by awarding them the Congressional Gold Medal.

I urge Members to honor these courageous men and their tribes and vote ''yes'' on H.R. 4544.

Mr. GUTIERREZ. I ask if there are any further requests for time on the other side or does the gentlelady yield back?

Mrs. CAPITO. I have no further requests.

I yield back the balance of my time.

Ms. HERSETH SANDLIN. Mr. Speaker, I rise in strong support of H.R. 4544, the "Code Talker Recognition Act."

As a cosponsor of H.R. 4544, I would like to thank Representative BOREN for introducing this important bill to honor our nation's Native American Code Talkers—including code talkers from South Dakota's Sioux tribes—with this long overdue recognition.

South Dakota is home to the last living Lakota code talker—Clarence Wolf Guts. Clarence, who is an 84–year-old Lakota warrior from the Rosebud Indian Reservation in South Dakota, was the personal code talker for Major General Paul Mueller, commander of the U.S. Army's 81st Infantry. He traveled with Gen. Mueller and the 81st as the division moved from island to island during the fight against the Japanese during World War II.

I am privileged to have this opportunity to thank Clarence for his service during World War II and to honor all of our Nation's code talkers—whose efforts prevented the enemy from intercepting vital communications—saving the lives of countless American members of the Armed Forces.

Again, I would like to thank Representtive BOREN for his leadership and to thank our Nation's code talkers, who serve as an inspiration for all Americans to emulate.

Mr. BOSWELL. Mr. Speaker, I rise in strong support of H.R. 4544, the Code Talker Recognition Act.

I am proud to say that this legislation, which I am an original cosponsor, will finally recognize the men who served as code talkers for our great Nation during World War I and World War II.

Eight of those men who specifically will be honored today are members of the Meskwaki tribe based in Tama County, Iowa.

In January 1941, nearly a year before Pearl Harbor, 27 Meskwaki men, then 16 percent of Iowa's Meskwaki population enlisted in the Army. Of those 27, eight became code talkers: Edward Benson; Dewey Roberts; Frank Sanache; Willard Sanache; Melvin Twin; Judy Wayne Wabaunasee; Mike Wayne Wabaunasee; and Dewey Youngbear.

The Meskwaki men trained in Marshalltown and served together in the 168th Infantry, 34th Division. After jungle warfare training in Louisiana and code talker training in Scotland and then in England, they were sent to North Africa.

While in North Africa Frank Sanache ventured out far beyond the battalion and using a walkie-talkie directed artillery fire in the desert. He said "It was the worst place this side of hell."

The enemy was never able to translate the native Meskwaki language, and the Meskwaki Code Talkers, among other Code Talkers are credited with saving the lives of countless members of the United States Armed Forces and contributing significantly to the victory of our Nation.

I am pleased to see that finally this bill will be brought to the House floor—it has taken many years to get to this point and even though many of those who are being honored are no longer with us at least their family members and loved ones have the opportunity to finally see them receive the gratitude and respect of our country.

Mr. GUTIERREZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 4544, as amended.

The question was taken.

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

Mrs. CAPITO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

DEFENSE PRODUCTION ACT EXTENSION AND REAUTHORIZATION OF 2008

Mr. GUTIERREZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6894) to extend and reauthorize the Defense Production Act of 1950, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6894

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Defense Production Act Extension and Reauthorization of 2008''.

SEC. 2. EXTENSION OF TERMINATION DATE.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking ''September 30, 2008'' and inserting ''September 30, 2009''.

SEC. 3. REAUTHORIZATION.

Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking ''2008'' and inserting ''2009''.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Illinois (Mr. GUTIERREZ) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

□ 2200

Mr. GUTIERREZ. Mr. Speaker, I yield myself 5 minutes.

I rise in strong support of H.R. 6894, the Defense Production Act Extension and Reauthorization of 2008, and urge my colleagues to support the bill's passage.

This legislation reauthorizes the Defense Production Act of 1950, which expires at the end of fiscal year 2008, through September 30 of 2009.

Although the act is due for a comprehensive review, we did not have adequate time to conduct hearings and a markup in this Congress. Therefore, we are seeking this straight, 1-year extension that makes no substantive changes to the act.

Mr. Speaker, the Defense Production Act, or DPA, is a little known bill of great national significance. Put simply, the DPA gives the President a vital set of tools to ensure the constant readiness of those portions of our industrial base that support national security. These tools include production priorities and financial incentives, but they also extend to monitoring the increasing effects of globalization on the defense base.

Since it was enacted in 1950 during the Korean war, every administration since President Truman's has used the act carefully and prudently.

In addition to its national defense uses, the DPA holds the promise of helping to mitigate civil emergencies

during peacetime. For example, during the California energy crisis, former President Clinton authorized the U.S. Energy Secretary to use the act to compel a continuing supply of natural gas to Pacific Gas & Electric.

Mr. Speaker, the United States is currently fighting wars on two fronts—rebuilding from the damages caused by Hurricane Ike and, regrettably, still rebuilding from Hurricane Katrina. The DPA is a key component of our national security and civil emergency readiness, and we cannot let the act lapse.

I know that some of my colleagues have questions about how the act has been used, if at all, by the current administration during civil emergencies. I share these concerns, but I believe these oversight issues would be best addressed in the next Congress.

Next year, the Financial Services Committee will conduct a comprehensive review of the DPA, specifically looking at proposals to increase the amounts authorized in title III of the act. The 1-year extension will give the committee time to do its work in a thoughtful, bipartisan manner, and I urge the bill's passage.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H.R. 6894, the Defense Production Act Extension and Reauthorization of 2008.

In 1950, at the outset of the Korean war and at the behest of President Truman, Congress acted to give the President the ability to meet a specific national security need should we have a shortfall in supplies.

The ability of this Nation to call on private industry to meet the demands of securing a nation are just as prominent today as they were over a half century ago when Congress first enacted this law. In an uncertain world where we face constantly changing threats and remain vulnerable to national disaster, the ability of military and civilian agencies to be given priority service to aid the American people is paramount.

Today, with American soldiers fighting so courageously abroad, we have the same imperative: they must have the resources and equipment they need when they need them.

Similarly, this country has seen the toll natural disasters can take on the Nation. Within the last weeks alone, we have seen Hurricanes Gustav, Hanna and Ike bring destruction to this Nation's shores. Responding to the needs of the families affected should be a priority, and this legislation reauthorizes the President's ability to effectively respond to those needs with priority purchases of supplies, be they water or equipment, to repair damaged railroad switches.

The authorities in this act are too important to be allowed to expire for any amount of time. Yet, Mr. Speaker, without the Congress acting today, these authorities will expire on September 30. The legislation before us would reauthorize the Defense Production Act in its current form, for 1 year, with no other changes to the DPA's powers. This 1-year extension will continue these authorities while providing the Congress a window to consider any need for updating this act. A recently issued GAO report on the authorities, as well as volumes of other information, will ensure engagement in an important dialogue on how to improve on this authority's taking place. Passing this law today ensures that that debate takes place without the impending pressure of adjournment.

I hope, Mr. Speaker, that we can undertake any needed updates of the act at the beginning of the first session of the next Congress and then extend the authorization for multiple years at that point so that these important authorities remain available to protect America, Americans and American interests, uninterrupted.

In closing, I would like to thank Chairman LUIS GUTIERREZ and full committee Chairman BARNEY FRANK for authoring this bipartisan legislation. Because of their leadership on this issue, Congress has before it today a bill to ensure the American people and their security interests are well served. With that, Mr. Speaker, I urge the passage of H.R. 6894.

I reserve the balance of my time.

Mr. GUTIERREZ. I would ask the gentlelady if there are any requests for time on her side.

Mrs. CAPITO. I have no further speakers.

I yield back the balance of my time.

Mr. GUTIERREZ. Mr. Speaker, I have no further requests for time.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ALTMIRE). The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 6894.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STEPHANIE TUBBS JONES GIFT OF LIFE MEDAL ACT OF 2008

Ms. MOORE of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6950) to establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6950

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

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Stephanie Tubbs Jones Gift of Life Medal Act of 2008''.

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

(1) Congresswoman Stephanie Tubbs Jones was dedicated to eliminating health disparities and protecting vulnerable populations.

(2) Through her service on the Committee on Ways and Means, Subcommittee on Health, she was a strong voice for those who were poor, elderly, racial and ethnic minorities, and disenfranchised.

(3) Congresswoman Stephanie Tubbs Jones' concern for others was demonstrated by the decision to donate her organs, so that as her life ended, the lives of others continued.

(4) There are currently 99,625 candidates for organ donation on the national transplant waiting list. Every 16 minutes, a new name is added to such list. Sixteen persons die each day waiting for a life saving organ transplant.

(5) Minority populations account for nearly 50 percent of those on the national transplant waiting list.

(6) Diseases that can lead to organ failure, such as hypertension and diabetes, are found more frequently in ethnic minority populations than in the general population.

(7) While minorities donate organs in proportion to their population, the rate of organ donations fails to keep pace with the need for transplants in the population. African-Americans, for example, represent about 13 percent of the population and 12 percent of organ donors, but comprise roughly 23 percent of individuals on national transplant waiting list for kidney transplants.

(8) Transplantation success rates are higher when organs are matched between people sharing the same racial and ethnic background.

(9) Because of the disparities in the need for organs, minorities are more likely to wait longer to find a successful match and are more likely to be sicker when an organ is found.

(10) An increase in minority organ donations would decrease the waiting time and increase the likelihood of successful transplantations for minorities.

SEC. 2. ELIGIBILITY REQUIREMENTS FOR STEPHANIE TUBBS JONES GIFT OF LIFE MEDAL.

(a) IN GENERAL.—Subject to the provisions of this section and the availability of funds under this Act, any organ donor, or the family of any organ donor, shall be eligible for a Stephanie Tubbs Jones Gift of Life Medal (hereafter in this Act referred to as a ''medal'').

(b) DOCUMENTATION.—The Secretary of Health and Human Services shall direct the entity operating the Organ Procurement and Transplantation Network to—

(1) establish an application procedure requiring the relevant organ procurement organization through which an individual or family of the individual made an organ donation, to submit to such entity documentation supporting the eligibility of the individual or the family, respectively, to receive a medal;

(2) determine through the documentation provided and, if necessary, independent investigation whether the individual or family, respectively, is eligible to receive such a medal; and

(3) arrange for the presentation to the relevant organ procurement organization all medals struck pursuant to section 4 to individuals or families that are determined to be eligible to receive medals.

(c) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), only 1 medal may be presented to a family under subsection (b). Such medal shall be presented to the donating family member, or in the case of a deceased donor, the family member who signed the consent form authorizing, or who otherwise authorized, the donation of the organ involved.

(2) EXCEPTION.—In the case of a family in which more than 1 member is an organ donor, a medal may be presented for each such organ donor.

SEC. 3. SOLICITATION OF DONATIONS.

(a) IN GENERAL.—The Organ Procurement and Transplantation Network may collect funds to offset expenditures relating to the issuance of medals authorized under this Act.

(b) PAYMENT OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), all funds received by the Organ Procurement and Transplantation Network under subsection (a) shall be promptly paid by the Organ Procurement and Transplantation Network to the Secretary of Health and Human Services for purposes of purchasing medals under this Act for distribution.

(2) LIMITATION.—Not more than 7 percent of any funds received under subsection (a) may be used to pay administrative costs, and fundraising costs to solicit funds under subsection (a), incurred by the Organ Procurement and Transplantation Network in carrying out this Act.

SEC. 4. DESIGN AND PRODUCTION OF MEDAL.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary of the Treasury shall design and strike the Stephanie Tubbs Jones Gift of Life Medals, each of which shall—

(1) weigh 250 grams;

(2) have a diameter of 3 inches; and

(3) consist of bronze.

(b) DESIGN.—

(1) IN GENERAL.—The design of the medals shall commemorate the compassion and courage manifested by and the sacrifices made by organ donors and their families, and the medals shall bear suitable emblems, devices, and inscriptions.

(2) SELECTION.—The design of medals struck under this section shall be—

(A) selected by the Secretary of the Treasury, in consultation with the Secretary of Health and Human Services, the Organ Procurement and Transplantation Network, interested members of the family of Stephanie Tubbs Jones, Dr. William H. Frist, and the Commission of Fine Arts; and

(B) reviewed by the Citizens Coin Advisory Committee.

(c) NATIONAL MEDALS.—The medals struck pursuant to this section are national medals for purposes of chapter 51 of title 31, United States Code.

(d) STRIKING AND DELIVERY OF MINIMUM-SIZED LOTS.—The Secretary of the Treasury shall strike and deliver to the Secretary of Health and Human Services no fewer than 100 medals at any time pursuant to an order by such Secretary.

(e) COST OF MEDALS.—Medals struck under this section and sold to the Secretary of Health and Human Services for distribution in accordance with this Act shall be sold to the Secretary of Health and Human Services at a price sufficient to cover the cost of designing and striking the medals, including labor, materials, dies, use of machinery, and overhead expenses.

(f) NO EXPENDITURES IN ADVANCE OF RECEIPT OF FUNDS.—

(1) IN GENERAL.—The Secretary of the Treasury shall not strike or distribute any medals under this Act until such time as the Secretary of Health and Human Services certifies that sufficient funds have been received by such Secretary to cover the cost of the medals ordered.

(2) DESIGN IN ADVANCE OF ORDER.—Notwithstanding paragraph (1), the Secretary of the Treasury may begin designing the medal at any time after the date of the enactment of this Act and take such other action as may be necessary to be prepared to strike such medals upon receiving the certification described in such paragraph, including preparing dies and striking test pieces.

SEC. 5. MEDALS NOT TREATED AS VALUABLE CONSIDERATION.

A medal under this Act shall not be treated as valuable consideration for purposes of section 301(a) of the National Organ Transplant Act (42 U.S.C. 274e(a)).

SEC. 6. DEFINITIONS.

For purposes of this Act:

(1) ORGAN.—The term ''organ'' has the meaning given such term in section 121.2 of title 42, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) ORGAN PROCUREMENT ORGANIZATION.—The term ''organ procurement organization'' means a qualified organ procurement organization described in section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)).

(3) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—The term ''Organ Procurement and Transplantation Network'' means the Organ Procurement and Transplantation Network established under section 372 of the Public Health Service Act (42 U.S.C. 274).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wisconsin (Ms. MOORE) and the gentlewoman from West Virginia (Mrs. CAPITO) will each control 20 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

GENERAL LEAVE

Ms. MOORE of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 6950.

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

There was no objection.

Ms. MOORE of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

It is with great humility and respect that I present for favorable consideration H.R. 6950, the Stephanie Tubbs Jones Gift of Life Medal Act of 2008.

Our friend, our respected colleague, Congresswoman Stephanie Tubbs Jones, worked tirelessly for her district, for her community and for people who are underrepresented. As a constant advocate for justice and peace, as a very proud member of the Ways and Means Subcommittee on Health, she was a fervent supporter and leader of efforts to reduce health disparities in our Nation.

This legislation directs the Treasury Department to design and produce a commemorative medal that the Department of Health and Human Services will award to organ donors or to a surviving family member, which is especially fitting to be named in honor of Congresswoman Stephanie Tubbs Jones for a couple of reasons:

Organ donation is an area where dramatic health disparities still exist. She, herself, was an organ donor, and over 50 beneficiaries have benefited from her gift of life.

The number of Americans affected by shortages of suitable organs for donation is considerable. Nearly 100,000 people are currently waiting for organ transplants, and nearly 2,000 of these are children under 18. The national waiting list grows substantially every year. Since the waiting list began, over 80,000 donation-eligible Americans have died while waiting for an organ to become available. In 2007 alone, over 6,500 people died for lack of a suitable organ.

The men and women who elect to become organ donors are heroes and sheroes just like our friend and colleague. They have the opportunity to give the gift of life to thousands of Americans who are suffering from debilitating and lethal diseases.

While the gift of a donor is priceless, the enactment of this bill would have no cost to the Federal Government as funding for the medals would come from charitable donations.

I would reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H.R. 6950, the Stephanie Tubbs Jones Gift of Life Medal Act of 2008.

As everyone in this Chamber knows, the late Congresswoman Stephanie Tubbs Jones was a wonderful woman and was a tireless public servant. She sought to use her time each day to serve the people of her district and of this Nation, and the extraordinary generosity she exhibited in so many of her actions proves to be one of her lasting legacies. She was also a very joyful woman, and she brought much joy to all of those who were fortunate enough to know her. I include myself in that group.

However, nowhere have her selfless nature and leadership qualities been more apparent than in her decision to be an organ donor. Her untimely death was a tragedy, but because of her decision, others will be fortunate to enjoy the gift of life.

Currently, there are close to 100,000 individuals on the national transplant waiting list. Each hour, this number increases, adding a new name approximately every 16 minutes. Yet, despite how sobering this statistic is and the even harsher statistic that my colleague mentioned, more sobering is the number of people who die while waiting for a life-saving organ transplant. This number is 16 people per day. Understanding that reality, Representative Tubbs Jones did what she always did. She volunteered to give to those in need.

This legislation honors her actions. The bill before us today would establish a Stephanie Tubbs Jones Gift of Life Medal, and it would make any organ donor or family of the organ donor eligible to receive the honor. The legislation empowers the Secretary of Health and Human Services to direct the Organ Procurement and Transplantation Network to establish an application and assessment process for donors in order to receive the award.

By agreeing to this legislation, this Congress honors the actions of Representative Tubbs Jones and the actions of so many others who sought to give what they could to those in need. This is an important action, and I urge my colleagues to support the bill.

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

Ms. MOORE of Wisconsin. Mr. Speaker, many thanks are due to Representative PETE STARK, the chairman of the Ways and Means Health Subcommittee, who quickly organized this bill in honor of our colleague.

Also, many thanks go to former Senate majority leader and transplant surgeon Bill Frist for whom this bill was named in an earlier version in this Congress. Now, while in the Senate, Dr. Frist worked hard on behalf of organ donors and their families. He supported renaming the bill for Representative Tubbs Jones. Earlier versions of this bill have been endorsed by the Association of Organ Procurement Organizations, by the American Society of Transplantation, by the American Association of Transplant Surgeons, by the National Kidney Foundation, by the American Association of Kidney Patients, by the Organization of Transplant Professionals, and by the Transplant Recipients International Organization.

I strongly urge passage of this bill.

I would ask the lady if she has any further speakers.

Mrs. CAPITO. I have no further speakers.

I yield back the balance of my time.

Mr. STARK. Mr. Speaker, I rise today to urge passage of the "Stephanie Tubbs Jones Gift of Life Medal Act of 2008," and to thank the many colleagues and friends of Stephanie's who joined together to bring this bill to the floor.

Stephanie's life ended as she lived it; by exemplifying concern for the welfare of others. She donated her organs in the waning hours of her life so that the lives of others could continue. In that spirit, this bill creates a commemorative medal for organ donors and their families, recognizing the brave and selfless act of organ donation.

The need for organ donation is critical. Since the national transplant waiting list began, more than 80,000 donation-eligible Americans have died waiting for an organ to become available; in 2007 alone, more than 6,500 people died for lack of a suitable organ.

As an active member of the Ways and Means Health Subcommittee, Stephanie worked tirelessly to remedy health disparities in our nation. Organ donation is one area where dramatic health disparities exist, which makes this all the more of a fitting tribute.

While minorities donate organs in proportion to their population, the rate of organ donations fails to keep pace with the need for transplants in the population. Minority populations account for close to 50% of the people who are currently waiting for organ transplants.

I'd like to take a moment to recognize the help of former Senate Majority Leader and transplant surgeon Dr. Bill Frist, for whom this bill was named for when it was introduced earlier this year. Dr. Frist is a tireless advocate of organ donors and their families, and worked on behalf of the Gift of Life Medal Act. I appreciate his graciousness in expressing his strong support for renaming the bill, and I would ask the Chair to have Dr. Frist's letter of support inserted into the RECORD.

I ask my colleagues to help bring an end to transplant waiting lists and recognize the enormous courage displayed by organ donors and their families. This bill honors these brave acts, while publicizing the critical need for increased organ donation, and pays tribute to the selflessness and memory of our colleague. Stephanie's dedication to improving health care should be permanently recognized. I urge passage of the Stephanie Tubbs Jones Gift of Life Medal Act.

NASHVILLE, *TN, September 15, 2008.*

Hon. Pete Stark,
Chairman, Ways and Means Health Subcommittee, Longworth House Office Building, Washington, DC.

Hon. DAVE CAMP,
Ranking Member, Ways and Means Health Subcommittee, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN STARK AND RANKING MEMBER CAMP: Thank you for your leadership on the Gift of Life Congressional Medal.

Like you, I am truly inspired by those that donate their organs. I can think of no act that is more honorable or selfless, and it is befitting of Congress to pass this act to recognize these outstanding individuals and their families. I was pleased to sponsor this legislation in the Senate.

It is also extremely fitting to name this legislation in honor of the late Congresswoman Stephanie Tubbs Jones. A tireless advocate for those in need, she cemented her legacy by donating her organs and tissue, which will help over 50 individuals. Her act, and the thousands that have come before it, must be recognized.

Each year, there are nearly 14,000 organs that are donated. As a transplant surgeon, I have seen first hand how lives are transformed through these miraculous gifts. For me, it is a privilege to be part of the transplantation process. I am continually amazed at the advances in technology that make transplants more successful every year.

While advances are being made, there are still too few donors—nearly 100,000 people are waiting on national transplant lists. To encourage more donors, we should make every effort to recognize those that make this lifesaving decision. I believe creating a Gift of Life Congressional medal is critically important to increasing awareness on this issue.

Again, please accept my sincere appreciate for your work and strong support for naming the Gift of Life Congressional Medal Act in honor of Congresswoman Stephanie Tubbs Jones. It is a fitting tribute for such and outstanding and committed woman.

Sincerely,

DR. WILLIAM H. FRIST.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I speak today on a very close subject to my heart, House Resolution 6950, a bill to establish the Stephanie Tubbs Jones Gift of Life Medal for organ donors and the family of organ donors. Congresswoman Tubbs Jones was a rare breed of person who not only talked the talk, but walked the walk.

Tragedy struck Congress a few weeks ago when Congresswoman Tubbs Jones was taken from us. This brought attention to an issue of vital importance to her and the Nation. Organ transplantation is the greatest gift a person can give. While a majority of them happen while both the donor and the recipient are alive, a large number happen after death. Unfortunately these organs, such as the heart, lung, liver, and kidney, among others, are very hard to come by. In the Congresswoman's home State, only 53 percent of the population was a registered organ donor. This is a good start but we must go further.

When a loved one dies, it is never a happy moment; experiences like this always bring sadness and sorrow. When that loved one's death can serve as a beacon of hope for another, it does not lessen the sadness; it allows the family to have a good, if small, memory of the loss of their loved one. When Congresswoman Tubbs Jones passed away, we were all deeply saddened but I think I can speak for more than a few of my fellow Members of Congress when I express the joy and pride I felt when I learned that after years of advocating for organ transplantation, Congresswoman Tubbs Jones left all of her vital organs to those in need.

Organ transplantation needs to increase in this country. With currently over 100,000 people on the transplant list waiting for organs, we can not afford to wait to act any longer. Currently, African Americans make up about 12 percent of the Nation's population and about 12 percent of the patients who donate. However, of all the patients requiring a transplant, 23 percent of them are African American. This disparity is a growing epidemic and must be resolved.

This bill will do three wonderful things and help the cause that the Congresswoman fought for in all her years serving Ohio. One, it will honor the life of an unwavering advocate of transplant. Naming the medal after her will show all those who come later, that this was a woman deep with passion about this important issue. It will shine a light on a life that helped shine a light on others.

Second, this bill will honor those, who like the Congresswoman, have showed their true patriotism to their fellow man or woman and shared with them the greatest gift. These medals are a way that the Federal Government, on behalf of its people, to begin to thank Americans who commit themselves to being organ donors.

Lastly this bill will help raise awareness for minority health issues. It was found that African Americans make up a disproportional number of patients requiring transplants and that they wait, on average, longer to receive an organ. When they do finally receive this opportunity, they are sicker and the success rate is not what it could be. We can, and must, do more.

Mr. Speaker, we can do something to help the millions of men and women around the world waiting for organ transplants. We should also move quickly to honor those who have already given the greatest gift there is. As Albert Einstein once said, "Only a life lived for others is a life worthwhile" and no one exemplified this better than Stephanie Tubbs Jones. I urge my colleagues to pass this bill to honor her.

Ms. MOORE of Wisconsin. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. MOORE) that the House suspend the rules and pass the bill, H.R. 6950.

The question was taken.

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

Mrs. CAPITO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

FAMILY SELF-SUFFICIENCY ACT OF 2007

Ms. MOORE of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3018) to provide for payment of an administrative fee to public housing agencies to cover the costs of administering family self-sufficiency programs in connection with the housing choice voucher program of the Department of Housing and Urban Development.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3018

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Family Self-Sufficiency Act of 2007''.

SEC. 2. ADMINISTRATIVE FEES FOR FAMILY SELF-SUFFICIENCY PROGRAM COSTS.

Subsection (h) of section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u(h)) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) SECTION 8 FEES.—

''(A) IN GENERAL.—The Secretary shall establish a fee under section 8(q) for the costs incurred in administering the self-sufficiency program under this section to assist families receiving voucher assistance through section 8(o).

''(B) ELIGIBILITY FOR FEE.—The fee shall provide funding for family self-sufficiency coordinators as follows:

''(i) BASE FEE.—A public housing agency serving 25 or more participants in the family self-sufficiency program under this section shall receive a fee equal to the costs of employing one full-time family self-sufficiency coordinator. An agency serving fewer than 25 such participants shall receive a prorated fee.

''(ii) ADDITIONAL FEE.—An agency that meets minimum performance standards shall receive an additional fee sufficient to cover the costs of employing a second family self-sufficiency coordinator if the agency has 75 or more participating families, and a third such coordinator if it has 125 or more participating families.

''(iii) PREVIOUSLY FUNDED AGENCIES.—An agency that received funding from the Department of Housing and Urban Development for more than three such coordinators in any of fiscal years 1998 through 2007 shall receive funding for the highest number of coordinators funded in a single fiscal year during that period, provided they meet applicable size and performance standards.

''(iv) INITIAL YEAR.—For the first year in which a public housing agency exercises its right to develop an family self-sufficiency program for its residents, it shall be entitled to funding to cover the costs of up to one family self-sufficiency coordinator, based on the size specified in its action plan for such program.

''(v) STATE AND REGIONAL AGENCIES.—For purposes of calculating the family self-sufficiency portion of the administrative fee under this subparagraph, each administratively distinct part of a State or regional public housing agency shall be treated as a separate agency.

''(vi) DETERMINATION OF NUMBER OF COORDINATORS.—In determining whether a public housing agency meets a specific threshold for funding pursuant to this paragraph, the number of participants being served by the agency in its family self-sufficiency program shall be considered to be the average number of families enrolled in such agency's program during the course of the most recent fiscal year for which the Department of Housing and Urban Development has data.

''(C) PRORATION.—If insufficient funds are available in any fiscal year to fund all of the coordinators authorized under this section, the first priority shall be given to funding one coordinator at each agency with an existing family self-sufficiency program. The remaining funds shall be prorated based on the number of remaining coordinators to which each agency is entitled under this subparagraph.

''(D) RECAPTURE.—Any fees allocated under this subparagraph by the Secretary in a fiscal year that have not been spent by the end of the subsequent fiscal year shall be recaptured by the Secretary and shall be available for providing additional fees pursuant to subparagraph (B)(ii).

''(E) PERFORMANCE STANDARDS.—Within six months after the date of the enactment of this paragraph, the Secretary shall publish a proposed rule specifying the performance standards applicable to funding under clauses (ii) and (iii) of subparagraph (B). Such standards shall include requirements applicable to the leveraging of in-kind services and other resources to support the goals of the family self-sufficiency program.

''(F) DATA COLLECTION.—Public housing agencies receiving funding under this paragraph shall collect and report to the Secretary, in such manner as the Secretary shall require, information on the performance of their family self-sufficiency programs.

''(G) EVALUATION.—The Secretary shall conduct a formal and scientific evaluation of the effectiveness of well-run family self-sufficiency programs, using random assignment of participants to the extent practicable. Not later than the expiration of the 4-year period beginning upon the enactment of this paragraph, the Secretary shall submit an interim evaluation report to the Congress. Not later than the expiration of the 8-year period beginning upon such enactment, the Secretary shall submit a final evaluation report to the Congress. There is authorized to be appropriated $10,000,000 to carry out the evaluation under this subparagraph.

''(H) INCENTIVES FOR INNOVATION AND HIGH PERFORMANCE.—The Secretary may reserve up to 10 percent of the amounts made available for administrative fees under this paragraph to provide support to or reward family self-sufficiency programs that are particularly innovative or highly successful in achieving the goals of the program.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wisconsin (Ms. MOORE) and the gentlewoman from Illinois (Mrs. BIGGERT) will each control 20 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

GENERAL LEAVE

Ms. MOORE of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on H.R. 3018.

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

There was no objection.

Ms. MOORE of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I enthusiastically endorse for favorable consideration this bill authored by Mrs. JUDY BIGGERT. This, Mr. Speaker, is much needed legislation to enhance and to improve a program that assists families who hold a section 8 housing voucher with the goal of leading to economic independence.

Under the Family Self-Sufficiency Program, public housing agencies work with welfare agencies, schools and businesses to develop a program that gives participating Family Self-Sufficiency families the skills and experiences necessary for them to obtain employment that pays a living wage.

Now, this is not an expensive program. In my State of Wisconsin, for example, eight public housing authorities have successfully competed for Family Self-Sufficiency Programs with awards ranging from $34,000 up to only $47,000.

□ 2215

But while it is expensive, it's inexpensive. It is very successful.

While my home public housing authorities in Milwaukee do not anticipate the section 8 family self-sufficiency programs, they do have a public housing family self-sufficiency program in its second year, which is very similar to the section 8 self-sufficiency program.

They have linked in really creative way to a ''Make Your Money Talk'' program. It's a wealth-building program that is partnered with the Wisconsin Women's Business Initiative Corporation, and they have 39 families enrolled.

Based on prior outcomes, participants have used their savings generated from family self-sufficiency to start a business or purchase a home. One resident in particular, a resident of the Westlawn housing development, has started her own cleaning business that has become quite successful.

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

Mrs. BIGGERT. I thank the gentlelady for her comments, and I would yield myself time as I may consume.

Mr. Speaker, as the author of H.R. 3018, the Family Self-Sufficiency Act, I strongly encourage my colleagues to support this important legislation.

First, let me thank Congresswoman WATERS for working with me to include the language of this bill in the section

8 reform bill, H.R. 1851, the Section 8 Voucher Reform Bill Act of 2007, which the House passed on July 12 of last year by a vote of 333–83.

Not to anyone's great surprise, the Senate has yet to take up this larger section 8 reform package. My hope is that the House will pass this bill today, and the Senate will, at a minimum, move this smaller but very important noncontroversial bill.

The bill will strengthen the Family Self-Sufficiency Program, or FSS, and help more disadvantaged families gain independence from government assistance. The FSS is offered in connection with the Department of Housing and Urban Development, section 8 Housing Choice Voucher Program. It provides homeownership counseling, job training, child care, education and other services to help individuals obtain work.

Let me take just a minute to give you just one example of a Family Self-Sufficiency Program success story from my congressional district. Angela, a single mother of two from Willowbrook, Illinois, served 6 years in the Navy. When she finished her service, she got a part-time job and, thanks to the GI Bill, enrolled as a full-time student. Yet she still struggled to make ends meet.

In stepped the wonderful team at the DuPage Housing Authority. Through their Family Self-Sufficiency Program, they helped Angela with the rent for a dozen months, moving her and her two children from tenant-based rental assistance to the Housing Choice Voucher Program. During this time Angela was able to complete college and obtain a degree with a double degree in human resources management and psychology.

The FSS program then connected Angela to a resume-writing class offered by the Illinois Employment Training Center. Within just 1 week of posting her new, polished resume, Angela secured three interviews and a new part-time job.

This March, Angela secured full-time employment as a human resource assistant at the Edward Hines VA Hospital. Angela now earns twice the hourly wage she did when she started working with the FSS program. But the story doesn't end there.

FSS also connected Angela with a financial planner who helped empower Angela with a little financial literacy to improve her budgeting and asset management skills. Today, Angela is working to prepare herself for homeownership, a long way to come from public housing.

Now, Angela is also giving back. She is an active member of the FSS program in DuPage County, providing insights and suggestions to help keep the program relevant and effective for local participants.

Even amidst record-high energy prices and other challenges facing our economy, there are bright stars like Angela who, with a little help, can successfully make ends meet, raise children, get an education, secure a job and achieve the dream of homeownership.

What better way to help more of our neighbors in need than to support this bill today. It's a simple, bipartisan step that we can now take to ensure that a brief period of economic hardship doesn't turn into a lifetime of poverty and dependence for many of our Nation's most vulnerable families.

It does so by addressing the lack of consistent Federal funding for administering FSS services. The bill establishes a minimum ratio of program coordinators to participants, with funding for one coordinator per housing authority, serving an annual average of 25 or more families enrolled in FSS, two coordinators for 75 or more families, and three coordinators for 125 or more families.

It also requires HUD to establish and implement performance measures, collect data on FSS programs, evaluate their effectiveness, and report to Congress on its findings. Finally, the bill provides some funding flexibility to reward innovative and successful FSS programs.

These are good, flexible programs that help put disadvantaged families on the path to independence. Public housing can be an important safety net, but it is not a permanent solution. Let's give these individuals all the support we can to help them stand on their own two feet.

Before I conclude, I would like to thank John Day, president of the DuPage Housing Authority; Jeffrey Lubell, executive director of the Center for Housing Policy; and the folks at the American Association of Service Coordinators, the National Housing Conference, the New America Foundation, and the Corporation for Enterprise Development, for making this bill a reality.

I would, of course, like to thank Angela for her courage and willingness to let me share her success story with all of you today.

I would also like to thank the gentlelady from Wisconsin for managing this bill and all the hard work that she puts into the Financial Services Committee.

With that, I urge my colleagues to support the bill.

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

Ms. MOORE of Wisconsin. Mr. Speaker, I just want to tell you how moving the gentlelady's story was about Angela, and how encouraged she must be and others who benefit from this program.

This is welfare reform done right, and I want to congratulate her on her compassion, for pushing this bill through.

I certainly urge all of my colleagues to vote unanimously for this great bill.

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

Mrs. BIGGERT. Mr. Speaker, I would like to yield as much time as she might consume to the gentlelady from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, I was unable to get here in time to speak about an issue I feel very strongly about. I speak about the need to honor the Code Talkers. It was brought to my attention by my friend and constituent, Mr. Ben Tahmahkera, of Fort Worth, Texas. He is a proud Comanche himself and passionately articulated the important role of the Code Talkers contributed to our Nation during World War II.

Mr. Tahmahkera came to me and pointed out that in July, 2001, President Bush honored the Navajo Code Talkers for their contribution to the United States Armed Forces as radio operators in World War II. Mr. Tahmahkera was very pleased to hear about the Navajo recognition, but he wanted to make sure the sacrifices of the Comanche Code Talkers and other Code Talkers were not forgotten either.

Mr. Tahmahkera suggested that I learn more about Charles Chibitty, who at the time was the only surviving Comanche Code Talker.

In January of 1941, Charles Chibitty enlisted in the United States Army and was assigned the Army's 4th Signal Company. Chibitty himself probably saved thousands of lives during the Normandy invasion alone, and he remembers, years after the battle, that he could clearly remember the messages he received and set out on D-day.

On that day, he identified where our troops were, protected them from being fired on by our own troops and, in general, completely confused the Germans. Chibitty specifically remembers saying in code to our men, ''Okay, we know where you are. Just keep on doing what you are doing.''

The code that Chibitty used was never broken.

For a long time, Germans believed it was just gibberish, and eventually the Germans sent spies to training grounds in Ft. Gordon and reservations in Oklahoma to try and crack the code. None of the spy missions were successful.

After hearing the compelling story of the Comanche Code Talkers from Mr. Tahmahkera, I introduced a bill to award the Comanche Code Talkers the Congressional Gold Medal in December 2001 during the 107th Congress.

I have worked to get these men an honor that is long overdue for the past several Congresses. After a lot of hard work and research by many different Members today, we are, at long last, honoring the Code Talkers who so nobly served our country during both World War I and World War II.

My friend, Representative DAN BOREN from Oklahoma, I appreciate his work and this Congress for bringing the bill to the floor.

Like the Navajo Code Talkers who were recognized for services in 2001, the Comanches, along with members of at least 15 other tribes, acted as Code Talkers in some capacity during both world wars. The Code Talkers were

sent out on their own to provide communications on enemy locations and their strength.

They sometimes spent 24 hours in headphones without sleep or food. Many of these men endured terrible conditions without protection from the enemy. The Code Talkers were able to send messages in their native dialect, a code an enemy could never track. Military commanders credit the Code Talkers with saving the lives of countless American soldiers and ultimately to the success of the United States in many battles.

In my mind, the Native American Code Talkers are some of our Nation's greatest heroes. As my good friend, Deputy Secretary of Defense Gordon England said, ''The story of the Native American Code Talkers is one of the most inspiring chapters in America's march to victory in World War II. Their heroic and dramatic contributions were instrumental in driving back our enemies across the Pacific.''

It's time for Congress to give the Native American Code Talkers the recognition they deserve for their contribution to U.S. victories in World War I and World War II.

Charles Chibitty, a true American hero, was also a loyal friend. He once turned town a Medal of Honor because it did not include all the four signal companies who he considered his brothers.

Chibitty said, I am glad that I am still here, but I miss my comrades. I know that my comrades that have already gone before me are listening and laughing right now. I know when I go up there someday, they will be there waiting for me.

Today, at long last, we honor the late Charles Chibitty and all of his friends who served our country as their service Code Talkers during World War I and World War II.

I urge my colleagues to support H.R. 4544.

□ 2230

Mrs. BIGGERT. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. MOORE of Wisconsin. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. MOORE) that the House suspend the rules and pass the bill, H.R. 3018.

The question was taken.

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

Mrs. BIGGERT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

EXTENDING THE AUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM

Mr. WATT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6965) to extend the authorization of the national flood insurance program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6965

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

SECTION 1. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) PROGRAM EXTENSION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking ''September 30, 2008'' and inserting ''April 30, 2009''.

(b) FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking ''September 30, 2008'' and inserting ''April 30, 2009''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. WATT) and the gentlewoman from West Virginia (Mrs. CAPITO) will each control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. WATT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

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

Mr. WATT. Mr. Speaker, this bill would extend the National Flood Insurance Program by 7 months. During the most recent hurricanes of last year, we found that the program had some substantial problems to it. The House has passed a bill, the Senate has passed a bill, and we have been unable to this point to reconcile the two bills.

So the solution in the meantime is to extend the existing flood insurance program by 7 months. It is important to homeowners and businesses so they can have easy access to flood insurance.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in reluctant support really of H.R. 6965 to extend the authorization of the National Flood Insurance Program. I would prefer that this would be a debate on a consensus reform package that would put the National Flood Insurance Program on a more actuarially sound footing.

Both the House and Senate have passed separate bills that include important and necessary reforms. However, there are significant differences between the two packages. And, unfortunately, we have been unable to reach a compromise on our differences.

Although there are differences in the two approaches, there are some similarities. For instance, both measures would reauthorize the flood program for 5 years and include important reforms to phase out premium subsidies and require more realistic pricing that is actuarially sound and based on the actual risk of flooding. Both bills would also phase out rate subsidies for nonresidential properties and non-primary residences.

One of the great challenges for this program is the debt, which presents an ongoing challenge and stands at $17.4 billion resulting from the 2005 hurricanes. Any flood program reform package has to address the NFIP's debt, the interest payments on that debt and the net impact that they have on the budget.

We also have to face the reality of new claims in the pipeline to cover losses from Hurricanes Ike and Gustav, as well as the flooding in the Midwest earlier this summer.

Both bills contain strong and prudent reforms designed to strengthen the flood program, phase out subsidies, and encourage a premium pricing structure that is based on the actual risk of property loss from flooding.

The National Flood Insurance Program is currently set to expire on September 30. For this reason we are today considering a simple 7-month extension designed to keep the flood insurance program up and running past the September 30 deadline. Allowing the flood insurance program to expire could cause serious disruptions to the mortgage market and we could not afford to let that happen, especially in light of our current financial instabilities. A 7-month extension would allow Congress time to complete their work on a comprehensive reform package.

I want my colleagues in the House to know that the Republican members on the Financial Services Committee remain committed to enacting comprehensive reforms that not only modernize the National Flood Insurance Program so that homeowners will continue to have access to flood insurance, but also to protect the American taxpayer at the same time. I urge passage of this bill.

I reserve the balance of my time, although I have no further speakers.

Mr. WATT. I thank the gentlewoman for her excellent presentation on this. If she is prepared to yield back, I am also prepared to yield back.

Mrs. CAPITO. I yield back the balance of my time.

Mr. WATT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. WATT) that the House suspend the rules and pass the bill, H.R. 6965.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain Special Order speeches without prejudice to the resumption of further legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING HANNAH WARFIELD AND JENNY BARRINGER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. PERLMUTTER) is recognized for 5 minutes.

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize two members of one of my Colorado offices, Hannah Warfield and Jenny Barringer. These two are world-class athletes from my alma mater, the University of Colorado. They recently competed in the U.S. Olympic track and field trials in Eugene, Oregon; and in Jenny's case, the 2008 Olympics in Beijing.

I want to start off by saying a few words about Hannah, a native of Sydney, Montana, who competed in the women's javelin competition. Her work ethic is extraordinary; and despite the rigors of working a full-time job and recently graduating from the University of Colorado, she maintains a training schedule which begins at 5 a.m. in the morning and would humble even the most dedicated among us.

This work ethic propelled her to become the 2007 NCAA Women's Big 12 Champion in the javelin event, a distinction not achieved by a University of Colorado athlete in 20 years.

She is one of the most pleasant, organized and courteous individuals I have ever had the opportunity to meet. And although Hannah came just short of making it to Beijing, words cannot express the amount of pride and inspiration she brought to our office and our community with her dedication to the pursuit of her dreams. Hannah's positive attitude and tenacity should serve as an inspiration to all of us.

Next, I would like to take to moment to speak about Jenny Barringer from Oviedo, Florida, who competed in the women's 3,000 meter steeplechase event. Jenny is a true pioneer in the sport which made its inaugural appearance at the 2008 games.

Prior to the Olympics, she shattered the American record in the women's steeplechase with a time of 9:22:73. If that were not enough, she maintains a 3.7 GPA, serves as a sign language interpreter, volunteers with the Ronald McDonald House, Habitat for Humanity, and the local adopt-a-road program.

I can attest that Coloradoans watched her with excitement and anticipation as Jenny made her Olympic debut and competed in the Beijing games where she once again made history by breaking her own American record with a time of 9:22:26. This was a 9th place finish in the world. Jenny made our community and Nation proud.

But what impresses me most about Hannah and Jenny is that for as great as their athletic ability, they are even better people. Active in their communities, great students, combined with a desire to go above and beyond what is expected, they serve as a positive example of what can be achieved with hard work and a positive attitude.

As a father of three young women myself, all of whom are athletes, I can attest Hannah and Jenny represent the pride and hope every parent feels when they drop their own daughters off at an athletic practice.

It is an amazing honor to see two of our own in Colorado rise to this level, especially knowing it could not have happened to two better people. Hannah Warfield and Jenny Barringer embody the best our country could hope for in the next generation of Americans, and I am privileged for the opportunity to have come to know these two remarkable individuals.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REVISIONS TO THE BUDGET ALLOCATIONS AND AGGREGATES FOR CERTAIN HOUSE COMMITTEES ON THE BUDGET FOR FISCAL YEARS 2008 AND 2009 AND THE PERIOD OF FISCAL YEARS 2009 THROUGH 2013

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 211(3) of S. Con. Res. 70, the Concurrent Resolution on the Budget for fiscal year 2009, I hereby submit for printing in the CONGRESSIONAL RECORD a revision to the budget allocations and aggregates for certain House committees for fiscal years 2008 and 2009 and the period of fiscal years 2009 through 2013. This revision represents an adjustment to certain House committee budget allocations and aggregates for the purposes of sections 302 and 311 of the Congressional Budget Act of 1974, as amended, and in response to consideration of the bill H.R. 6983, as expected to be amended on the floor (Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008) (September 23, 2008, 9:24 AM). Corresponding tables are attached.

Under section 323 of S. Con. Res. 70, this adjustment to the budget allocations and aggregates applies while the measure is under consideration. The adjustments will take effect upon enactment of the measure. For purposes of the Congressional Budget Act of 1974, as amended, a revised allocation made under section 323 of S. Con. Res. 70 is to be considered as an allocation included in the resolution.

Any questions may be directed to Ellen Balis or Gail Millar at 226–7200.

BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year 2008 [1]	Fiscal Year 2009 [1 2]	Fiscal Years 2009–2013
Current Aggregates:			
Budget Authority	2,456,198	2,462,544	n.a.
Outlays	2,437,784	2,497,322	n.a.
Revenues	1,875,401	2,029,653	11,780,263
Change in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (H.R. 6983):			
Budget Authority	0	0	n.a.
Outlays	0	0	n.a.
Revenues	0	0	3,023
Revised Aggregates:			
Budget Authority	2,456,198	2,462,544	n.a.
Outlays	2,437,784	2,497,322	n.a.
Revenues	1,875,401	2,029,653	11,783,286

[1] Current aggregates do not include spending covered by section 301(b)(1) (overseas deployments and related activities). The section has not been triggered to date in Appropriations action.

[2] Current aggregates do not include Corps of Engineers emergency spending assumed in the budget resolution, which will not be included in current level due to its emergency designation (section 301 (b)(2)).

n.a. = Not applicable because annual appropriations Acts for fiscal years 2010 through 2013 will not be considered until future sessions of Congress.

DIRECT SPENDING LEGISLATION AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES

[Fiscal Years, in millions of dollars]

House Committee	2008		2009		2009–2013 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Current allocation:						
Energy and Commerce	89	81	839	802	3,162	3,157
Change in the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act (H.R. 6983):						
Energy and Commerce	0	0	0	0	230	230

DIRECT SPENDING LEGISLATION Authorizing Committee 302(a) Allocations for Resolution Changes—Continued

[Fiscal Years, in millions of dollars]

House Committee	2008		2009		2009–2013 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Revised allocation:						
Energy and Commerce	89	81	839	802	3,392	3,387

REVEREND, DR. CLIFFORD ANTHONY JONES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. WATT) is recognized for 5 minutes.

Mr. WATT. Mr. Speaker, I am pleased today to recognize the 25th anniversary of Reverend, Dr. Clifford Anthony Jones as pastor of the Friendship Missionary Church in Charlotte, North Carolina.

Mr. Speaker, I am pleased today to recognize the 25th anniversary of Reverend Dr. Clifford Anthony Jones as pastor of the Friendship Missionary Baptist Church in Charlotte, North Carolina.

Since moving to Charlotte 25 years ago to the accept the call to lead Friendship Missionary Baptist Church, Pastor Jones has been an important leader in our community and has made significant contributions to our State and internationally. In addition to his important religious role as the leader of a large, dynamic congregation, he is recognized as a leader in race relations, in education, and in community development. Under his leadership, Friendship Missionary Baptist Church has acquired 108.5 acres of land in Charlotte on which they are pursuing plans to develop HIV/AIDS housing, single family housing, a child care center, commercial space, an assisted-living facility for seniors, and centers for Alzheimers and hospice patients. Amidst all these accomplishments, Pastor Jones is also recognized as an outstanding husband and father and is a published author.

Pastor Jones has also been an active force internationally. He has organized and led medical and religious mission teams of doctors, nurses, technicians, and teachers to provide needed healthcare, medical supplies, and educational training in Jamaica, Africa, India, and Guyana for children and families struggling in poverty.

Mr. Speaker, I'm sure my colleagues join me in wishing Reverend Dr. Clifford Anthony Jones, Sr., and the Friendship Missionary Baptist Church congregation a happy 25th pastoral anniversary and best wishes for years to come.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. SALI) is recognized for 5 minutes.

(Mr. SALI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

NO BAILOUT FOR EXECUTIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, Congress is being pushed to pass a Bush administration plan to write a blank check to white collar criminals of the highest order. Instead of prosecuting those who stole from us, Secretary Paulson wants us to reward his former colleagues for their bad decisions, abusive and unlawful practices.

While my constituents are struggling to pay their gas bills, we should recall fondly the record annual bonuses Secretary Paulson's alma mater, Goldman Sachs, gave less than 2 years ago. In 2006, that investment house alone paid $16.5 billion in compensation to its employees averaging more than $600,000 per employee. In fact, Goldman CEO Lloyd Blankfein got $53.4 million that year. And Bear Stearns chief executive officer, the company that the Fed just bailed out with our money, James E. Cayne, got a stock bonus that year worth $14.8 million. Merrill Lynch chief executive officer Stanley O'Neal, he got $35.4 million. Think about this America.

Now 2 years later, those houses are demanding that our taxpayers bail out their companies, despite the fact that the real median household income of a middle class family in our country is about $50,000 a year. That doesn't matter to the people drafting this bailout.

In 2006, Forbes Magazine estimated Secretary Paulson earned $16.4 million as CEO of Goldman Sachs, not counting all his other perks. His net worth is estimated somewhere over half a billion dollars. Indeed, that tidy amount alone would make a real dent in what is owed to the American people in this proposed bailout.

So why would our middle class taxpayers be asked to bail out billionaires? Some of them should be doing time for insider trading and fraudulent accounting rather than lobbying down here in Washington for us to bail them out.

American taxpayers were forced to lay out $30 billion to help Bear Stearns.

□ 2245

And then we were asked to shell out the first $200 billion, and that could rise to $2.44 trillion, for Fannie Mae and Freddie Mac. And now, $85 billion to rescue AIG Insurance Company.

Who ever heard of the Federal Government rescuing an insurance company that was already paying, get this, civil fines in New York for its wrongdoing of over $1.6 billion on proven charges of serious accounting fraud and misconduct.

Why send our hardened paychecks to the very people who caused these problems?

Americans don't need to write checks. We need investigations, and we don't need just investigations, we need prosecutions. White collar crimes of this magnitude cannot go unpunished, nor can they get rewarded.

First, investigation. We need the American people's voices to be heard, not just the voices of those who perpetrated these crimes against us, the taxpayers. We need real congressional investigation and oversight in each of the committees of jurisdiction which seem strangely silent here, using their subpoena power, the Judiciary Committee, the Ways and Means Committee, the Energy and Commerce Committee, the Budget Committee, the Financial Services Committee, which is having a perfunctory hearing tomorrow, I guess, and Government Oversight. The silence is deadening.

The crimes of Wall Street will make Watergate look like penny-ante thieves.

Second, campaign reform. Get the Wall Street money out of congressional and presidential races. Wall Street is now the Number 1 top source of Federal campaign money to Congress and in those presidential races. And guess who's the Number 1 Wall Street giver? Goldman Sachs. And guess where our last two Treasury Secretaries have come from? Goldman Sachs.

Whether it's a Democratic administration or a Republican, not one lawmaker or candidate should be accepting Wall Street money. Wall Street is so broke as to beg for our help, but somehow they have millions of dollars to drop into political coffers.

I think the American people are beginning to get the picture. In fact, I'm putting in the RECORD tonight an article from the Wall Street Journal called Wall Street Top Source of Campaign Money, and also a list of the biggest donors on Wall Street.

Mr. Speaker, I will continue tomorrow evening to talk about justice and empowering the Department of Justice to institute a major investigation.

And let me also, in closing say, I'm going to be placing in the RECORD tonight some remarks from Americans who have ideas about what should be done.

I want to compliment the American people. You're doing a lot of thinking on your own. We need to hear from you.

This Congress shouldn't be closing down and going home. We should be

taking care of America's business, not going home to campaign.

[From the Wall Street Journal, Jan. 23, 2008]

WALL STREET IS TOP SOURCE OF CAMPAIGN CASH

WALLETS OPEN UP ON WALL STREET

(By Brody Mullins)

Despite Wall Street's recent woes, people who work in the financial industry continue to dig deep for political donations to Republican and Democratic candidates for president.

Employees of Wall Street firms are the single largest source of campaign cash, accounting for a total of $50.4 million in financial contributions to the candidates so far this election cycle. That is more than any other industry sector, according to a Wall Street Journal analysis of campaign-finance data compiled by the nonpartisan Center for Responsive Politics.

As candidates load up for advertising blitzes before ''Super Tuesday'' primaries on Feb. 5, candidates from both parties are again coming to New York seeking campaign donations. Sen. John McCain, the Arizona Republican, had a fund-raiser at the St. Regis Hotel last night that was hosted by Merrill Lynch & Co. Chief Executive John Thain, private-equity giant Henry Kravis of Kohlberg Kravis Roberts & Co. and former Goldman Sachs Group Inc. Chairman John Whitehead.

Mr. McCain recently spent $1 million on advertising ahead of the Florida primary next Tuesday, Voters in more than 20 states, including California and New York, go to the polls Feb. 5.

New York Sen. Hillary Clinton heads to her home state tomorrow for two fund-raisers. The Clinton campaign hopes to raise $15 million through these and other means to fund her campaign through Feb. 5.

Contributions from Wall Street have favored Republicans, who have collected 54% of donations from financial companies. Wall Street is the No. 1 source of donations to every major presidential candidate in both parties, except former North Carolina Democratic Sen. John Edwards, who is favored by the legal industry, according to the data.

Lawyers and lobbyists are the second-largest source of contributions to the candidates, with $34.8 million in donations. Together, the finance and legal industries are responsible for nearly a quarter of the $354 million donated to the presidential candidates as of Sept. 30. The next round of campaign-finance information, covering the three-month period ending Dec. 31. will be released at the end of the month.

Employees of financial firms, lawyers and lobbyists make up 46% of all large donations—contributions of $200 or more—to the presidential candidates. Each of the other industry sectors is responsible for just a fraction of the donations to the candidates.

According to the data, people who work in Hollywood, communications or electronics rank a distant third with $13.3 million in donations to the candidates. Other top sources of donations were employees of the healthcare industry with $9.5 million, construction with $6.1 million and energy with $3.1 million. People who work in the defense industry gave $502,000, according to the data.

Not surprisingly, the two candidates from New York are winning the race for donations on Wall Street. Mrs. Clinton and former New York City Republican Mayor Rudy Giuliani lead with $12.3 million and $10.6 million, respectively, in campaign donations from employees of Wall Street firms

Employees of Goldman Sachs, Lehman Brothers Holdings Inc. and Morgan Stanley rank as the top individual sources of donations to the presidential candidates, according to the data.

Goldman employees were the largest contributor to Mr. Obama, the second-largest giver to Mrs. Clinton and the fifth-largest to Mr. Edwards. Goldman employees donated $369,000 to Mr. Obama and $350,000 to Mrs. Clinton.

Other top Wall Street givers to Mr. Obama include employees of Lehman Brothers ($229,000), J.P. Morgan Chase & Co. ($217,000) and Citigroup Inc. ($181,000).

The top seven companies that have produced the most money for Mr. Giuliani are all financial firms, including Ernst & Young LLP, hedge fund Elliott Management and Credit Suisse Group.

Former Massachusetts Gov. Mitt Romney also has fared well on Wall Street. A founder of Bain Capital, Mr. Romney has scored with employees of Goldman Sachs, Merrill Lynch and Morgan Stanley. Employees of his former company have donated $112,000 to his campaign, according to the data.

Unlike Wall Street, lawyers heavily favor Democrats with their political donations. Lawyers have donated $9.6 million to Mrs. Clinton, $8.2 million to Mr. Edwards and $7.9 million to Mr. Obama.

Mr. Giuliani, a former prosecutor and partner with Bracewell & Giuliani LLP, raised $3.2 million from others in his profession. That was more than any other Republican but less than half as much as the leading Democratic candidates.

Pennsylvania-based law firm Blank Rome LLP was the top source of donations to Mr. McCain, who collected $141,000 from employees of the firm. Mr. McCain fared well with employees of Greenberg Traurig LLP, a Miami firm that ranks as his third-largest contributor. As the chairman of the Senate Indian Affairs Committee, Mr. McCain took the lead in investigating convicted lobbyist Jack Abramoff, who was a lobbyist with Greenberg Traurig.

Mr. McCain and Mrs. Clinton led all others with donations from lobbyists. Mrs. Clinton collected $568,000 from lobbyists, while Mr. McCain has $340,000.

[From the Wall Street Journal, Sept. 15, 2008]

THE BIGGEST DONORS ON WALL STREET

CRUNCHED BY CREDIT CRISIS FINANCIAL FIRMS STILL FIND CASH FOR CAMPAIGN DONATIONS

(By Brody Mullins)

2008 Donor	Overall Rank	Total Given to Both Candidates	Total to Obama	Total to McCain
AT&T	20	$309,391	$135,834	$173,557
Bank of America	17	$336,377	$206,902	$129,475
Citadel Investment Group	N/A	N/A	N/A	N/A
Citigroup Inc	2	$671,450	$406,549	$264,901
Columbia University	N/A	N/A	N/A	N/A
Credit Suisse Group	16	$338,100	$188,075	$150,025
Exelon Corp	25	$285,461	$239,561	$45,900
General Electric	22	$300,149	$231,318	$68,831
Goldman Sachs	1	$853,575	$648,480	$205,095
Google Inc	11	$421,991	$404,191	$17,800
Greenberg Traurig LLP	23	$295,932	$145,545	$150,387
Harvard University	9	$440,615	$407,219	$33,396
IBM Corp	N/A	N/A	N/A	N/A
Jones Day	15	$344,380	$272,755	$71,625
JPMorgan Chase & Co	4	$585,035	$412,960	$172,075
Keating, Muething & Klekamp	N/A	N/A	N/A	N/A
Latham & Watkins	14	$359,846	$270,595	$89,251
Lehman Brothers	8	$478,982	$361,482	$117,500
Merrill Lynch	7	$487,435	$190,522	$296,913
Microsoft Corp	13	$376,952	$326,847	$50,105
Morgan Stanley	5	$541,493	$307,221	$234,272
National Amusements Inc	19	$312,050	$301,000	$11,050
PricewaterhouseCoopers	N/A	N/A	N/A	N/A
Sidley Austin LLP	10	$425,976	$329,776	$96,200
Skadden, Arps et al	12	$388,700	$320,550	$68,150
Stanford University	N/A	N/A	N/A	N/A
The Villages	N/A	N/A	N/A	N/A
Time Warner	24	$290,138	$269,213	$20,925
UBS AG	6	$512,509	$382,494	$130,015
University of California	3	$608,999	$576,839	$32,160
US Army	N/A	N/A	N/A	N/A
US Dept of Justice	N/A	N/A	N/A	N/A
US Government	18	$335,014	$197,897	$137,117
WilmerHale	21	$303,572	$275,132	$28,540
Zurich Financial Services	N/A	N/A	N/A	N/A

Source: Center for Responsive Politics.

Re: Key ideas for improving the Paulson Plan

To: Key Policymakers in Congress

From: Dr. Brent Blackwelder, and James S. Henry, Esq.

Date: September 23, 2008

Based on our our conversations this morning with several thoughtful observers here are some additional specific ideas for improving the Paulson Plan.

The overall perspective is that Congress should concentrate now on a short list of

crucial improvements to the Plan that are most important to the public. In our view, these are the following:

1. Equity ''Upside'' and Voting Power. In return for the undeniable new risks that US taxpayers are taking on, and the poor management track record of leading Wall Street institutions, it is reasonable to insist that they receive an ''upside'' on the value of participating financial institutions (FIs) themselves as well as on the potential increased value of acquired mortgage-backed assets. This proposal commands widespread support in this panel.

Technically, this could be accomplished by demanding preferred shares (with anti-dilution provisions) from any financial institutions (FIs) that receive assistance, as was routinely done by Bank of Japan in exchange for financial assistance during the Japanese bank restructuring of the 1990s, and by the Chilean government during the February 1983 bank nationalization.

Warrants might also be used, as was done in the case of the 1979 $1.2 billion Treasury loan guarantee to Chrysler. (According to Sen. Bradley, the Federal Government eventually made money on those warrants.) We believe that while warrants are easier to implement, it is vital to insist on actual equity (including voting power). This will provide the Treasury with much more direct influence over management behavior, will be easier to value, and will also be easier to explain to the public than warrants.

2. Clawback Provisions for Executive Severance Pay. The basic principle here is that for senior FI executives, there should be accountability for some time period even after they leave office—at a minimum, any future compensation or severance that they receive should be subject to stiff taxes or repossession in bankruptcy court. Insisting on compliance with this standard should be a condition for participation in the bailout.

3. *Share the Pain*.

A. Emergency Taxes. Since this very costly bailout package may severely limit the ability of the Federal Government to afford vital programs like health insurance reform and alternative energy, it is important that we deal now with the substantial ''tax justice'' implications of the bailout.

One way to do this would be to start treating this as the national emergency that it really is, and help ordinary taxpayers pay for it by: (1) eliminating the carried-interest benefits for hedge fund managers; (2) cracking down on offshore havens—no FIs should be permitted to establish subs or place SPVs in them; (3) imposing at least a temporary increased income tax rate on all people with incomes above $1 million and on all estates above $10 million.

B. Compulsory Write-Down/Debt Reduction of Residential Mortgages. Given the failure of this summer's relief packages for ordinary mortgage holders to have much impact, and the fact that foreclosures are still increasing (to a record 100,000+ per month, and that housing prices are still falling in a majority of key markets, this is an another essential measure. The debt restructuring should be implemented quickly, affect large numbers of people, and be inversely proportional to mortgage size. It might also be means-tested.

4. *Financial Products Safety Commission*. This would review and certify the quality of all financial products offered to the general public. Products like zero-down payment mortgages would require special labeling, and might not qualify for government incentives like interest deductibility, access to the government insurance window, and so forth.

5. *Treasury-Created Market for MBS Insurance*. As discussed in the draft article below, a very novel idea is that the US Treasury might be able to use current authority to offer ABX-like insurance at a fixed price per tranche to institutions that hold MBSs. According to Professors Kotlikoff and Merlin, if such a government-backed insurance market were in place, backed by a significant reserve against losses, it might even obviate the need for the entire $700 billion, while creating a market-based workout alternative.

As Mr. Henry has suggested, this could be combined with #1, if FIs were allowed to pay for the insurance with equity or warrants. This would also have the benefit of helping to recapitalize troubled FIs.

6. *New ''Pecora Commission'' (ala 1932):* a congressional committee with subpoena power to investigate the root causes of this crisis and recommend further steps.

THE RIGHT FINANCIAL FIX

SEPTEMBER 21, 2008

Fortunately, the Treasury and Fed are looking for a ''comprehensive approach to address the illiquid assets on bank balance sheets.'' Their idea is to swap up to $700 billion in Treasuries for the ''toxic'' assets, putting a floor on bank losses and leaving the government to hold the risky assets until conditions improve. The big question is the swap rate; i.e., how to price these thousands upon thousands of illiquid securities so that both taxpayers and bank shareowners are fairly treated.

Treasury Secretary Paulson wants to run auctions to determine prices, but this will take time to set up and may be impractical given the highly complex nature of many of the securities involved. Furthermore, those holding the worst securities will be the most eager to sell.

Our answer is to rely on the same pricing mechanism, but not the same prices, used before things hit the fan. In the good old days, mortgage derivatives were priced by reference to the cost of buying default insurance on five tranches of a bundle of 20 standard subprime mortgages. The top tranche (AAA) provided the highest probability of full repayment. The lowest tranche (BBB) had the lowest probability. In between were another 3 tranches. The market for these insurance contacts is called the ABX.

Avant le deluge, you could use ABX prices to figure out what a given tranche of a standard mortgage-backed security was worth. It would simply be the cost of buying a safe bond—a Treasury—with the same coupon plus paying the ABX-determined price for default insurance for that tranche. The reason is that once you had purchased the insurance, you are guaranteed a safe income stream; i.e., you were guaranteed the equivalent of a Treasury bond. More exotic mortgage-backed securities, with now scary initials, like CDOs, could also be priced using the ABX.

So here's our specific idea. Rather than ask Hank Paulson to determine the price of each and every toxic asset, let's have him simply set prices for the ABX insurance policies (or credit default swaps, as they are called). Right now these insurance policies are selling for crazy prices because nobody can insure against systemic risk. Nobody, that is, except the government. The government is in a unique position to insure against system-wide risk because its own decisions determine, to a very large degree, the extent of this risk.

Were the government to start selling the ABX insurance policies at reasonable prices, our Cinderella mortgage-derivatives market would suddenly wake up and start pricing every mortgage-related security in sight based on these ABX prices. If Hank does this, the market will do essentially all the pricing; Hank will have only a handful of prices to set, not thousands.

But how does Hank set those prices? What's fair? What's fair are insurance policy prices that assumes no system collapse, a modest additional decline in house prices, a mild recession, and modest additional increases in default rates. Yes, these are optimistic assumptions, but that's the economic outcome the government is arranging and it needs to signal its resolve.

Once the five prices are set, Hank can keep the $700 billion in his pocket. The Treasury will be receiving premium payments as it sells the ABX policies—premiums that it will need to keep in reserve.

What will happen to the banks? With reasonable ABX insurance prices, their toxic assets will take on reasonable values. This will restore their balance sheets and allow them to keep operating. Yes, this will help bank shareholders, but they will still end up far worse off than at the beginning of this crisis. Taxpayers will keep their $700 billion pistol dry for another day.

Playing the ABX market-maker is step one for the government. Step two is reorganizing banks whose capital is still too low even when its ''toxic'' assets are revalued. This means helping such troubled banks finding a marriage partner. Step three is reregulating the entire financial sector. This includes establishing a Federal Financial Authority that stamps a seal of approval on consumer financial products that it deems to be safe, that rates individual securities, and that audits the books and rates the performance of each and every one of our nation's major companies.

The final step, and the most important, is to require financiaI institutions to report on line and in fine detail everything they know about the assets they hold. The principle here is simple enough even for Wall Street ''geniuses'' to understand. If you want to sell the public a product, including your stock, you need to explain what it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. LYNCH) is recognized for 5 minutes.

(Mr. LYNCH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. KANJORSKI) is recognized for 5 minutes.

(Mr. KANJORSKI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

(Mr. SHERMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ANXIETIES OF THE AMERICAN PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. GOHMERT) is recognized for 36 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, there's great concern all over the Nation for those who follow what is going on in our financial institutions. That concern is entirely appropriate.

There's great anxiety all over the Nation by hardworking men and women who do not know how they're going to be able to continue to pay the soaring energy costs for both their vehicles and their homes.

Yet, still, the Congressional leadership continues to refuse to put a piece of legislation on the floor for a vote that could immediately send us well on our way to energy independence by allowing us to produce that with which this Nation has been so blessed.

There's much anger over the disgusting immorality of corporate executives who padded their own pockets with millions of dollars by creative bookkeeping and representations that mortgage securities had value that they did not actually have.

There's incredulity in America over Members of Congress who have spent years decrying the culture of corruption, only to have information come out raising questions about failures to pay proper taxes under the income tax laws that may have been written by such person.

There's incredulity that the FBI might find cold hard cash secreted in a freezer 3 years ago, causing people to wonder why nothing has happened.

There's amazement from those who have bothered to notice that last year a vote could be lost by the Democratic majority, fair and square, then the rules be changed to allow a different outcome.

There's astonishment among those who have bothered to notice that the majority leadership could continue to advertise on-line that this would be the most open Congress in history, with complete use of the committee process, and each bill being subjected to full amendment opportunities and across-the-board input, yet, we continue to have the most closed and dictatorial Congress in memory.

While people in America were being overwhelmed by killer gasoline prices and home energy costs, the United States Congress took 5 weeks off. When over 100 Members of Congress played by the rules and signed up in a timely manner to speak for 5 minutes on the last day of our session in July, before the 5-week recess, the majority party used that majority, yet again, to cram down an abrupt adjournment on us to prevent our speaking with the microphones on. Yet, we spoke with the microphones off anyway.

When points of order have been raised regarding rules violations or alleged ethical malfeasance, the majority has used their power to table legitimate objections to prevent the violations from being corrected and from even being called violations. They've even gone so far as to have the transcript of the proceedings in this Chamber changed to cover up the inappropriate behavior and rulings from the day before, but the video certainly revealed the truth.

I simply could not and still struggle to understand how this body could go so far off course. When we find that our Nation has been brought to the brink of financial failure, there was fear with wailing and gnashing of teeth.

But we find that in 2002 and 2003, when the Bush administration was pushing for and demanding reforms of Fannie Mae and Freddie Mac just to try to avoid this type financial disaster that they foresaw, the efforts at reform were blocked by people against whom allegations have now arisen in the Senate who were reported to have gotten sweetheart deals from the financial industry. The foresight of such potential problem is to the Bush Administration's credit. But the failure to continue to beat the drum, warning that something was amiss does fall at the feet of the administration and Members on both sides of Congress.

There's one word that can prevent the destruction of our little experiment in democracy, as some of our forefathers referred to it, that could also prevent the destruction of a family, of a company, of a society or of a government or a Nation, and that word is accountability.

When Adam and Eve were convinced there was no accountability, they fell from grace.

When the only man mentioned in the Bible who was said to have a heart after God's own actually had no earthly accountability, King David himself committed atrocious wrongs.

When people are convinced that there is no accountability for sexual relations outside marriage, and there turns out to be consequences of a pregnancy, some think it would be punishment to allow a child to be born alive.

When the highest officers in a company think they can raid the retirement funds of their longstanding employees and be mega-wealthy, with no one to whom to account, they raid whatever is in the company as if it were their own.

Some corporate leaders allow workers to come into this country illegally, just so the owners can pocket a little more profit, despite the fact that it diminishes the society and Nation from following the rule of law and for being a Nation of laws.

And though these same people can't see it coming, history makes very clear that such violations of the rules of law will destroy a Nation and society. It makes this Nation appear, at times, to be a corrupt Third World Nation where the law just does not mean much.

When a society believes that if it feels good, do it, and there is no accountability, society ceases and an animal kingdom full of the basest instincts of animals takes over.

When Members of Congress think that they're too big and important to ever be accountable, they display hubris or arrogance and engage in tawdry financial dealing with the taxpayers' money. When people in government begin to feel that there is no accountability for them, they will allow massive overspending that the country cannot afford. They will create monuments to themselves with other people's money. They will allow the vast national wealth to be sent to other countries that do not like us very much, just so the energy does not have to be produced in the backyard of the selfish.

In 1995, the House and Senate both passed a bill that would bring about drilling in what Jimmy Carter, as President, designated for drilling, because there is no wildlife there. It's a perfect place for drilling. And that is in the coastal area where there are billions of barrels of oil. But President Clinton vetoed the bill.

In the last Congress, we passed a bill to provide for drilling in the Outer Continental Shelf, but the Democrats blocked it from getting the required 60 votes to allow cloture in the Senate, so there was no vote up or down on the bill itself in the Senate, and it died there; while our country was dying.

Here our country is in a terribly difficult time with these extremely high energy rates, and our Democratic leadership still supports sending $700 billion a year to nations, many of whom do not like us. If that $700 billion sends familiar, it's because it's also the amount that Secretary Paulson says that we need at this time to save the mortgage and financial system.

Congressman JOE BARTON proposed that, in this time of financial crisis, why not open up ANWR out of necessity? Why not open up the Outer Continental Shelf and use the billions of dollars that will come from that to help

mitigate the expense of financial crisis here?

What a great idea. But the majority leadership does not see that this Nation will have an accountable judgment day where we will be accountable for what we did not do to use the blessings that we have here in this Nation of tremendous amounts of energy.

So what will it take to get people here to see that you cannot spend unabatedly, and you cannot send money overseas with reckless abandon without an accountability, a judgment day coming?

There will indeed be a high price to pay. As Chuck Colson once said, you cannot have the morals of Woodstock and not have the current problems. If you do have people whose world view is that if it feels good you should just do it then, as Chuck Colson says, you're going to have Columbines.

When the message of a majority of those serving in Congress is that we will only follow the rules when it is convenient, then the message to the world is that we will not be bound by the rule of law, as we will change it whenever we want to suit us as we please.

□ 2300

When our Nation's children see the adults sending such a clear message by their conduct, and the rules don't apply to us if we don't want them to, according to the majority, then you can expect the Nation's children to soon follow suit. That leads us to Enrons among the adults, the Fannie Mae fiascoes among the adults. And from our children, you begin to see wayward kids thinking maybe it will feel good to shoot people, so let's see.

Well, if there's a higher power, there's a reason for accountability. If there is no higher power, then there is no reason to worry about our accountability. You can get away with all you want in this life with no adverse consequences at all. For those who think there is no ultimate accountability, no ultimate judgment of the universe, I would point you to the discussion C.S. Lewis had in his book ''Mere Christianity.''

He had said that when he was an atheist, he used to love to tweak Christians by saying, ''Why don't you just admit that there cannot be a just God over the universe when there is so much injustice in the world?'' And no matter what the Christian would say, he would come back and say, ''Yes, yes, yes. That's all well and good. But wouldn't it be easier just to admit there cannot be a just God over the universe when there is so much injustice in this world?''

Eventually, it hit him like a ton of bricks. How could he say—and who was he to say—that there was injustice unless there is some absolute, unwavering outside source of right and wrong? If there were not such a universal source of right and wrong that is written on the hearts of people, then how could anyone ever know or say that there was injustice in the world? You couldn't know.

Once you come to grips with the fact that there is a universal source of right or wrong in the world, then you have to come to grips with the fact that there must be a good God that made it so, and there will be accountability some day. Therefore, no one will ultimately be above the law.

Now, not everyone sees everything exactly the same, of course. C.S. Lewis noted that that just because some can sing closer to the notes printed on a page doesn't mean the music doesn't exist. It just means some do a better job of hitting closer to what the exact and appropriate note is.

There is right and wrong in the world, and most people innately know that. But they rationalize—and we find it all across the House and in Congress—people rationalize that it is more fun to say there is no God, perhaps no Creator so they don't have to feel guilty or consider that some day someone will judge them.

So long as we recognize, as our founders did, that there is a Creator who has endowed us with unalienable rights, then we should recognize that we have a duty to protect those rights for the sake of ourselves and those that follow. Perhaps that is why there is such an effort underway to sterilize and remove God or any reference to Him from all public buildings and documents these days.

If we keep mentioning God, as the founders of this Nation did constantly, then it reminds us that we will some day be accountable even if we get away with things today.

People do not like to feel guilty so they want to strike God out of everything. For example, as our society progressed to the point that we were too smart, too elusive to be accountable to God, we had our first national memorial in 2003 open that does not anywhere in it mention the word ''God.'' First memorial to do that. That was the Franklin D. Roosevelt Memorial. In all of those acres at the expansive memorial, there is no mention of God, Creator, Providence, Holy Trinity, Holy Spirit, Lord, all of these different names that were in our founding documents. They're still found throughout our documents, if anyone cares to look.

Nor is there any mention of the Latin words that are found in our official great seal that's on the back of every dollar bill. If you don't believe it, pull it out and look. Those Latin words are ''Annuit Coeptis,'' meaning He, God, has smiled on our undertaking.

Those words are also found around the Capitol and in the Senate Chamber and in the congressional prayer chapel.

Franklin D. Roosevelt was a leader of this Nation who believed strongly in accountability and that there was a God before whom that would happen.

On June 6, 1944, D-day, President Roosevelt went on national radio and did an amazing thing as President: he led the Nation in prayer. And I would like to just read that for you at this time.

And for those that may look in, Mr. Speaker, they will be able to know from the poster, this is President Franklin D. Roosevelt's prayer during his radio broadcast to the Nation on June 6. Here is that prayer as I read it verbatim as President Franklin Roosevelt gave it.

And understand, as President Roosevelt prayed this prayer, our soldiers were dying fighting valiantly during D-day trying to save the world and make it safer for democracy. This was his prayer:

''My fellow Americans:

''Last night when I spoke with you about the fall of Rome, I knew at this moment that troops of the United States and our allies were crossing the Channel in another and greater operation. It has come to pass with success thus far. And so in this poignant hour, I ask you to join me in prayer.''

President Roosevelt went on, ''Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.

''Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness to their faith.

''They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Successes may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.

''They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.

''For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and goodwill among all Thy people. They yearn but for the end of battle, but their return to the haven of home.

''Some will never return. Embrace these, Father, and receive them. Thy heroic servants, into Thy Kingdom.

''And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas, whose thoughts and prayers are ever with them—help us, Almighty God, to rededicate ourselves for renewed faith in Thee in this time of great sacrifice.

''Many people have urged that I call the Nation into a single day of special prayer. But because the road is long and the desire is great, I ask that our people vote themselves into a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help to our efforts.

''Give us strength, too—strength in our daily tasks to redouble the contributions we make in the physical and the material support of our Armed Forces.

''And let our hearts be stout, to wait out the long travail, to bear sorrows that may come, to impart our courage unto our sons, wherever they may be.

''And, O Lord, give us faith. Give us faith in Thee; faith in our sons; faith in each other; faith in our united crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment—let not these deter us in our unconquerable purpose.

''With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.

''Thy will be done, Almighty God.

''Amen.''

That was a prayer of our President, Franklin D. Roosevelt.

Now, in the 1950s, senator majority leader Lyndon Johnson was sick of having churches harp on him over alleged immortality, so he fixed them. He added a provision to the charitable institution laws that governed churches that says in fact you could not maintain your charitable tax-free status if you got involved in politics. That dramatically changed the Nation that had been known from our beginning.

There again, majority leader Johnson's efforts were an attempt to prevent judgment for what was alleged as improper conduct. No one enjoys accountability. But to have a free Nation, a just Nation, a prosperous Nation, and a blessed Nation, there must be accountability.

Then in 1962, an unaccountable Supreme Court that begins every single session with a prayer that God will save that honorable court, they changed nearly 200 years of precedence by ruling there could be no prayer in schools.

As mentioned in 2003, the first national memorial opened as the FDR Memorial that never mentioned God. In 2004, the second memorial in United States history opened that did not mention God anywhere either. That was the World War II Memorial.

Understand, these are both beautiful memorials. They're just Godless, yet their subjects were certainly not.

Amazingly, the park service had quotes from Eisenhower and Roosevelt in the World War II Memorial that had to be cut right at the right place so their quotes would not mention ''God'' or ''Almighty God'' as those two gentlemen and great leaders did.

I have a Bible here. My aunt says my uncle, my late uncle, got when he entered World War II. On the front, it says—it has got a metal cover—''May the Lord be with you.'' He said he was issued this as he went into the Army.

Right inside the fly leaf there's a message. It says, ''The White House, Washington. As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found in the sacred books words of wisdom, counsel, and inspiration. It is a fountain of strength. And now as always, an aid in attaining the highest aspirations of the human soul.''

Signed Franklin D. Roosevelt.

They used to issue these to people going into the service.

Let me read to you the speech that was given on the floor of the United States Senate by Senator ROBERT BYRD on June 27, 1962, which is the day or two after the Supreme Court ruled there would be no public prayer in school.

I'm reading it as Senator BYRD's speech appeared in the CONGRESSIONAL RECORD.

And Mr. Speaker, I've got a chart here that says it's Senator ROBERT BYRD's speech on the Senate floor, June 27, 1962.

And this is what he said. Senator BYRD, 1962:

''In as much as our greatest leaders have shown no doubt about God's proper place in the American birthright, can we, in our day, dare do less?

''In no other place in the United States are there so many, and such varied official evidences of deep and abiding faith on God in the part of Government as there are in Washington.

''Every session in the House and Senate begins with prayer. Each House has its own chaplain.

''The Eighty-Third Congress set aside a small room in the Capitol, just off the rotunda for the private prayer meditation of Congress. The room is always open when Congress is in session, but it is not open to the public. The room's focal point is a stained glass window showing George Washington kneeling in prayer. Behind him is etched these words from Psalm 16:1 'Preserve me, O God, for in Thee do I put my trust.'

''Inside the rotunda is a picture of the Pilgrims about to embark from Holland on the sister ship of the Mayflower, the Speedwell. The ship's revered Chaplain Brewster, who later joined the Mayflower, has open on his lap the Bible. Very clear are the words, 'The New Testament according to our Lord and Savior, Jesus Christ.' ''

□ 2315

On the sail is the motto of the Pilgrims, ''In God We Trust, God With Us.''

The phrase, ''In God We Trust,'' appears opposite the President of the Senate, who is the Vice President of the United States. The same phrase, in large words inscribed in the marble, backdrops the Speaker of the House of Representatives.

Above the head of the Chief Justice of the Supreme Court are the Ten Commandments, with the great American eagle protecting them. Moses is included among the great lawgivers in Herman A. MacNeil's marble structure group on the east front. The crier who opens each session closes with the words, ''God save the United States and this honorable Court.''

Engraved on the metal on the top of the Washington Monument are the words: ''Praise be to God.'' Actually, parenthetically, the words are Laos Deo, Latin, meaning ''Praise be to God,'' and actually, again parenthetically, that was put on the east side of the top of the Washington Monument for a purpose. Because those, so many decades, years ago, wanted it such that when the sun touched the Nation's capital, Washington, D.C., the first thing that the sun would touch would be the Latin words, Laos Deo, ''Praise be to God.'' Interesting.

Lining the walls of the stairwell are such Biblical phrases as ''Search the Scriptures,'' ''Holiness to the Lord,'' ''Train up a child in the way he should go, and when he is old he will not depart from it.''

Numerous quotations from scripture can be found within the Library of Congress' walls. One reminds each American of his responsibility to his Maker: ''What doth the Lord require of thee, but to do justly and love mercy and walk humbly with thy God,'' Micah 6:8.

Another in the lawmaker's library preserves the Psalmist's acknowledgement that all nature reflects the order and beauty of the Creator, ''The heavens declare the glory of God, and the firmament showeth His handiwork,'' Psalm 19:1. And still another reference, ''The light shineth in darkness, and the darkness comprehendeth it not,'' John 1:5.

Millions have stood at the Lincoln Memorial and gazed up at the statue of the great Abraham Lincoln. The sculptor who chiseled the features of Lincoln in granite all but seems to make Lincoln speak his own words inscribed into the walls.

He said, ''That this Nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth.''

At the opposite end, on the north wall, his Second Inaugural Address alludes to ''God,'' the ''Bible,'' ''providence,'' ''the Almighty,'' and ''divine attributes.''

It then continues: As was said 3000 years ago, so it still must be said, ''The judgements of the Lord are true and righteous altogether.''

On the south banks of Washington's Tidal Basin, Thomas Jefferson still speaks: ''God who gave us life gave us liberty. Can the liberties of a Nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed I tremble for my country

when I reflect that God is just, that his justice cannot sleep forever.''

These words of Jefferson are a forceful and explicit warning that to remove God from this country will destroy it.

Those are the words of Senator ROBERT BYRD back in 1962.

We have a visitor's center, the Capitol Visitor's Center, CVC for short. It cost over $621 million. It is slated to open December 2 of this year. So far, it had been completely sterilized of any mention of God in any form. It was not until over 100 Members of Congress sent a letter and followed up repeatedly with more concern that we finally got a concession this past week that ''In God We Trust'' would be put above the mock-up of the Speaker's rostrum area there in the visitor's center, because what had been there before was a fraud and a deception and attempted to represent that there was no ''In God We Trust'' above our Speaker's head.

There will also be accountability someday for this majority leadership playing so fast and loose with the rules. When rules and laws don't matter, then we lose this blessed country that was founded as a Nation of laws, because people are not perfect. People need rules. We need accountability. That means that the majority leadership, if they play by the rules, they're going to lose a vote every now and then, and that's okay. Don't break the rules just to keep from losing a vote. The rule itself is too important to do that. It also means that the Speaker and other leadership of the majority must abide by the rules as promised, and the promises are actually still on the Speaker's Web site but have not been followed as expected.

Let me just read you from the Speaker's own Web site. This is from the Speaker's Web site, as I pulled them off today.

''Every person in America has a right to have his or her voice heard.'' It would have been nice if that had been remembered the last day of our session on August 1 before there was a 5-week vacation. We didn't get to have the microphones on so we could be heard.

But it continues: ''No Member of Congress should be silenced on the floor''—it would have been nice if somebody had noticed that—''as has been the practice of Republican leadership in the United States House of Representatives.'' A little slap there. Anyone smell hypocrisy?

It goes on and says: ''Respectful of both the wishes of the founders, and the expectations of the American people, we offer the following principles for restoring democracy in the 'People's House,' guaranteeing that the voices of all the people are heard.''

That just makes me sick to read those words and to think about what's happened in the last year and a half.

Then it goes on. It says: ''Bipartisan administration of the House. Our goal is to restore accountability, honesty and openness at all levels of government. To do so, we will create and enforce rules that demand the highest ethics from every public servant, sever unethical ties between lawmakers and lobbyists, and establish clear standards that prevent the trading of official business for gifts. Honest leadership''—on the speaker's Web site it said—''is not a partisan goal. It is the key to a stronger union.'' I agree.

But it goes on to say: ''We must all work together to put the progress of all Americans ahead of the special interests of the few.'' I certainly agree with that, too.

It goes on and says: ''With honest leadership and open government, America's leaders can once again focus on the urgent needs of the American people.''

How about energy? American people need energy. They need cheaper energy. We need to get off the addiction to foreign oil. They're not addressing that. We took off on a 5-week vacation when the people needed us most.

The Web site goes on and says—this is the Speaker's Web site—''bills should be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees. Members should have at least 24 hours to examine a bill prior to consideration at the subcommittee level.''

Boy, that would have been nice last week when we got slapped with an energy bill that didn't go through subcommittee, didn't go through committee, had not one single Republican getting to have any input in that energy bill last week, and it was posted, as I recall, at 9:45 the night before we had to vote on it. It would be nice if these things on the Speaker's Web site were followed.

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

How long has it been on a bill of any substance that the minority was given an opportunity to have amendments? Closed rules over and over and over and over.

The SPEAKER pro tempore. The gentleman will be recognized for the remainder of his hour, 24 minutes.

Mr. GOHMERT. The Web site goes on to say: ''Members should have at least 24 hours to examine bill and conference report text prior to floor consideration.''

Oh, that's another thing. We don't even have conference reports anymore, because if we had a conference, then there would be Republicans from the House that would be required to get to have input, and that's not going to happen. So the conference reports instead became Democrats getting together, working out in the Senate and the House—though, I think they may have let some Republicans in the Senate throw in a line or two—but nobody from the House. Not fair, not open.

And it says that it ''must be reported before 10 p.m. for a bill to be considered the following day.'' They found a way to completely avoid the conference process so that rule doesn't even matter anymore.

Now, the promises on the Speaker's Web site are so far from what's been happening in this, the most closed-door Congress in history. All I can say is that because of the vast abuses, at some point the majority will change again. Maybe not this year. At some point it will, because the American people begin to notice eventually, and some eventually will be shocked by the broken promises that were never fulfilled.

You can only fool the American people for so long before they figure it out. There may even be consequences for people across the aisle, apparently only for show, being on an energy alternative bill and then having two dozen of those people—it was their bill, and they voted against it, having already acknowledged that was the best bill. Maybe there will be consequences for doing that.

Accountability and fairness also mean that if people are going to use electric or fossil fuel-produced energy they should not try to prevent people who are not as wealthy as they are from being able to have the same opportunities to purchase that fuel on less income, that they would have to allow more to be produced to do that.

It means if you're going to use energy, then allow us to get it in America so it produces American jobs, increases America's gross national product, creates a better standard of living for more Americans. It will stop funding Nations that allow their assets to slip into the hands of those who want to destroy us. You cannot keep sending money abroad and not have a day of accountability when it will come back to haunt and truly hurt us badly.

It's time to quit sending $700 billion a year out of this country for energy that we have. Sure, let's produce the renewables. We have got to go to those for our future. And alternative energy sources would be terrific.

Some of us have come up with innovative things that will allow us to go way into the future with cheap energy, but right now, as my farmers tell me, we can't find a Prius tractor. When electricity was lost for days because of this Hurricane Ike that came through my district, as people pointed out to me, there are no hybrid generators. They run on fossil fuel.

Accountability to strengthen the Nation means that children have to have rules, and that when a man and a woman voluntarily have sexual relations, they have made their choice, and they will be accountable and bear the consequence of igniting a life in this world.

Accountability means that if you're a CEO of a company and you run a corporation into the ground, you should not receive millions of dollars in severance and a thank you for your greedy destruction. Instead, you should have to pay.

So, tonight, I want to close with a motion and a supporting speech made by Benjamin Franklin.

□ 2330

Let me set the stage here.

The American Revolution, you remember the Declaration of Independence, 1776. And then the war went on for 7 years. We got to 1783. The revolution was won. There was a Treaty of Paris, 1783. I did not know until I came to Congress, as a historian, history degree I've got, I didn't know until I saw an original copy in the State Department of the Treaty of Paris of 1783—this was a critical document because this was getting Great Britain to acknowledge in writing that the United States was a country that was and should be free and they would have to recognize that. So they wanted it in the name that even Great Britain would be afraid to break and breach.

I was shocked. It starts with big, bold letters at the top of the Treaty of Paris that forced Great Britain to recognize us; in these big, bold words it says, ''In the name of the most Holy and undivided Trinity.''

Then we had the Articles of Confederation in this country, but they were too loosely woven. There were a number of problems, no common currency; there were problems and haggling between the States. And by 1787, it was very clear that if the Nation was to survive, it was going to have to have a new constitution.

So they went to George Washington and said, we need you to come back to preside. And he said, I did my part as God led me to do and you appointed me to do; I did my part. And they said, You don't understand; the 13 colonies will only come back together if you are willing to preside because they know you, they know your heart, they know you're not in it for yourself; you proved that the day you surrendered all power, as had never been done in the history of the world, surrendered all power and went home; won the revolution, commander of the military. You know, when you do that, historically, you could be called Czar, King, Caesar, whatever you want to be called. George Washington didn't do any of that.

When King George, III heard that Washington might resign after the revolution and just go home, he knew history, he said that would never happen. He said, in his exact words, ''If Washington were to do that, he would be the greatest man alive.'' He probably was.

So then we come to have the Constitutional Convention, with George Washington presiding. They went on for nearly 5 weeks with no success. At that point, Benjamin Franklin was recognized by the President of the Constitutional Convention, George Washington. And Benjamin Franklin rose to his feet and this is what he said—his exact words as recorded by James Madison with help from some of the others there. Benjamin Franklin:

''Mr. President, the small progress we have made after four or five weeks close attendance and continual reasonings with each other—our different sentiments on almost every question, several of the last producing as many noes as ayes, is, methinks, a melancholy proof of the imperfection of the human understanding. We indeed seem to feel our own want of political wisdom, since we have been running about in search of it. We have gone back to ancient history for models of government and examined the different forms of those Republics which having been formed with the seeds of their own dissolution now no longer exist. And we have viewed modern states all around Europe, but find none of their constitutions suitable to our circumstances.

In this situation of this Assembly, groping as it were in the dark to find political truth and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Lights to illuminate understanding? In the beginning contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for the Divine protection. Our prayers, sir, were heard, and they were graciously answered.

''All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor. To that kind of Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? Or do we imagine that we no longer need His assistance?

''I have lived, sir, a long time. And the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the Sacred writing that, ''except the Lord build the House, they labour in vain that build it.'' Firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel.

''We shall be divided by our little partial local interest, our projects will be confounded, and we ourselves shall become a reproach and bye word down to future ages. And what is worse, mankind may hereafter, from this unfortunate instance, despair of establishing governments by human wisdom and leave it to chance, war and conquest.

''I, therefore, beg leave to move that henceforth prayers employing the assistance of heaven and its blessing on our deliberations be held in the Assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate at that service.''

According to the record, Mr. SHERMAN seconded the motion.

Mr. Speaker, that was George Washington's recognition of Benjamin Franklin, and the words I read are verbatim from Benjamin Franklin.

We've begun every day here in this House, here in session with the prayer, just as Franklin moved and requested. There is a higher power; there has to be accountability. Decisions in this body must be made in deference to the Father of Lights, as Benjamin Franklin called Him, and doing so with prayer, and as Franklin prayed, that God will illuminate our understanding.

We are in a perilous time, and it is time for responsibility and accountability, or otherwise, we lose this precious country.

It is time now for the majority leadership to stop playing so fast and loose with the rules and with enforcement of the rules. It is time that, after 2 years in the majority, that promises of opportunity to amend bad Democratic bills be fulfilled. It is time that rules apply to CEOs, to speakers, to committee chairmen, to leaders, and the leaders start leading by example.

George Washington said, back during the revolution, these words: ''A people unused to restraint must be led, they will not be drove.'' He led from the front. When I was in the Army, they taught you to lead from the back. Not Washington, he led from the front. He said, ''A people unused to restraint must be led, they will not be drove.''

As someone pointed out previously, we have the only National Anthem whose first verse ends with a question: Oh say does that star-spangled banner yet wave, o'er the land of the free and the home of the brave? The answer as to whether that banner will yet wave depends on whether this Congress begins to acknowledge some accountability and do the right and the wise thing, not the convenient, not the political thing, do the legal, ethical and moral thing, not the Woodstock thing.

May we get back to following God's directives so that this does not cease to be the land of the free and the home of the brave. May we get back to those things that cause God to pour out his richest blessings.

RECESS

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

Accordingly (at 11 o'clock and 39 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0008

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCGOVERN) at 12 o'clock and 8 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2638, CONSOLIDATED SECURITY, DISASTER ASSISTANCE, AND CONTINUING APPROPRIATIONS ACT, 2009

Ms. SUTTON, from the Committee on Rules, submitted a privileged report (Rept. No. 110–875) on the resolution (H. Res. 1488) providing for consideration of the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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

Ms. SUTTON, from the Committee on Rules, submitted a privileged report (Rept. No. 110–876) on the resolution (H. Res. 1489) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LANCE CORPORAL ERIC PAUL VALDEPEÑAS POST OFFICE BUILDING

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6874) to designate the facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, as the ''Lance Corporal Eric Paul Valdepeñas Post Office Building,'' and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6874

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

SECTION 1. LANCE CORPORAL ERIC PAUL VALDEPEÑAS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, shall be known and designated as the ''Lance Corporal Eric Paul Valdepeñas Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Lance Corporal Eric Paul Valdepeñas Post Office Building''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HONORING THE 225TH ANNIVERSARY OF THE CONTINENTAL CONGRESS

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the concurrent resolution (H. Con. Res. 351) honoring the 225th Anniversary of the Continental Congress meeting in Nassau Hall, Princeton, New Jersey, in 1783, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON RES. 351

Whereas, in response to the financial difficulties of the times, the Continental Congress departed the city of Philadelphia suddenly due to a possible uprising by discontented Continental Army soldiers who had not been paid;

Whereas the President of the Continental Congress, Elias Boudinot, established a temporary capital at Princeton ''in order that further and more effective measures may be taken for suppressing the present Revolt, and maintaining the Dignity and Authority of the United States'';

Whereas members of the Continental Congress were instructed to meet in Princeton on June 26, 1783;

Whereas the 300 residents of Princeton took members of the Congress into their homes;

Whereas Princeton University offered the prayer hall and the library in Nassau Hall for Congress to use to conduct the governmental business of the United States;

Whereas the Congress conducted essential business in Nassau Hall, which helped shape the foreign relations of the fledgling Nation;

Whereas General George Washington was called to Princeton by a letter from President Boudinot to receive the formal thanks of the Nation for his dedicated service as commander-in-chief;

Whereas, on August 18, General Washington left Major General John Knox in charge of the encamped army at Newburgh, New York, and traveled with a guard of dragoons and his wife, Martha Washington, to the Rockingham estate in Rocky Hill, New Jersey, which was made available for his use over the next three months;

Whereas General Washington met with the Continental Congress in Nassau Hall on August 26 and received the public thanks of his country for his success in the struggle for liberty;

Whereas, in late October at Rockingham, Washington completed writing his Farewell Orders to the Armies of the United States dismissing the troops and announcing his retirement;

Whereas, while Congress was meeting in Princeton, the Treaty of Paris was signed in Paris by John Adams, John Jay, and Benjamin Franklin on September 3, 1783, marking the end of the American Revolution and establishing the boundaries of the new Nation; and

Whereas Congress departed Princeton in early November 1783 to winter in Annapolis, Maryland: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the 225th Anniversary of the Continental Congress meeting at Nassau Hall in Princeton, New Jersey, should be commemorated.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMEMORATING THE 250TH ANNIVERSARY OF THE NAMING OF PITTSBURGH

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 1000) to commemorate the 250th Anniversary of the Naming of Pittsburgh as the culmination of the Forbes Campaign across Pennsylvania and the significance this event played in the making of America, in the settlement of the Continent, and in spreading the ideals of freedom and democracy throughout the world, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1000

Whereas the Forks of the Ohio at today's Pittsburgh should forever be remembered as the place where an army of British and Colonial soldiers took control of Fort Duquesne from the French, a turning point in the French and Indian War, the first world war;

Whereas the British victory in the French and Indian War sowed the seeds of Colonial discontent with British rule, beginning the chain of events that led to the American Revolution;

Whereas the British Army under the leadership of General John Forbes built the first road across the Allegheny Mountains, thus securing the Gateway to the West for British and later American settlement;

Whereas General Forbes and Colonel George Washington named the location Pittsburgh, in honor of William Pitt the Elder;

Whereas Fort Pitt provided a safe haven for peoples from around the world to follow in Forbes' and Washington's footsteps to travel to Pittsburgh to settle the continent and to pioneer advancements in industry, science, technology, education, the environment and the arts;

Whereas Pittsburgh went on to become the Crucible of the Industrial Revolution, producing glass, steel, and aluminum that have a place in every American skyline; and perfecting the technologies that made it possible for alternating current to illuminate the Nation;

Whereas the people of the Pittsburgh region pioneered modern philanthropy, implemented the first smoke control regulation, developed the polio vaccine, and conquered rejection of transplanted organs, improving countless lives worldwide;

Whereas Pittsburgh is today a global leader in such emerging fields as materials science, regenerative medicine, nanotechnology, electro-optics, robotics, data storage, computer science, and commercial nuclear power;

Whereas Pittsburgh is home to more than 100 multi-billion dollar global corporations

that improve the lives of people around the world;

Whereas Pittsburgh provides a high quality of life to its residents, offering unparalleled arts and cultural opportunities for a place of its size;

Whereas Pittsburgh has been named America's Most Livable City, the only place in America to earn that honor twice;

Whereas Pittsburgh is commemorating its naming and its impact on the world with Pittsburgh 250, a year-long celebration involving communities in 14 Pennsylvania counties, parts of seven states and the District of Columbia;

Whereas Pittsburgh 250 has connected Washington, DC to Pittsburgh by supporting the completion of the Great Allegheny Passage Trail, the longest hiking and biking trail east of the Mississippi and the most accessible great trail experience in the world, providing an important new outdoor recreational asset to the people of the Mid-Atlantic United States; and

Whereas Pittsburgh has accomplished all of these things with an unparalleled history of public and private partnership: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 250th anniversary of the Naming of Pittsburgh, known as a significant event in American history;

(2) recognizes that Pittsburgh 250 is organizing the commemoration on behalf of 14 counties in southwestern Pennsylvania;

(3) encourages participation for all Americans to learn how the Forbes Campaign, the opening of the Gateway to the West, the Industrialization of America, and the environmental transformation of Pittsburgh helped to make America; and

(4) commends the contributions of those who have followed trails to Pittsburgh for 250 years to shape the world we live in and the Nation we have become.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING MICHAEL PHELPS ON WINNING EIGHT GOLD MEDALS IN THE 2008 BEIJING OLYMPICS

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 1418) congratulating Michael Phelps, 2008 Beijing summer Olympic champion swimmer, on winning eight gold medals in the 2008 Beijing Olympics and becoming one of the most decorated athletes in Olympic history, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1418

Whereas Michael Phelps swam in 17 races over the course of 9 days in the 2008 Beijing Summer Olympic Games and surpassed Olympic icon Mark Spitz by becoming the only athlete to win 8 gold medals in a single Olympics;

Whereas Michael Phelps set 7 world records and 8 Olympic records in 8 events in those Olympic Games;

Whereas Michael Phelps is one of the most highly decorated Olympians ever, with 14 gold medals and 2 bronze medals over his Olympic career;

Whereas as a member of the United States men's relay swim teams, Michael Phelps helped set world records and win 3 gold medals for the United States 2008 Olympic swim team; and

Whereas Michael Phelps epitomized the Olympic spirit by demonstrating patriotism, strength, and humility throughout the 2008 Beijing Summer Olympic Games: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Michael Phelps of Baltimore, Maryland, for his outstanding athletic achievements during the 2008 Beijing Summer Olympic Games, achievements that set him apart as one of the most highly decorated and accomplished Olympic athletes in world history;

(2) recognizes the achievements of Michael Phelps and all the members of the United States 2008 Olympic swim team; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution to Michael Phelps; Mark Schubert, head coach of the United States 2008 Olympic swim team; and Bob Bowman, chief executive officer of the North Baltimore Aquatic Club and assistant coach of the United States 2008 Olympic swim team for appropriate display.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REVEREND EARL ABEL POST OFFICE BUILDING

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6198) to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the ''Reverend Earl Abel Post Office Building,'' and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6198

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

SECTION 1. REVEREND EARL ABEL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, shall be known and designated as the ''Reverend Earl Abel Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Reverend Earl Abel Post Office Building''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF SICKLE CELL DISEASE AWARENESS MONTH

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 1453) supporting the goals and ideals of sickle cell disease awareness month, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1453

Whereas Sickle Cell Disease is an inherited blood disorder that is a major health problem in the United States, primarily affecting African-Americans;

Whereas Sickle Cell Disease causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, and restricted blood flow, damaging tissue in the liver, spleen, and kidneys, and death;

Whereas Sickle Cell Disease causes episodes of considerable pain in one's arms, legs, chest, and abdomen;

Whereas Sickle Cell Disease affects over 70,000 Americans;

Whereas approximately 1,000 babies are born with Sickle Cell Disease each year in the United States, with the disease occurring in approximately 1 in 300 newborn African-American infants;

Whereas more than 2,000,000 Americans have the sickle cell trait, and 1 in 12 African-Americans carry the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of a person with Sickle Cell Disease is severely limited, with an average life span for an adult being 45 years;

Whereas, though researchers have yet to identify a cure for this painful disease, advances in treating the associated complications have occurred;

Whereas researchers are hopeful that in less than two decades, Sickle Cell Disease may join the ranks of chronic illnesses that, when properly treated, do not interfere with the activity, growth, or mental development of affected children;

Whereas the House of Representatives recognized the importance of researching, preventing, and treating Sickle Cell Disease by authorizing treatment centers to provide medical intervention, education, and other services and by permitting the Medicaid program to cover some primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease;

Whereas the Sickle Cell Disease Association of America, Inc. remains the preeminent advocacy organization that serves the sickle cell community by focusing its efforts on public policy, research funding, patient services, public awareness, and education related to developing effective treatments and a cure for Sickle Cell Disease; and

Whereas the Sickle Cell Disease Association of America, Inc. has requested that the House of Representatives designate September as Sickle Cell Disease Awareness Month in order to educate communities

across the Nation about sickle cell and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Sickle Cell Disease Awareness Month.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING PROFESSIONAL SURVEYORS AND RECOGNIZING THEIR CONTRIBUTIONS TO SOCIETY

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the concurrent resolution (H. Con. Res. 223) honoring professional surveyors and recognizing their contributions to society, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 223

Whereas there are over 45,000 professional surveyors in the United States;

Whereas the nature of surveying has changed dramatically since 1785, as it is no longer limited to the description and location of land boundaries;

Whereas hydrographic surveys are important to the use of all bodies of water;

Whereas engineering surveys are utilized in the study and selection of engineering construction;

Whereas geodetic surveys determine precise global positioning for such activities as aircraft and missile navigation;

Whereas cartographic surveys are used for mapping and charting, as well as photogrammetry, the science of using aerial photographs for measurement and map production;

Whereas many services are provided through the use of sophisticated surveying equipment and techniques, including satellite-borne remote sensing devices and automated positioning, measuring, recording, and plotting equipment;

Whereas the role of the surveyor has been, and remains, of vital importance in the development of the United States;

Whereas since the colonial days of this Nation, surveyors have been leaders in the community, Statesmen, influential citizens, and shapers of cultural standards;

Whereas former surveyors include George Washington, Thomas Jefferson, and Abraham Lincoln;

Whereas it was the work of the surveyor that determined the boundaries of land, the greatest economic asset in the colonies that became the United States;

Whereas Thomas Jefferson chaired a committee in 1784 to devise a plan for disposing of lands west of the 13 original colonies;

Whereas Thomas Jefferson argued that surveying before sale was necessary to prevent overlapping claim and to simplify deeds and registers;

Whereas Thomas Jefferson reportedly wrote a plan, which was debated in Congress and in modified form was adopted as the Land Ordinance of May 20, 1785, establishing the Public Land Survey System (''PLSS''), the rectangular system that continues today in 30 midwestern and western States; and

Whereas the establishment of the third week of March as ''National Surveyors Week'' would be a fitting tribute to all surveyors: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) supports the establishment of National Surveyors Week;

(2) requests that the President issue a proclamation calling on the people of the United States to observe National Surveyors Week each year with appropriate ceremonies and activities paying tribute to professional surveyors and their contribution to society; and

(3) invites the people of the United States to look back at the historic contributions of surveying and look ahead to the new technologies which are constantly modernizing this honored and learned profession.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

KENNETH PETER ZEBROWSKI POST OFFICE BUILDING

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6199) to designate the facility of the United States Postal Service located at 245 North Main Street in New City, New York, as the ''Kenneth Peter Zebrowski Post Office Building,'' and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6199

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

SECTION 1. KENNETH PETER ZEBROWSKI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 245 North Main Street in New City, New York, shall be known and designated as the ''Kenneth Peter Zebrowski Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Kenneth Peter Zebrowski Post Office Building''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL OVARIAN CANCER AWARENESS MONTH

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 671) supporting the goals and ideals of National Ovarian Cancer Awareness Month, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 671

Whereas ovarian cancer is the deadliest of all gynecological cancers, and the reported incidence of ovarian cancer is increasing over time;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed with ovarian cancer do not have a family history that puts them at higher risk;

Whereas the Pap test is sensitive and specific to the early detection of cervical cancer, but not to ovarian cancer;

Whereas there is currently no reliable and easy-to-administer screening test used for the early detection of ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and urinary symptoms, among several other symptoms that are easily confused with other diseases;

Whereas the first national consensus statement on ovarian cancer symptoms was developed in June 2007 to provide consistency in describing symptoms to make it easier for women to learn and remember them;

Whereas due to the lack of a reliable screening test, 75 percent of ovarian cancer cases are diagnosed in an advanced stage when the five-year survival rate is below 30 percent;

Whereas if ovarian cancer is diagnosed and treated at an early stage before the cancer spreads outside of the ovary, the treatment is potentially less costly, and the survival rate is as high as 90 percent;

Whereas there are factors that are known to reduce the risk for ovarian cancer and play an important role in the prevention of the disease;

Whereas awareness and early recognition of ovarian cancer symptoms are currently the best way to save women's lives;

Whereas the Ovarian Cancer National Alliance, during the month of September, holds a number of events to increase public awareness of ovarian cancer; and

Whereas a National Ovarian Cancer Awareness Month should be designated to increase the awareness of the public regarding the cancer: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of National Ovarian Cancer Awareness Month.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CEECEE ROSS LYLES POST OFFICE BUILDING

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the Senate bill (S. 3241) to designate the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida,

as the ''CeeCee Ross Lyles Post Office Building,'' and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The text of the Senate bill is as follows:

S. 3241

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

SECTION 1. CEECEE ROSS LYLES POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, shall be known and designated as the ''CeeCee Ross Lyles Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''CeeCee Ross Lyles Post Office Building''.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MURPHY A. TANNEHILL POST OFFICE BUILDING

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 3511) to designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, as the ''Murphy A. Tannehill Post Office Building,'' and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 3511

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

SECTION 1. MURPHY A. TANNEHILL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, shall be known and designated as the ''Murphy A. Tannehill Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Murphy A. Tannehill Post Office Building''.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CELEBRATING THE 232ND ANNIVERSARY OF THE SIGNING OF THE DECLARATION OF INDEPENDENCE

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the concurrent resolution (H. Con. Res. 386) to recognize and celebrate the ''232nd Anniversary of the signing of the Declaration of Independence,'' and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 386

Whereas the text of the Declaration of Independence was adopted by the Second Continental Congress on July 4, 1776, and the engrossed copy of the Declaration of Independence was signed by most of the delegates in the Second Continental Congress on August 2, 1776;

Whereas August 2, 2008, marks the 232d anniversary of the signing of the engrossed copy of the Declaration of Independence;

Whereas the signing of the Declaration of Independence marked the formal dissolution of the ties of the thirteen American colonies with Great Britain, the beginning of their statehood and national identity, and the dawning of a new era of freedom in America and the world;

Whereas these Founding Fathers, relying on the direction from and protection of Divine Providence, pledged to each other their lives, their fortunes, and their Sacred honor in defense of this action;

Whereas the Declaration of Independence paved the way for the birth of the Republic;

Whereas the Declaration of Independence has become part of the national culture, and its principles are part of the consciousness of all Americans;

Whereas the fundamental genius of the United States is embodied in the Declaration's recognition that ''all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness'';

Whereas the principle that the rights of man are bestowed by the Creator and are unalienable was derived from Scripture, which antedates the existence from any government;

Whereas the Declaration of Independence affirms that governments are instituted to protect those rights; and

Whereas the Declaration acknowledged these self-evident Truths, which constituted one of the most revolutionary philosophical developments in history and began an unparalleled national experiment: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress recognizes and celebrates the 232d anniversary of the signing of the Declaration of Independence.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measures just considered.

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

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WATT) to revise and extend their remarks and include extraneous material:)

Mr. SPRATT, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. LYNCH, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. WATT, for 5 minutes, today.
Mr. PERLMUTTER, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. HOLT, for 5 minutes, today.
Mr. KANJORSKI, for 5 minutes, today.
Mr. SHERMAN, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1193. An act to direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico; to the Committee on Natural Resources.

S. 3341. An act to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999; to the Committee on Oversight and Government Reform.

BILL PRESENTED TO THE PRESIDENT

Lorrain C. Miller, Clerk of the House reports that on September 17, 2008, she presented to the President of the United States, for his approval, the following bill.

H.R. 5938. To amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes.

ADJOURNMENT

Ms. SUTTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 16 minutes a.m.), the House adjourned until today, Wednesday, September 24, 2008, at 10 a.m.

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 Committed 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**

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

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.

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.

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

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	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]				

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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

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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

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	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

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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

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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

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	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

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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

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	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

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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]				

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	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]				

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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

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	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]				

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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

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(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

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(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

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(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										

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(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

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(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

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(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

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(Dollars in Thousands)

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	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

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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

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(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

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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]		

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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

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	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

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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

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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		13,858		13,858		13,858				13,858
	ASW ELECTRONIC EQUIPMENT										
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

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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

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	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

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	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										

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	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

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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]		

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	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]		

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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**

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	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]		

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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

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	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

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(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**

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(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]		

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(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]		

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(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

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(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

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(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

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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

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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

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(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		[ ]		[ ]		[ ]				[ ]

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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

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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**

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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-										

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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

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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

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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

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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]		

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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

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	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

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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										

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	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/		[ ]		[ ]		[ ]				[ ]

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	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		[ ]		[ ]		[ ]				[ ]

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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

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	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

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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]				

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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

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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

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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**

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 noncombatant 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.

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

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]	

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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**

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		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]			

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		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]			

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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]			

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		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

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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

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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]	

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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]			

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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					

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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

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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

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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]			

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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

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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

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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

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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**

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		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]	

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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

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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]	

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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

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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

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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]	

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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

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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**

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		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

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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

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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

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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

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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

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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

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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

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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**

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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]			

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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]	

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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

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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]	

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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

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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**

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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

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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]	

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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

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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

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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

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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

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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

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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

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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					

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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

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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**

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		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**

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		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]	

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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

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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]	

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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]	

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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

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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**

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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]		

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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]			

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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

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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

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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

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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					

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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

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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	[ ]	[ ]	[ ]		[ ]

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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)	[ ]	[ ]	[ ]		[ ]

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(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

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(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**

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 commanders 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 Network-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 deployment 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 requirements 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 have 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 Department 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 interesting 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

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)

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 ACTIVITII	**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 & MODERNIZATIC	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 & MODERNIZATIC	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 ACTIVITII	**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 ACTIVITI	**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 & MODERNIZATIC	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**

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(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**

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; Warner 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 processes. 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 2008 authorized	FY 2009		Change from	
		Request	Recommendation	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	Conference 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	2110	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	2133	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

Service	FY 2008 authorized	FY 2009		Change from	
		Request	Recommendation	FY 2009 request	FY 2008 authorized
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 number 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 conduct 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 Action 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.

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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 actions 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.

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 extremities, 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 readiness, 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 of 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 nonmilitary 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 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 Secretary 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 counties 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 National 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 recipients 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 burdensharing 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

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.

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[II] 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**

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

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).

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

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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

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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

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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

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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 COMPLEX	69,000		69,000
Army	HAWAII	SCHOFIELD BARRACKS	BATTALION COMPLEX	27,000		27,000
Army	HAWAII	SCHOFIELD BARRACKS	BRIGADE COMPLEX	65,000		65,000

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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

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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

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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

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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

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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			

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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

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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

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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**

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

SUBTITLE A—AUTHORIZATIONS

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**

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 the Senate 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 housing; 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 of $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 family 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 related 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

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).

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 UNSPE	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 UNSPE	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**

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 defense 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

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.

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

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

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					

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**

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 radio-chemistry, 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 returned 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 Untied 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 tot he 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, top 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	0602308A	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	0602705A	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

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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	0603005A	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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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	0604165D8Z	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

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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

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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

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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	50,000	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

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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

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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

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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

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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

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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	

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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

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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

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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

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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

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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

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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	0605978F	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

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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

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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	Referntial 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

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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

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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

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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	Carnahan	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	PRQE 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

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8550. A letter from the Comptroller, Department of Defense, transmitting a letter reporting a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

8551. A letter from the Secretary, Department of Labor, transmitting a letter reporting violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

8552. A letter from the Principal Deputy, Department of Defense, transmitting authorization of 15 officers to wear the authorized insignia of the next higher grade, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

8553. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John A. Bradley, United States Air Force Reserve, and his placement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

8554. A letter from the Principal Deputy, Department of Defense, transmitting authorization of Rear Admiral (lower half) Moira N. Flanders, to wear the authorized insignia of the grade of rear admiral, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

8555. A letter from the Assistant Secretary of Defense for Health Affairs, Department of Defense, transmitting the Department's annual report for fiscal year 2006 on the quality of health care furnished under the health care programs of the Department of Defense, pursuant to Section 723 of the National Defense Authorization Act for Fiscal Year 2000; to the Committee on Armed Services.

8556. A letter from the Secretary, Department of Transportation, transmitting the Department's Fiscal Year 2007 Report to Congress of the Maritime Administration; to the Committee on Armed Services.

8557. A letter from the General Counsel (OFHEO), Federal Housing Finance Agency, transmitting the Agency's final rule — Golden Parachute Payments and Indemnification Payments (RIN: 2590-AA08) received September 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8558. A letter from the Chairman, Southeast Compact Commission for Low-Level Radioactive Waste Management, transmitting the Commission's 2006-2007 Annual Report and Annual Audit; to the Committee on Energy and Commerce.

8559. A letter from the Secretary, Department of the Treasury, transmitting the Department's semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services, pursuant to 22 U.S.C. 6004(e)(6); to the Committee on Foreign Affairs.

8560. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(C), section 204(C); to the Committee on Foreign Affairs.

8561. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 5, 1995, pursuant to 50 U.S.C. 1641(c), section 401(c); to the Committee on Foreign Affairs.

8562. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003, pursuant to 50 U.S.C. 1641(c), section 401(c); to the Committee on Foreign Affairs.

8563. A letter from the Director for Acquisition Management and Procurement Executive, Department of Commerce, transmitting the Department's annual progress report which covers interagency activities and DOC-specific activities, pursuant to Public Law 106-107, section 5; to the Committee on Oversight and Government Reform.

8564. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8565. A letter from the Acting White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8566. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8567. A letter from the Deputy White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8568. A letter from the Assistant Secretary for Administration and Management, Chief Acquisition Officer, Department of Labor, transmitting the Department's FY 2007 ''Buy American Report,'' pursuant to Public Law 110-28, section 8306; to the Committee on Oversight and Government Reform.

8569. A letter from the Assistant Secretary for Administration and Mgmt, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8570. A letter from the President & CEO, Overseas Private Investment Corporation, transmitting the Corporation's Buy American Act Report for fiscal years 2006 and 2007, pursuant to Public Law 109-115 and Public Law 110-28; to the Committee on Oversight and Government Reform.

8571. A letter from the General Counsel, Department of Commerce, transmitting proposed legislation to amend title 35, United States Code, to authorize expenditure of funds for certain travel-related expenses of non-federal employees attending programs regarding intellectual property law and the effectiveness of intellectual property protection; to the Committee on the Judiciary.

8572. A letter from the Secretary, Department of Energy, transmitting the Department's biennial report on performance milestones for the Clean Coal Power Initiative, pursuant to Public Law 109-58, section 403; to the Committee on Science and Technology.

8573. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier II Industry Director's Directive on the Planning and Examination of Gift Card/Certificate Issues in the Retail and Food & Beverage Industries #2 [LMSB Control No.: LMSB-04-0808-042] received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8574. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2008-75] received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue All Industries False Claims Act Settlements With Department of Justice (DOJ) UILs: 162.21-17 (Health Care Fraud) 162.21-18 (Environmental Fraud) 162.21-19 (Aerospace Defense Contractors) 162.21-20 (DOJ — Fraud Settlements not under False Claims Act) 162.21-01 (Cases no covered by the above UILs) [LMSB-4-0908-045] received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8576. A letter from the Branch Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Implementation of Form 990 [TD 9423] (RIN: 1545-BH85) received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8577. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 6707A and the Failure to Include on any Return or Statement any Information Required to be Diclosed under Section 6011 with Respect to a Reportable Transaction [TD 9425] (RIN: 1545-BF62) received September 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8578. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Medicare Advantage and Prescription Drug Benefit Programs: Final Marketing Provisions [CMS 4131-F] (RIN: 0938-AP24) received September 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce. H.R. 758. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; with an amendment (Rept. 110-868 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 6353. A bill to amend the Controlled Substances Act to address online pharmacies; with an amendment (Rept. 110-869 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 6908. A bill to require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable (Rept. 110-870 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2994. A bill to amend the Public Health Service Act with respect to pain care; with an amendment (Rept. 110-871 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2583. A bill to amend title

VII of the Public Health Service Act to establish a loan program for eligible hospitals to establish residency training programs, with an amendment (Rept. 110-872). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1532. A bill to amend the Public Health service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes; with an amendment (Rept. 110-873). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1014. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; with an amendment (Rept. 110-874). Referred to the Committee of the Whole House on the State of the Union.

[Filed on September 24 (legislative day of September 23), 2008]

Mr. MCGOVERN: Committee on Rules. House Resolution 1488. Resolution providing for consideration of the Senate amendment to the bill (H.R. 2638) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110–875). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1489. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 110–876). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of the rule XII the Committees on Ways and Means and Education and Labor discharged from further consideration. H.R. 758 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 6353 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committees on Education and Labor and Ways and Means discharged from further consideration. H.R. 6908 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DUNCAN (for himself, Mr. COOPER, Mr. DAVID DAVIS of Tennessee, Mr. GORDON, Mr. WAMP, Mrs. BLACKBURN, Mr. LINCOLN DAVIS of Tennessee, Mr. TANNER, and Mr. COHEN):

H.R. 6996. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

By Mr. GORDON:

H.R. 6997. A bill to implement a National Water Research and Development Initiative, and for other purposes; to the Committee on Science and Technology.

By Mr. MAHONEY of Florida:

H.R. 6998. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide education and training to emergency response providers and community leaders relating to the mental health of veterans of Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CUMMINGS (for himself, Mr. OBERSTAR, Mr. BISHOP of New York, and Mr. THOMPSON of Mississippi):

H.R. 6999. A bill to restructure the Coast Guard Integrated Deepwater Program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WAXMAN:

H.R. 7000. A bill to require any eligible telecommunications carrier receiving universal service support for the provision of services for rural, insular, and high cost areas to offer automatic roaming services to any technically compatible carrier upon request; to the Committee on Energy and Commerce.

By Ms. BALDWIN:

H.R. 7001. A bill to amend the Child Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RICHARDSON:

H.R. 7002. A bill to direct the Secretary of Transportation to establish and collect a national container fee and to use amounts collected from the fee to make grants for infrastructure projects at United States seaports and in surrounding areas to improve the movement of goods, enhance transportation security, and mitigate environmental damage caused by the movement of goods; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. EDWARDS of Texas, Mr. FILNER, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCGOVERN, Mr. ORTIZ, Mr. REYES, and Ms. SCHAKOWSKY):

H.R. 7003. A bill to amend title 38, United States Code, to prohibit discrimination and acts of reprisal against persons who receive treatment for illnesses, injuries, and disabilities incurred in or aggravated by service in the uniformed services; to the Committee on Veterans' Affairs.

By Mr. YARMUTH:

H.R. 7004. A bill to amend the Tom Osborne Federal Youth Coordination Act to create the White House Office of National Youth Policy to ensure the coordination and effectiveness of services to youth, and for other purposes; to the Committee on Education and Labor.

By Mr. RANGEL (for himself, Mr. MCCRERY, Mr. MCDERMOTT, Mr. HERGER, Mr. LEWIS of Georgia, Mr. BRADY of Texas, Mr. NEAL of Massachusetts, Mr. BLUMENAUER, Mr. REYNOLDS, Mr. PASCRELL, Mr. PORTER, Ms. BERKLEY, Mr. CROWLEY, Mr. VAN HOLLEN, and Mr. MEEK of Florida):

H.R. 7005. A bill to amend the Internal Revenue Code of 1986 to provide alternative minimum tax relief for individuals for 2008; to the Committee on Ways and Means.

By Mr. RANGEL (for himself, Mr. KIND, Mr. LAMPSON, Mr. CAZAYOUX, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. THOMPSON of California, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. MEEK of Florida, and Mr. MAHONEY of Florida):

H.R. 7006. A bill to amend the Internal Revenue Code of 1986 to provide disaster assistance relief; to the Committee on Ways and Means.

By Mr. ACKERMAN (for himself, Mr. MCCOTTER, Mr. KANJORSKI, and Mr. WOLF):

H.R. 7007. A bill to establish the American Cybersecurity Commission to investigate the current threats to the cybersecurity of American business and infrastructure from foreign entities; to the Committee on Science and Technology, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALEXANDER (for himself, Mr. BOUSTANY, and Mr. MCCRERY):

H.R. 7008. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for disaster assistance for electric utility companies serving low-income households, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. BEAN (for herself, Mr. ISRAEL, Mr. RYAN of Ohio, Mr. RODRIGUEZ, Ms. SHEA-PORTER, and Mr. CARSON):

H.R. 7009. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for the cost of telecommuting equipment and expenses; to the Committee on Ways and Means.

By Ms. BEAN (for herself, Ms. SHEA-PORTER, Mr. ISRAEL, Mrs. BOYDA of Kansas, Mr. WEINER, Mr. RYAN of Ohio, Mr. RODRIGUEZ, and Mr. CARSON):

H.R. 7010. A bill to amend the Internal Revenue Code of 1986 to provide a refundable, advanceable tax credit for health insurance costs of individuals with COBRA continuation coverage by reason of termination of employment; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 7011. A bill to amend title 10, United States Code, to make a technical correction in the application of the special rules regarding the payment of combat-related special compensation to eligible combat-related disabled uniformed services retirees who are retired for disability under chapter 61 of such title; to the Committee on Armed Services.

By Ms. CORRINE BROWN of Florida (for herself and Mr. PUTNAM):

H.R. 7012. A bill to amend title 23, United States Code, to authorize States to issue special permits to allow the operation of vehicles of not to exceed 95,000 pounds on Interstate System highways for the hauling of livestock; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS (for herself, Mr. BOUCHER, and Ms. SOLIS):

H.R. 7013. A bill to require the Federal Communications Commission to provide for a short term extension of the analog television broadcasting authority so that essential public safety announcements and digital television transition information may be provided for a short time during the transition to digital television broadcasting; to the Committee on Energy and Commerce.

By Mr. ENGLISH of Pennsylvania:

H.R. 7014. A bill to provide for the renegotiation of the North American Free Trade Agreement; to the Committee on Ways and Means, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 7015. A bill to amend title 10, United States Code, to provide police officers, criminal investigators, and game law enforcement officers of the Department of Defense with authority to execute warrants, make arrests, and carry firearms; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona (for himself, Mr. TAYLOR, Mr. FORTENBERRY, Mr. LIPINSKI, Mr. SMITH of Texas, and Mr. PENCE):

H.R. 7016. A bill to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; to the Committee on the Judiciary.

By Mr. GARRETT of New Jersey (for himself and Mr. CARNEY):

H.R. 7017. A bill to amend Public Law 100-573 to extend the authorization of the Delaware Water Gap National Recreation Area Citizen Advisory Commission; to the Committee on Natural Resources.

By Mr. INSLEE (for himself, Mr. ISRAEL, Mr. PERLMUTTER, and Mr. KLEIN of Florida):

H.R. 7018. A bill to promote development of a 21st century energy system to increase United States competitiveness in the world energy technology marketplace, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself, Mr. RYAN of Ohio, Mr. WEINER, Ms. BEAN, Mr. RODRIGUEZ, and Ms. SHEA-PORTER):

H.R. 7019. A bill to amend the Internal Revenue Code of 1986 to consolidate the current education tax incentives as one credit against income tax for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. RYAN of Ohio, Ms. BEAN, Mr. RODRIGUEZ, and Ms. SHEA-PORTER):

H.R. 7020. A bill to authorize additional appropriations for the family caregiver support program under the Older Americans Act of 1965, and for the National Clearinghouse for Long-term Care Information, for fiscal years 2009, 2010, and 2011; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut (for himself, Mr. SAM JOHNSON of Texas, and Mr. BISHOP of Georgia):

H.R. 7021. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits to individuals who have been wrongfully incarcerated; to the Committee on Ways and Means.

By Mr. LARSON of Connecticut (for himself and Mr. JONES of North Carolina):

H.R. 7022. A bill to reform the financing of House elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS (for herself, Mrs. NAPOLITANO, Mr. CALVERT, Mr. RADANOVICH, and Mr. HASTINGS of Washington):

H.R. 7023. A bill to redesignate the third powerhouse facility administered by the Bureau of Reclamation and located at Grand Coulee Dam in Grand Coulee, Washington, as the ''John W. Keys, III Powerplant'', and for other purposes; to the Committee on Natural Resources.

By Mr. PASTOR:

H.R. 7024. A bill to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 7025. A bill to amend the Internal Revenue Code of 1986 to reduce the threshold for the allowance of the deduction for medical expenses; to the Committee on Ways and Means.

By Mr. SESTAK (for himself and Ms. ROS-LEHTINEN):

H.R. 7026. A bill to amend the National and Community Service Act of 1990 to establish the Silver Scholarship program to encourage increased volunteer work by seniors; to the Committee on Education and Labor.

By Mr. TANCREDO:

H.R. 7027. A bill to direct the Attorney General to institute condemnation proceedings to acquire the property in the headquarters district and any other property in the United States of the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TANNER (for himself and Mr. BOYD of Florida):

H.R. 7028. A bill to limit United States assistance for infrastructure projects in Iraq, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TERRY:

H.R. 7029. A bill to establish a trust fund to hold new Federal revenue from mineral exploration, development, and production in Alaska and the Outer Continental Shelf in order to reduce the national debt; to the Committee on Natural Resources.

By Mr. TERRY:

H.R. 7030. A bill to make available for oil and gas leasing, under the 2007-2012 oil and gas leasing program, areas of the Outer Continental Shelf for which expenditures for such leasing are prohibited on September 19, 2008; to the Committee on Natural Resources.

By Mr. WITTMAN of Virginia (for himself, Mr. BOUCHER, Mr. CANTOR, Mr. TOM DAVIS of Virginia, Mrs. DRAKE, Mr. FORBES, Mr. GOODE, Mr. GOODLATTE, Mr. SCOTT of Virginia, Mr. WOLF, and Mr. MORAN of Virginia):

H.R. 7031. A bill to designate a portion of the Rappahannock River in the State of Virginia as the ''John W. Warner Rapids''; to the Committee on Natural Resources.

By Mr. KIRK (for himself, Mr. JACKSON of Illinois, and Mr. WOLF):

H. Con. Res. 423. Concurrent resolution calling for a comprehensive strategy to address the crisis in Darfur, Sudan, and condemning the ongoing assaults and obstruction by the Khartoum regime; to the Committee on Foreign Affairs.

By Ms. WATERS (for herself, Mr. CONYERS, Mr. WATT, Mr. SCOTT of Virginia, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. BUTTERFIELD, Mr. PAYNE, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Ms. NORTON, Mr. SERRANO, Mr. CLAY, Mr. CLEAVER, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mrs. CAPPS, Mr. FARR, Mr. LEWIS of Georgia, Ms. WOOLSEY, Mr. RUSH, Mrs. CHRISTENSEN, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. MCGOVERN, Ms. ZOE LOFGREN of California, and Mr. AL GREEN of Texas):

H. Con. Res. 424. Concurrent resolution calling on the Attorney General to protect the right to vote of every person in the United States by promptly and thoroughly investigating complaints of violations of the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. STUPAK, Mrs. SCHMIDT, and Mr. BURTON of Indiana):

H. Res. 1480. A resolution supporting the goals and ideals of National Spina Bifida Awareness Month; to the Committee on Energy and Commerce.

By Mr. SMITH of Texas (for himself, Mr. CAPUANO, Mr. TOM DAVIS of Virginia, Mr. GOODLATTE, Mr. KILDEE, Mr. DREIER, Mr. HOYER, Mr. SHAYS, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. BERMAN, Mr. CALVERT, Mr. LEWIS of California, Mr. INGLIS of South Carolina, Mr. SHIMKUS, Mr. HOEKSTRA, Mr. SHADEGG, Mr. CARTER, Mr. HINOJOSA, Mr. BRADY of Texas, Mr. CULBERSON, Mr. WOLF, Mr. COHEN, Mr. YOUNG of Alaska, Mr. ROHRABACHER, Mr. COBLE, Mr. PETRI, Mr. MCKEON, Mr. DAVIS of Kentucky, Mr. PORTER, Mr. TIM MURPHY of Pennsylvania, Mr. GOODE, Mr. DOOLITTLE, Mr. DUNCAN, Mr. DAVID DAVIS of Tennessee, Mr. WHITFIELD of Kentucky, Mr. FERGUSON, Mr. RADANOVICH, Mr. KING of Iowa, Mr. WEINER, Mr. CANNON, Mr. PICKERING, Mr. MORAN of Virginia, Mr. REHBERG, Mr. CONAWAY, Mr. MARCHANT, Mr. POE, Mr. BURGESS, Mr. RODRIGUEZ, Mr. MCCAUL of Texas, Mr. GONZALEZ, Mr. SERRANO, and Mr. REYES):

H. Res. 1481. A resolution recognizing the 100th anniversary of the Christian Science Monitor newspaper; to the Committee on Oversight and Government Reform.

By Mr. MCCOTTER (for himself, Ms. ROS-LEHTINEN, and Mr. SMITH of New Jersey):

H. Res. 1482. A resolution to condemn the efforts of the Human Rights Committee of the United Nations and the United Nations Committee on the Elimination of Discrimination against Women to pressure and coerce the democratically elected government of the Republic of Ireland to reduce or eliminate its constitutionally established abortion restrictions; to the Committee on Foreign Affairs.

By Mr. BURTON of Indiana (for himself and Mr. ENGEL):

H. Res. 1483. A resolution regarding the recent decision by the President to declare Venezuela and Bolivia as nations that have

''failed demonstrably'' to meet their international commitments to combat the production and trafficking of illicit drugs; to the Committee on Foreign Affairs.

By Mr. COOPER (for himself, Ms. BORDALLO, Mr. COHEN, Mr. RANGEL, Mr. MCDERMOTT, Mr. WOLF, Mr. MORAN of Virginia, Ms. LORETTA SANCHEZ of California, Mr. JACKSON of Illinois, Mr. CROWLEY, and Ms. JACKSON-LEE of Texas):

H. Res. 1484. A resolution recognizing Project HOPE for 50 years of exceptional service in improving and saving the lives of millions of children and adults in developing nations through humanitarian assistance and health education; to the Committee on Foreign Affairs.

By Mrs. EMERSON (for herself, Mr. HOYER, Mr. ANDREWS, and Mr. KING of New York):

H. Res. 1485. A resolution supporting the work of firefighters to educate and protect the Nation's communities, and the goals and ideals of Fire Prevention Week; to the Committee on Oversight and Government Reform.

By Mr. MILLER of North Carolina:

H. Res. 1486. A resolution supporting the goals and ideals of World Habitat Day; to the Committee on Foreign Affairs.

By Mr. SESSIONS (for himself and Mr. BURTON of Indiana):

H. Res. 1487. A resolution expressing the sense of the House of Representatives that the Commissioner of Food and Drugs should evaluate the scientific evidence on the question of whether to add more folic acid to enriched grain products and expand folic acid fortification into cornmeal and corn-based food products to help prevent further serious birth defects; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

367. The SPEAKER presented a memorial of State Senate of Massachusetts, relative to Resolution 39 asking the Congress of the United States to award honorary posthumous citizenship to Casimir Pulaski; to the Committee on the Judiciary.

368. Also, a memorial of State Senate of Massachusetts, relative to memorializing the Congress of the United States to provide sufficient, timely and predictable funding for health care for veterans; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 211: Mr. BRALEY of Iowa.
H.R. 282: Mr. WITTMAN of Virginia.
H.R. 468: Ms. JACKSON-LEE of Texas, Mr. SIRES, Mr. CLEAVER, and Ms. MOORE of Wisconsin.
H.R. 522: Ms. EDWARDS of Maryland.
H.R. 661: Mr. FATTAH.
H.R. 715: Ms. CLARKE.
H.R. 748: Mr. MCCAUL of Texas and Ms. CASTOR.
H.R. 758: Ms. SHEA-PORTER.
H.R. 1029: Mr. CHANDLER and Mr. MORAN of Kansas.
H.R. 1113: Ms. ZOE LOFGREN of California.
H.R. 1280: Mr. SHULER and Mr. HONDA.
H.R. 1614: Ms. LEE.
H.R. 1653: Ms. CLARKE.
H.R. 1655: Mr. BERRY.
H.R. 1801: Ms. GIFFORDS, Mr. PAYNE, Mr. WELLER, Mr. LEWIS of Kentucky, Mr. THORNBERRY, and Ms. ROS-LEHTINEN.
H.R. 1840: Mr. SERRANO.
H.R. 1947: Mr. SHAYS.
H.R. 1956: Mr. HINOJOSA, Mr. BARROW, and Mr. CARNEY.
H.R. 1983: Mrs. MUSGRAVE.
H.R. 2015: Mr. HOYER and Ms. RICHARDSON.
H.R. 2053: Mrs. DAVIS of California.
H.R. 2210: Mr. FATTAH.
H.R. 2221: Ms. MOORE of Wisconsin and Mr. ANDREWS.
H.R. 2279: Mr. LATTA.
H.R. 2289: Mr. FATTAH.
H.R. 2329: Mr. RUPPERSBERGER.
H.R. 2353: Mr. MILLER of North Carolina and Mr. SERRANO.
H.R. 2468: Ms. CLARKE.
H.R. 2516: Mr. ALTMIRE.
H.R. 2802: Mr. Fortuño.
H.R. 2942: Mr. KUHL of New York.
H.R. 3174: Ms. WOOLSEY and Ms. BORDALLO.
H.R. 3175: Mr. BISHOP of Georgia.
H.R. 3187: Mr. PERLMUTTER.
H.R. 3192: Mr. HILL.
H.R. 3326: Mr. HOYER, Ms. HIRONO, Ms. MOORE of Wisconsin, Mrs. DAVIS of California, Mr. WU, Mr. BECERRA, and Ms. RICHARDSON.
H.R. 3371: Mr. FEENEY.
H.R. 3406: Mr. FATTAH.
H.R. 3689: Mr. KUHL of New York and Mr. FATTAH.
H.R. 3865: Mr. FATTAH.
H.R. 3876: Ms. MOORE of Wisconsin, Mr. CLAY, Mr. PAYNE, Ms. MCCOLLUM of Minnesota, Mr. DEFAZIO, Mr. LEWIS of Georgia, Ms. CLARKE, Mr. CLEAVER, Mr. HONDA, Ms. WATSON, Mr. BUTTERFIELD, Mr. THOMPSON of Mississippi, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. EDWARDS of Maryland, and Ms. KAPTUR.
H.R. 3929: Mr. KIRK.
H.R. 4089: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4102: Ms. MOORE of Wisconsin.
H.R. 4851: Mr. GRIJALVA.
H.R. 5148: Mr. MCCOTTER.
H.R. 5161: Ms. SCHAKOWSKY.
H.R. 5174: Mr. BRADY of Pennsylvania and Mrs. GILLIBRAND.
H.R. 5236: Mr. BAIRD.
H.R. 5447: Mr. HASTINGS of Florida and Ms. GIFFORDS.
H.R. 5615: Mr. VAN HOLLEN and Mr. COURTNEY.
H.R. 5629: Mr. GERLACH and Mr. CARNEY.
H.R. 5635: Mr. BLUNT and Mr. RADANOVICH.
H.R. 5734: Mr. KING of Iowa and Mr. FATTAH.
H.R. 5835: Mr. RAMSTAD.
H.R. 5842: Mr. WAXMAN.
H.R. 5854: Mr. MCHENRY, Mrs. BIGGERT, and Mrs. DRAKE.
H.R. 5868: Mr. ROHRABACHER, Mr. MCHENRY, and Mr. FORTUÑO.
H.R. 5950: Mr. HOLT.
H.R. 5971: Ms. FOXX.
H.R. 6053: Mr. SHADEGG.
H.R. 6100: Mr. GRIJALVA and Ms. SCHAKOWSKY.
H.R. 6122: Mr. SESTAK.
H.R. 6126: Mr. DEFAZIO and Mr. FRANK of Massachusetts.
H.R. 6143: Mr. ALLEN.
H.R. 6197: Mr. TANNER, Mr. COOPER, Mr. LAMBORN, Mr. Lincoln Davis of Tennessee, Mr. RADANOVICH, Mr. CONAWAY, Mr. HAYES, and Mr. TOM DAVIS of Virginia.
H.R. 6259: Mrs. MALONEY of New York.
H.R. 6310: Mr. MCHUGH.
H.R. 6387: Mrs. TAUSCHER.
H.R. 6407: Mr. FATTAH.
H.R. 6434: Mr. WAXMAN.
H.R. 6438: Mr. BISHOP of Georgia, Mr. BERRY, and Mrs. MCMORRIS RODGERS.
H.R. 6453: Mr. BOOZMAN and Mr. CALVERT.
H.R. 6466: Mr. BOUSTANY.
H.R. 6495: Mr. MCDERMOTT and Ms. MATSUI.
H.R. 6517: Mr. WEINER.
H.R. 6520: Ms. SCHAKOWSKY.
H.R. 6559: Mr. HINCHEY and Ms. SCHWARTZ.
H.R. 6567: Ms. ZOE LOFGREN of California.
H.R. 6568: Mr. CALVERT.
H.R. 6617: Mr. ORTIZ.
H.R. 6646: Mr. BONNER.
H.R. 6654: Mr. BLUMENAUER.
H.R. 6655: Mr. MILLER of North Carolina.
H.R. 6675: Mr. REGULA and Mr. BARTLETT of Maryland.
H.R. 6694: Mr. GORDON and Mr. LINCOLN DIAZ-BALART of Florida. H.R. 6696: Mr. KAGEN.
H.R. 6702: Mr. MCNULTY and Mr. HIGGINS.
H.R. 6735: Mr. ROGERS of Kentucky.
H.R. 6791: Mr. ANDREWS, Mrs. CAPPS, Mr. MCNULTY, Mrs. MCCARTHY of New York, and Mr. BISHOP of Georgia.
H.R. 6792: Mr. FILNER.
H.R. 6820: Mr. GRIJALVA and Ms. SCHAKOWSKY.
H.R. 6849: Mr. CRAMER, Mr. TIAHRT, Mr. BRALEY of Iowa, Mr. ARCURI, Mr. GRAVES, Mr. ADERHOLT, Mr. POMEROY, Mr. CARNAHAN, Mr. HILL, Mr. SOUDER, and Mr. HALL of New York.
H.R. 6856: Mr. ALTMIRE and Mr. SARBANES.
H.R. 6864: Mr. COHEN.
H.R. 6873: Mr. TERRY, Mr. CARNEY, Mr. PASTOR, Mr. FORTENBERRY, and Ms. ESHOO.
H.R. 6885: Mr. SALI.
H.R. 6913: Ms. LEE.
H.R. 6918: Mr. PAUL.
H.R. 6932: Mr. DAVIS of Alabama, Mr. TIAHRT, Mr. ISRAEL, Mr. GUTIERREZ, Mr. CARTER, Mr. SOUDER, Ms. WASSERMAN SCHULTZ, and Mr. BARTLETT of Maryland.
H.R. 6948: Ms. BORDALLO.
H.R. 6949: Mr. KLEIN of Florida.
H.R. 6950: Ms. KAPTUR.
H.R. 6954: Mr. GRIJALVA.
H.R. 6958: Mr. SESSIONS.
H.R. 6966: Mrs. CAPPS and Mr. HOLT.
H.R. 6973: Ms. ROYBAL-ALLARD and Ms. SOLIS.
H.R. 6982: Mr. BACA, Mr. BERMAN, Mrs. BONO MACK, Mr. CALVERT, Mr. CAMPBELL of California, Mrs. CAPPS, Mr. CARDOZA, Mr. COSTA, Mrs. DAVIS of California, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. HONDA, Ms. LEE, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCNERNEY, Mr. GARY G. MILLER of California, Mrs. NAPOLITANO, Ms. Richardson, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Mr. STARK, Mrs. TAUSCHER, Mr Thompson of California, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, and Ms. WOOLSEY.
H.J. Res. 6: Mr. FEENEY.
H.J. Res. 79: Mr. JOHNSON of Georgia and Mr. BLUMENAUER.
H.J. Res. 91: Mr. OLVER.
H. Con. Res. 223: Mr. WOLF.
H. Con. Res. 284: Mr. WESTMORELAND.
H. Con. Res. 352: Mr. WOLF.
H. Con. Res. 362: Mr. TIAHRT and Mr. MELANCON.
H. Con. Res. 378: Mr. REICHERT.
H. Con. Res. 393: Ms. BALDWIN, Mr. PITTS, Mr. TAYLOR, Mr. CHILDERS, Ms. ROYBAL-ALLARD, Mr. WAMP, Mrs. MYRICK, and Mr. SHERMAN.
H. Con. Res. 400: Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Ms. CLARKE, and Mr. SERRANO.
H. Con. Res. 405: Mr. EHLERS, Mr. KUHL of New York, Mr. PETRI, Mr. SALI, Mr. KLINE of Minnesota, and Mr. WAMP.
H. Con. Res. 411: Mr. LATTA.
H. Con. Res. 416: Mr. GENE GREEN of Texas.
H. Con. Res. 417: Mr. GOODLATTE, Mr. SALI, and Mr. LATTA.
H. Res. 758: Mr. KING of New York, Mr. MARKEY, Mr. BRADY of Texas, Mr. MANZULLO, and Mr. CHABOT.

H. Res. 771: Mr. LATTA.
H. Res. 1064: Mr. KUHL of New York.
H. Res. 1232: Mr. SMITH of Washington.
H. Res. 1268: Mr. AL GREEN of Texas, Ms. BALDWIN, Mr. DOGGETT, Ms. BORDALLO, Mr. VAN HOLLEN, Mr. HOLT, and Mr. BLUMENAUER.
H. Res. 1272: Mr. POE and Mr. MELANCON.
H. Res. 1328: Mr. EDWARDS of Texas, Mr. MCNULTY, Mr. BERMAN, Mr. DELAHUNT, and Mrs. NAPOLITANO.
H. Res. 1375: Mr. YARMUTH, Mr. SPACE, Mr. CARDOZA, Ms. LORETTA SANCHEZ of California, Ms. SCHAKOWSKY, Mr. WALSH of New York, Mr. HARE, Mr. COSTELLO, Ms. GINNY BROWN-WAITE of Florida, Mrs. BONO MACK Mack, Mr. WOLF, Mrs. DRAKE, Mrs. MILLER of Michigan, Mr. Tom Davis of Virginia, Mrs. CAPITO, Ms. PRYCE of Ohio, Mr. TERRY, Mr. TIAHRT, Mr. ROGERS of Alabama, and Mr. BERRY.
H. Res. 1386: Mrs. BONO MACK and Mr. BERMAN.
H. Res. 1392: Mr. TERRY.
H. Res. 1405: Mr. BECERRA and Mr. INGLIS of South Carolina.
H. Res. 1409: Ms. SLAUGHTER.
H. Res. 1414: Mr. LATTA.
H. Res. 1416: Ms. GRANGER and Mr. MARCHANT.
H. Res. 1421: Mrs. DRAKE.
H. Res. 1427: Mr. BOOZMAN, Mr. POE, Mr. SHAYS, and Mr. ROHRABACHER.
H. Res. 1428: Mr. GRIJALVA, Mr. SPACE, Mr. PASCRELL, Mr. CUELLAR, and Mr. HOBSON.
H. Res. 1436: Mr. FRANK of Massachusetts.
H. Res. 1437: Mr. MCNULTY, Mrs. EMERSON, Mr. ROGERS of Alabama, Mr. BRALEY of Iowa, Mr. MCHENRY, Mr. EDWARDS of Texas, Mr. HINOJOSA, Mr. ADERHOLT, Ms. ROYBAL-ALLARD, Mr. TIAHRT, Mr. SALAZAR, Ms. HERSETH SANDLIN, Mr. ALEXANDER, Mrs. BIGGERT, Mr. SALI, Mr. COHEN, Ms. BERKLEY, Mr. HOEKSTRA, Mr. STUPAK, Mr. MILLER of North Carolina, Mr. ALLEN, Mr. FALEOMAVAEGA, Mr. WALBERG, Mr. SOUDER, Mr. ENGEL, Ms. MCCOLLUM of Minnesota, Mr. LEWIS of Georgia, Mr. REYES, Mr. COBLE, Ms. SCHWARTZ, Mr. SHAYS, Ms. BALDWIN, Mr. JEFFERSON, Mr. RUPPERSBERGER, Mrs. DRAKE, Mr. PAYNE, Mr. DAVID DAVIS of Tennessee, Mr. BOSWELL, and Mr. HILL.
H. Res. 1445: Mr. BACA.
H. Res. 1446: Mr. PALLONE.
H. Res. 1450: Mr. LATTA.
H. Res. 1451: Ms. ZOE LOFGREN of California, Mr. BACA, Mr. AKIN, Mr. FILNER, Mr. KING of New York, Ms. SPEIER, and Mr. SALI.
H. Res. 1453: Ms. KILPATRICK.
H. Res. 1462: Ms. WOOLSEY and Mr. WOLF.
H. Res. 1467: Mr. PITTS and Mr. BOOZMAN.
H. Res. 1479: Mr. GALLEGLY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

308. The SPEAKER presented a petition of San Francisco Labor Council, relative to a resolution asking to Stop Escalating the Confrontation with Iran & Reduce the Danger of Another Military Conflict in the Persian Gulf; to the Committee on Foreign Affairs.

309. Also, a petition of Menke & Associates, Inc., relative to a request to reject proposed Section 3701 of the Tax Rduction and Reform Act of 2007 (H.R. 3970); to the Committee on Ways and Means.