limit coverage, and they reap billions in excessive salaries, profits, and bonuses.

Look at the facts: United Health earned $2.9 billion last year. WellPoint reported profits of $2.5 billion. For CEO pay, United Health Group’s Stephen Hemsley made $3.2 million. WellPoint’s Angela Braly made $9.8 million. It doesn’t stop there. Former United Health Group’s CEO, Bill McGuire, left his job in 2006 and still took home $1.1 billion. That’s a lot of zeros.

What are we paying, Mr. Speaker? This is all about money—campaign contributions, CEO salaries, millions in advertising to kill reform, and billions in profits. That’s what’s at stake here.

It’s time to stop this nonsense and enact real reform that includes a public insurance option based on Medicare rates and with a network of providers to lower costs and to provide quality care.

THE SEVEN DIRTY WORDS WE CAN’T USE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to read his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, this year, we lost a comedian of some note named George Carlin. One of the marks of his career was when he challenged the FCC with the seven dirty words. We’re now engaged in a debate on health care, and we’ve been told that there are a number of phrases that we can’t use because we’re attempting to speak truth to power, power being the Democratic leadership here in the House.

What are these dirty words or phrases we can’t use to describe the leading Democratic health care proposal?

We can’t call it “government-run” even though that’s what it’s going to be inevitably. We can’t call it “single-payer” even though that’s where they’re going. We can’t call it “socialized medicine.” I don’t know why not, but we can’t. We can’t call it “ObamaCare.” We can’t call it “rationed care” even though rationing is an absolutely essential element to their plan. We can’t call it the “government mandate care” even though it’s full of mandates. The word “shall” appears, I believe, 190 times in the bill. “Shall” means “must,” which means a mandate. You can’t call it “keep your change care” because, frankly, there won’t be any change for you to keep.

The seven dirty words we can’t use.

THE URGENCY OF HEALTH CARE REFORM

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

Mr. CARSON of Indiana. Madam Speaker, I rose today to speak to the urgency of health care reform. I want to share the story of Holly, an Indianapolis woman who has courageously fought and won two bouts with breast cancer. Thankfully, Holly’s medical costs were largely covered by insurance. While she praises the care and treatment she received, Holly is rightly worried about the future.

Due to her history of recurring cancer, Holly will be uninsurable if she ever loses her job and, with it, her employer-based health insurance plan. Holly and thousands of people across the state live in fear that the statute of limitations will leave millions more uninsured, in some cases even fighting for their lives.

We must push forward with overhauling our health care system, not only for the 47 million who are uninsured but for the millions more who will be added to these rolls unless we act. Now is not the time for fearmongering. Now is not the time for political posturing or for narcissistic behavior. We must be Representatives in the true sense of the word and act on behalf of the American people.

HONORING ST. ANN’S 150TH ANNIVERSARY

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

Mr. LANCE. Madam Speaker, I rise this morning in honor of the 150th anniversary of St. Ann’s Roman Catholic Church in Hampton, Hunterdon County, New Jersey.

St. Ann’s was officially established in 1859, and Father Claude Rolland of France was named its first resident pastor.

Throughout its history, St. Ann’s has faithfully fulfilled its mission while, at the same time, helping to establish eight other Catholic churches in Hunterdon and Warren Counties. Due to its contribution to the history of our State in 2003, the church was designated by New Jersey as a Site of Historical Note. Today, St. Ann’s Parish is enjoying a period of significant growth under the leadership of its current pastor, Father Michael Saharic.

I congratulate St. Ann’s Church for its 150 years of service to the communities of Hampton, Glen Gardner and surrounding areas and as a pillar of faith.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

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

The form of my resolution is as follows:

Whereas the gentleman from Georgia, Mr. Broun submitted an amendment to the Committee on Rules to H.R. 3326, Department of Defense Appropriations Act, 2010; Whereas that gentleman’s amendment would have required that none of the funds made available in this Act be used to standardize the design of future ground combat uniforms across the military branches; Whereas defense appropriations have typically been used to procure the various types of equipment such as uniforms; Whereas the gentleman’s amendment complied with all applicable Rules of the House for amendments to appropriations measures and would have been in order under an open amendment process, but regrettably the House Democratic leadership has dramatically and historically reduced the opportunity for open debate on this Floor; and

Whereas the Speaker, Ms. Pelosi, the Democratic leadership, and the chairman of the Committee on Appropriations, Mr. Obey, prevented the House from voting on the amendment by excluding it from the list of amendments made in order under the rule for the bill: Now, therefore, be it

Resolved, That H. Res. 685, the rule to accompany H.R. 3326, be amended to allow the gentleman from Georgia’s amendment to be considered and voted on in the House.

The SPEAKER pro tempore (Ms. Edwards of Maryland). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader, as a question of the privileges of the House, has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Georgia will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 685 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3326.

In the Committee of the Whole.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, with Mr. BLUMENTALER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the committee of the whole rose on Wednesday, July 29, 2009, all time for general debate had expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule and the bill shall be considered read through page 147, line 4.

The text of that portion of the bill is as follows:

H.R. 3326

Be it enacted by the Senate and House of Representatives of the United States of America in
For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10, United States Code, or while serving on duty under section 12301(d) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $7,525,628,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $1,600,462,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10302, and 12402 of title 10, United States Code, or while serving on duty under section 12301(d) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $610,580,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $1,918,111,000.

OPERATION AND MAINTENANCE, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under sections 10211, 10305, and 12402 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $3,901,547,000.

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $39,901,547,000.

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $23,095,581,000.

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $12,528,845,000.

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of the Reserve provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers’ Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,938,850,000.

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on active duty under sections 10211, 10305, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,308,513,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under sections 10211, 10305, and 12402 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $1,918,111,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,949,899,000.

TITLe II

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $30,454,152,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,657,000 can be used for emergencies and extraordinary expenses, to be expended on his certificate of necessity for confidential military purposes, $38,735,490,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $35,785,490,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,999,000 can be used for emergencies and extraordinary expenses, to be expended on his certificate of necessity for confidential military purposes, $33,785,490,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Department of Defense (other than the military departments), as authorized by law, $27,929,377,000: Provided, That not more than $56,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That of the funds provided under this heading, less than $5,000,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $5,000,000 shall be available for high priority projects under section 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair or replacement of facilities and equipment; hire of passenger motor vehicles; travel and transportation;
care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,280,001,000.

OPERATION AND MAINTENANCE, MARINE CORPS Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $229,925,000.

OPERATION AND MAINTENANCE, AIR FORCE Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,079,228,000.

OPERATION AND MAINTENANCE, ARMY National Guard

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations, as specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,353,627,000.

OPERATION AND MAINTENANCE, AIR National Guard

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $4,941,276,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $13,932,000, of which not to exceed $5,000,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $494,276,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which made available herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $285,869,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which made available herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR Force (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $277,700,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which made available herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,100,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which made available herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $227,371,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes for which made available herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code, to remain available until September 30, 2011.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons and weapons-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons components and weapons technology and expertise, and for defense and military contacts, $494,085,000, to remain available until September 30, 2012.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $100,000,000.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories; and for spectrum and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and other items, with private plants; reserve plant and Government and contractor-owned equipment layaway; and
other expenses necessary for the foregoing purposes, $5,144,991,000, to remain available for obligation until September 30, 2012.

MISCELLANEOUS PROCUREMENT, ARMY

For construction, procurement, production, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories thereof; specialized equipment and training devices, expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecute thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,358,609,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of missiles, torpedoes, other weapons, and related support equipment, including spare parts, and accessories thereof; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $794,886,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, NAVY

For construction, procurement, production, and modification of ammunition, and accessories thereof; specialized equipment and training devices, expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecute thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $794,886,000, to remain available for obligation until September 30, 2012.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, sale, or transfer of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in such plants, reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary thereof, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

- Carrier Replacement Program, $739,269,000
- Carrier Replacement Program (AP), $484,432,000
- NSSL, $1,961,317,000
- NSSL (AP), $1,959,725,000
- CVN Refueling, $1,563,602,000
- CVN Refueling (AP), $211,892,000
- DD(X), $1,073,161,000
- DDG–1 Destroyer, $1,912,267,000
- DDG–1 Destroyer (AP), $326,996,000
- Littoral Transportation, $2,160,000,000
- LPD–17, $872,392,000
- LPD–17 (AP), $184,555,000
- Intrastrategic, $357,956,000
- LCAC Service Life Extension Program, $63,857,000
- Prior year shipbuilding costs, $454,586,000
- Service Craft, $8,894,000

For construction, procurement, production, modification, and installation of spare parts, and accessories therefor, and first destination transportation, $386,903,000.
plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $6,508,359,000, to remain available for obligation until September 30, 2012.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of equipment and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, pursuant to section 2804 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant, Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $869,941,000, to remain available for obligation until September 30, 2012.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement, and transportation of things, $4,036,816,000, to remain available for obligation until September 30, 2011.

DEFENSE HEALTH PROGRAM

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $27,976,278,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of the Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,721,723,000, to remain available for obligation until September 30, 2011: Provided, That the funds appropriated in this paragraph which are available for the V--2011: Appropriations of the House of Representatives for the Armed Forces: National Defense Sealift Fund shall be used to award a new contract that is not otherwise provided for, for the destruction of other chemical warfare facilities, in accordance with the provisions of the Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of the United States stockpile of lethal chemical agents and munitions: auxiliary equipment, including trailers, $348,669,000 shall only be for the Assembled Chemical Weapons Disposal Facility: $1,146,802,000 shall be for operation and maintenance, of which no less than $84,839,000, to remain available until September 30, 2012, of which no less than $1,510,760,000 shall be available for the Chemical Stockpile Emergency Preparedness Program, consisting of $34,905,000 for activities on military installations and $11,151,844,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $11,151,844,000, to remain available for obligation until September 30, 2011.

EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $351,269,000, to remain available until September 30, 2011.

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,455,004,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ships Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $884,508,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that is not otherwise provided for, nor to acquire any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including barges, propulsion systems, and无不izes; $38,046,000, to remain available until expended.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ships Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $884,508,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that is not otherwise provided for, nor to acquire any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including barges, propulsion systems, and无不izes; $38,046,000, to remain available until expended.
under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,217,724,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same purpose and for the same purpose as the appropriation to which it is an addition, for the purpose of transferring funds provided herein, only upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purpose provided herefor, in such case the transfer authority provided under this section is not necessary for the purpose provided herefor; provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $984,550,000, of which $185,000,000 shall be for Attack the Network, to remain available until September 30, 2011; $25,000,000 shall be for Defeat the Device, to remain available until September 30, 2012; $55,000,000 shall be for Train the Force, to remain available until September 30, 2010; $121,550,000 shall be for Staff and Infrastructure, to remain available until September 30, 2010; $611,002,000 shall be for Operation and Maintenance, of which not to exceed $700,000 is for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices; the execution of the Joint Improvised Explosive Device Defeat Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance, research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall not fewer than 15 days prior to any transfer from any appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $287,100,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses: Provided, That the funds appropriated under the provisions of title 10, United States Code, of which $120,000,000 shall remain available until September 30, 2012, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to remain available until September 30, 2010; $290,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $611,002,000.

TITLE VIII

GENERAL PROVISIONS

SSE. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SSE. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense whose pay is computed under the provisions of section 5905 of title 5, United States Code, or at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5905 of title 5, United States Code, or at a rate in excess of the percentage increase provided by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5905 of title 5, United States Code, shall be treated as subdivisions of appropriations for the purpose of authorizing funds from any such appropriations for the purpose of allowing the Director of the Joint Intelligence Community to hire foreign national employees of the Department of Defense: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SSE. 8003. No part of any appropriation contained in this Act shall be used for personnel of the Department of Defense established pursuant to title 10, United States Code; for operation and maintenance, of which not to exceed $700,000 is for the purpose of allowing the Director of the Joint Intelligence Community to hire foreign national employees of the Department of Defense: Provided further, That the limita-

SSE. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligations for Operation and Maintenance, of which not to exceed $700,000 is for the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military personnel) for obligations of $4,000,000,000 or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds have been requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for re-appropriation of funds for personnel of priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds have been requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section, if approved, shall be denied by the Congress prior to June 30, 2010: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SSE. 8005. Upon determination by the Secretary of Defense that it is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $1,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military personnel) for obligations of funds for activities, programs or projects for which an amount appropriated or made available exceeds the amounts requested, for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SSE. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in this Act, the tables titled "Explanation of Project Level Adjustments" in the report of the Committee on Appropriations of the House of Representa-
tives of the Congress promptly of all transfers made pursuant to this section: Provided further, That the Secretary of Defense may notify the congressional defense committees of any such adjustments pursuant to this section: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section, if approved, shall be denied by the Congress prior to June 30, 2010: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SSE. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That the report shall include—

(1) a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SSE. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for balances that are previously sent to such funds: Provided, That no obligation of funds may be made between such funds: Provided further, That...
transfers may be made between working capital funds and the “Operation and Maintenance” appropriation accounts in such amounts as may be determined by the Secretary of Defense for the purpose of implementing the Office of Management and Budget, except that such transfers may not be made unless the Secretary certifies to the Congress prior to any such obligation. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be incurred to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress thereof if the value of the multiyear contract for which the economic order quantity procurement is in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear procurement contract for which the economic order quantity procurement is in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified in advance of any proposed contract award:

SEC. 8008. None of the funds appropriated by this Act may not be used to initiate a special access program notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate—(1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year unless the congressional defense committees have been notified in advance of any proposed contract award;

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program notification 30 calendar days in advance to the congressional defense committees.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program notification 30 calendar days in advance to the congressional defense committees.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds appropriated for maintenance shall be available for providing humanitarian and similar assistance by using Civic Actions Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–238: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, and Palau:

SEC. 8012. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength limitation for such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel that may be employed on the last day of such fiscal year.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justifications for the justification of all documentation supporting the fiscal year 2011 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2011.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to implement a personnel action or any legislation or appropriation matter pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available toward any analysis or study of personnel actions or any legislation or appropriation matter pending before the Congress.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to conduct any analysis or study of a service-civilian personnel action or appropriation matter pending before the Congress.

(b) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be accomplished in accordance with the Secretary's authority and subject to any out-sourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be authorized under the authority or, and in compliance with, subsection (b) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

TRANSFER OF FUNDS

SEC. 8016. Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

P-175 copiers and printers

SEC. 8017. Within the funds appropriated for the operation and maintenance of the

cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(1) not making available the Federal organiza-

tion's personnel-related costs for performance of that activity or function by Federal employee(s); or

(2) $2,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(b) making available the employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract;

(c) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

Provided further, That no part of any funds provided by this Act shall be used to pay the pay and allowances of any member of the Army participating as a full-time student for the performance of any commercial or industrial type function of the Department of Defense that—

(b) the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, and Palau.

SEC. 8012. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength limitation for such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel that may be employed on the last day of such fiscal year.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justifications for the justification of all documentation supporting the fiscal year 2011 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2011.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to implement a personnel action or any legislation or appropriation matter pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available toward any analysis or study of personnel actions or any legislation or appropriation matter pending before the Congress.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to conduct any analysis or study of a service-civilian personnel action or appropriation matter pending before the Congress.

(b) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be accomplished in accordance with the Secretary's authority and subject to any out-sourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be authorized under the authority or, and in compliance with, subsection (b) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

TRANSFER OF FUNDS

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred or appropriated in any other Act. Funds appropriated by this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer of authority contained in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States or are components which are substantially manufactured in the United States: Provided, That
for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting processes). Further, that the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States. The aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States.

S. 8023. During the current fiscal year, the Defense Contract Auditing Agency is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350(c) of title 25 United States Code. Provided further, That the treatment of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions shall not be credited to the appropriations or fund which incurred such obligations.

S. 8024. (a) Of the funds made available in this Act, not less than $23,376,000 shall be made available for the National Civilian Marine Program.

(b) The Secretary of the Air Force shall certify in writing to the Committees on Appropriations of the House of Representatives and the Senate that the funds available to the department from any source during fiscal year 2010 may be used by a defense FFRDC, or as a separate entity administrated by an organization managing another FFRDC, and no nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

S. 8025. (a) None of the funds appropriated or made available in this Act shall be allowed after the date on which the preliminary planning for the study begins through the date on which a performance decision is made for the system. Provided further, That this subsection shall apply to staffs years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(b) The Secretary of Defense shall, with the submission of the department’s fiscal year 2011 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(c) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $25,200,000.

S. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense for which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply only to any armor steel plate or armor steel plate further. That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis certifying to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

S. 8027. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

S. 8028. During the current fiscal year, the Department of Defense may acquire the replacement of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement under the Buy American Act with respect to such types of products produced in the United States that are covered by the agreement under the Buy American Act is in a position to discriminate against United States products covered by the agreement; Provided further, That the Secretary of Defense shall not apply to contracts conducted under this section.

S. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement under the Buy American Act with respect to such types of products produced in the United States that are covered by the agreement under the Buy American Act with respect to such types of products produced in that foreign country

(b) An agreement referred to in paragraph (1) is any reciprocal defense procurement agreement.
memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain items.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign sources in each fiscal year. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a), the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1934 (41 U.S.C. 10a et seq.).

Sec. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(2) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

Sec. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force military housing units or category of the Department of Defense working capital funds, or military housing units located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units at Offutt Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Secretary of the Air Force.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota.

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

Sec. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an item unit cost of not more than $250,000.

Sec. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been available to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable to the Defense Working Capital Funds.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense business operations fund budget submittal to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation for a fiscal year, which shall be budgeted for in a proposed fiscal year 2011 procurement appropriation and not in the supply management business area or any other area of the Department of Defense, may be classified as a category of the Central Services Working Capital Funds.

Sec. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve Officers' Training Corps, which shall remain available until September 30, 2011: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency for advanced research and development, acquisition, for agent operations, and for covert action programs authorized by the Central Intelligence Agency Act of 1947, as amended, shall remain available until September 30, 2011.

Sec. 8035. Notwithstanding any other provision of law, the Secretary of Defense may determine in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program Information systems and intelligence information systems for the Services, the Unified and Specified Commands, and other military commands.

Sec. 8036. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-wide", not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for eliminating or mitigating those resulting from Department of Defense activities.

Sec. 8037. (a) None of the funds appropriated in this Act may be expended by the Secretary of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1934 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a proposal of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting or obtaining any contract or contract as to which a civilian officer or employee of the Department of Defense, in expending the appropriation, purchases equipment and products purchased with appropriations provided under this Act, it is the sense of the Congress that the award of such contract is in the interest of the national defense.

Sec. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis that the award of such contract is in the interest of the national defense.

Sec. 8039. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used: (1) to establish a field operating agency; or (2) to pay the basic pay of a member of the Armed Forces of the United States who is transferred or reassigned to the Department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters activity.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations of this subsection (a), the Secretary determines that the award of such contract is in the interest of the national defense.

Sec. 8040. (a) The Secretary, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available by this Act for a contract or other agreement with a small business concern that provides for a cooperative arrangement under the heading "Operation and Maintenance, Defense-wide" to support the Secretary, or that otherwise meets the requirements of section 8039, subsection (b) of this title.

(b) In this subsection, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota.

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

“No research, development, test and evaluation, Air Force, 2009-2010”, $70,000,000.

“Research, development, test and evaluation, Defense-Wide, 2009-2010”, $189,357,000.

Sec. 8042. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States sources combined.

Sec. 8043. None of the funds appropriated in this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8044. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States sources combined.

Sec. 8045. None of the funds made available in this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8046. (a) None of the funds available by this Act may be used to defray the costs of any program or project under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of the United Nations Security Council resolution; and

(b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfers.

Sec. 8047. None of the funds appropriated by this Act may be used to procure any ball and roller bearings other than those produced in the United States.

Sec. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States sources combined.

Sec. 8049. None of the funds made available in this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8050. (a) Notwithstanding any other provision of law, none of the funds available by this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

(b) Unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfers.

Sec. 8051. None of the funds made available in this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8052. During the current fiscal year, in the case of an appropriation of the Department of Defense for which the period of availability for obligation is limited or otherwise specified by law, any obligation of an appropriation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(a) the obligation is not otherwise properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(b) the obligation is not otherwise properly chargeable to any current appropriation account for the Department of Defense; and

(c) in the case of an expired account, the obligation is not otherwise properly chargeable to a current appropriation account for the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subse- quent to the making of the obligation there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be charged to a current account under the authority of this section.

Sec. 8053. None of the funds made available in this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may provide equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis.

(b) The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

Sec. 8055. None of the funds in this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8056. During the current fiscal year, in the case of an appropriation of the Department of Defense for which the period of availability for obligation is limited or otherwise specified by law, any obligation of an appropriation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(a) the obligation is not otherwise properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(b) the obligation is not otherwise properly chargeable to any current appropriation account for the Department of Defense; and

(c) in the case of an expired account, the obligation is not otherwise properly chargeable to a current appropriation account for the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subse- quent to the making of the obligation there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be charged to a current account under the authority of this section.

Sec. 8057. None of the funds made available in this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8058. (a) None of the funds available by this Act may be used by the Department of Defense for any fiscal year for drug interdiction and counter-drug activities which may be transferred to any other department or agency of the United States except as specifically provided in an appro- priations law.

(b) None of the funds available by this Act may be used by the Department of Defense for any fiscal year for drug interdiction and counter-drug activities which may be transferred to any other department or agency of the United States except as specifically provided in an appro- priations law.

Sec. 8059. (a) During the current fiscal year, in the case of an appropriation of the Department of Defense for which the period of availability for obligation is limited or otherwise specified by law, any obligation of an appropriation may be charged to another nation or an inter- national organization any defense articles or services (other than intelligence services) for which an obligation was incurred or to be incurred under the authority of this Act to the extent that—

(b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfers.

Sec. 8060. None of the funds made available by this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8061. None of the funds made available by this Act to the jurisdiction of another Federal department or agency may be used for the procurement of any administrative support services for the activities described in subsection (a) of section 2004 of title 10, United States Code, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8062. None of the funds made available by this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8063. None of the funds made available by this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.

Sec. 8064. None of the funds made available by this Act may be used to procure any ball and roller bearings other than those produced in the United States, unless the restriction does not apply to any end-items used for operational training, operational use, or in- end-items for delivery to military forces for developmental, prototyping, and test activities.
Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements, or the Secretary of Defense determines that a time-critical basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant threat to national security.

SEC. 8061. None of the funds appropriated or otherwise made available by this Act or any other provisions of law to the Department of Defense or any agency of the United States may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, except in such an emergency for the purpose of maintaining such units in a safe condition of habitability. The Secretary of Defense and the Secretary of the Treasury may enter into contracts to provide for one or more independent safety inspection companies to provide inspection services to the Department of Defense to prevent the occurrence of any structural collapse or other condition which could endanger the safety of military family housing units. The Secretary of Defense shall require such companies or independent inspection companies to certify in writing that they are independent safety inspection companies that are not owned or controlled by the Department of Defense or any other Federal agency. The Secretary of Defense may enter into contracts on a nonreimbursable basis to provide for such inspection services.

SEC. 8062. None of the funds made available by this Act shall be used to procure defense articles from a supplier if the Secretary of Defense determines that the supplier has committed a gross violation of human rights that necessitates a waiver of the requirement of the Foreign Assistance Act of 1961, as amended, to deny the sale of defense articles to any foreign government.

SEC. 8063. None of the funds made available by this Act shall be used by any Federal agency or any Federal officer or employee to enter into or carry out any contract, or outstanding of contract, for any nonappropriated fund activity of the Department of Defense, including areas in such activity to which title 10, United States Code, applies.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense may be used to enter into or carry out any contract, or outstanding of contract, for any nonappropriated fund activity of the Department of Defense, including areas in such activity to which title 10, United States Code, applies.

SEC. 8065. Notwithstanding section 8106 of the Department of Defense Appropriations Acts, 1997 through VIII of the matter under subsection (b) of section 101(a) of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 808(d) of title 22, United States Code, or any social, educational, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8066. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured under contract with the Black Elk Distillery, Inc., in the District of Columbia, within the District of Columbia, in which the military installation is located.

SEC. 8067. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8068. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8069. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8070. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8071. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8072. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8073. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8074. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8075. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8076. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.

SEC. 8077. Provided, That the Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines, after consultation with the appropriate congressional committees, that it is in the national interest to do so.
remain available for obligation until expended: Provided, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8073. Of the amounts appropriated in this Act under the heading "Research, Development, Test, Evaluation, Description-Wide," $322,434,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, $45,792,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) Program, $30,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $72,400,000 shall be available for the Arrow missile defense program in the United States and Arrow missile components in the United States and Arrow missile components in Israel to maintain it for the same purposes as the appropriation to which transferred:

(a) The limitations of section 7603(c)(1)(A) of title 38, United States Code, shall apply.

(b) The limitations of section 7603(c)(1)(B) of title 38, United States Code, shall not apply.

Sec. 8077. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 304 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for Fiscal Year 2010.

Sec. 8078. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds within a single program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security, or such reprogramming was written prior to notification to the congressional defense committees.

Sec. 8079. (a) In addition to the amounts appropriated elsewhere in this Act, $3,000,000 is hereby appropriated to the Department of Defense for "Operation and Maintenance, Army National Guard" and shall be available to the Secretary of the Army only to make a grant in the amount of $3,000,000 to the entity specified in subsection (b) to carry out activities in support of opportunities for skilled employment in the construction industry.

(b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a non-profit labor-management cooperation committee provided for by section 302(c)(10) of title 38, United States Code.

Sec. 8080. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 302(a)(2)(A) of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts:

(a) That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriation account;

(b) That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases in obligations and outlays from fiscal years 2007, 2008, and 2009, programmatic data including, but not limited to, troop strength for each Active and Reserve component, and a description of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits in support of the purpose OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

Sec. 8081. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

Sec. 8082. Up to $2,500,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" in this Act for the Pacific Missile Range Facility may be made available for the purpose of furtherance and support of research, development, test, and evaluation of strategic and theater missile defense systems.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8083. None of the funds appropriated in this Act shall be available for reduction or disestablishment of the authorizations of the 33rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would result in a personnel reduction below the levels funded in this Act:

Sec. 8084. None of the funds appropriated or available in this Act shall be used to reduce or disestablish the organization of the 33rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would result in a personnel reduction below the levels funded in this Act:

None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the current year or otherwise authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with the requirements of the provisions of the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12202(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8087. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation of the Department of the Navy for the purpose of offsetting or making up necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in this Act:

Provided, That these transfers may not result in the transfer not to exceed $100,000,000 under the authority provided by this section: Provided
further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That the transfer authority provided by this section is in addition to the transfer authority contained elsewhere in this Act.

SEC. 8088. For purposes of section 612 of title 41, United States Code, any subdivision of appropriation made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the judgment in question to the extent of the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8089. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

SEC. 8090. Notwithstanding any other provision of law, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8091. Up to $15,000,000 of the funds appropriated under the heading, "Operation and Maintenance, Navy," shall be available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personal costs of training and exercising with foreign security forces: Provided, That funds made available under this purpose shall be available only to those military services that a common contract would achieve cost savings, be interoperable with, and not create undue sustainment costs compared to the current fleet.

SEC. 8092. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall be available for the purpose of reducing the number of personnel authorized to work on programs designated as "high risk" in the budget request, adjustments made by Congress, or the budget request shall include—

(1) a table for each appropriation with a delineation in the table for each appropriations, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project;

(3) an identification of items of special congressional interest.

SEC. 8096. The Director of National Intelligence shall maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

SEC. 8096. For purposes of section 1553(b) of the National Defense Authorization Act for Fiscal Year 2009, show service pay during fiscal year 2010 that the President, when he suspends, pursuant to section 2010 of the National Defense Authorization Act for Fiscal Year 2009, serve on active duty while the member's enlistment or period of obligated service was extended, or after the member is retained on active duty as a result of application of the stop-loss authority.

SEC. 8097. Notwithstanding any other provision of law (commonly referred to as a "stop-loss authority") authorizing the President to extend an enlistment or period of obligated service, or suspend an eligibility for retirement, or suspend an eligibility for retirement is suspended, pursuant to section 2010 of the National Defense Authorization Act for Fiscal Year 2009, serve on active duty while the member's enlistment or period of obligated service was extended, or after the member is retained on active duty as a result of application of the stop-loss authority.

SEC. 8098. Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

SEC. 8099. (b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees.

SEC. 8101. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Appropriations of the Senate.

SEC. 8102. The Department of Defense shall continue to report incremental contingency operations, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriations, if appropriate, and the fiscal year enacted level;

(3) an identification of items of special congressional interest.

SEC. 8103. (a) CONTINUATION OF STOP-LOSS SPECIAL PAY.—In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $5,300,000 is hereby appropriated to the Secretary of Defense to carry out this section. Such amount shall be available to the Department of Defense to provide special pay benefit to members of the Army, Navy, Air Force, and Marine Corps, including members of their reserve components, who, at any time during fiscal year 2010 or any prior fiscal year, serve on active duty after the member's enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 2010 of the National Defense Authorization Act for Fiscal Year 2009, serve on active duty while the member's enlistment or period of obligated service was extended, or after the member is retained on active duty as a result of application of the stop-loss authority.

SEC. 8106. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budgetary submissions, and shall be included in such major force program category.
necessary for the liquidation of obligations
for fiscal year 2007, 2008, or 2009 and
the Secretary of Defense may transfer to the
study conducted under Office of Management
and the Senate are notified 30 days in ad-
time period as the appropriations to
which transferred: Provided further, That the
Office of Management and Budget must ap-
prove any transfers made under this provi-
sion.

Sec. 8107. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) unless the Chairmen and
Chairwomen of Appropriations on Appropriations of the House of Repre-
sentatives and the Senate are notified 15 days in advance of the reprogramming that
creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) augments funds for existing projects in excess of 10 percent or more; or, (4) reduces by 10 percent or more funding or personnel for a project;
(b) None of the funds provided for the Na-
tional intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) made after August 1, 2007, if the Secretary of Defense, the Secretary
of the Air Force, the Secretary of the Navy, or the Secretary of the Army transfers amounts in the Fund to the
Department of Defense from the Consoli-
dated Intelligence Community Management Account and the Air, Navy, and Army Intelligence and Maintenance, Air Force'' may be
available to the Department of Defense:
$289,570,000 to reflect excess cash balances in
Department of Defense Working Capital
Funds.

Sec. 8111. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission es-
tential business management information
technology system that is not registered with the
Director of National Intelligence. A system shall be considered to be registered if the system is being developed and managed in accordance with
the Business Transformation requirements.
(b) The Director of the Business Trans-
formation Office shall provide the congres-
sional intelligence committees notification
of approvals under paragraph (1) no later than 30 days after certification. Each such notification shall include a statement con-
firming that the following steps have been taken with respect to the system:
(1) Business process reengineering.
(2) An analysis of alternatives and an eco-
nomic analysis that includes a calculation of
the return on investment.
(3) Assurance the system is compatible
with the enterprise-wide business architec-
ture.
(4) Performance measures.
(5) An information assurance strategy con-
sistent with the Chief Information Officer of the Intelligence Community.
(c) This section shall not apply to any pro-
grammatic or analytic systems or program-
matic or analytic system improve-
ments.

Sec. 8112. (a) In addition to funds made available elsewhere in this Act, there is here-
by appropriated $439,615,000 to remain avail-
able until expended that these funds are appropriated to the "Tanker Re-
placement Transfer Fund" (referred to as
"the Fund" elsewhere in this section): Pro-
duced further, That the Secretary of the Air
Force may transfer amounts in the Fund to
"Operation and Maintenance, Air Force", "Aircraft Procurement, Air Force", and "Re-
ergency Operations and Evaluation, Air Force", only for the purposes of pro-
ceeding with a tanker acquisition program:
Provided further, That such transfers shall be made only for the following purposes:
Provided further, That the Secretary of the Air
Force shall not, fewer than 15 days prior to
making transfers using funds provided in
this section, notify the congressional defense committees in writing of the details of any
such transfers.
Sec. 8109. (a) In the case of a乡镇 who is a
former member of the Armed Forces at the time of the provision of benefits under this
section, either one day of administrative absence or payment of an amount not to exceed $200 for each day the individual would have qualified
for a day of administrative absence as described in subsection (a) during the pe-
riod specified in that subsection.
(b) The benefits authorized under this section are the following:
(1) In the case of a individual who is a
former member of the Armed Forces at the
time of the provision of benefits under this
section, either one day of administrative absence or payment of an amount not to exceed $200 for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.
(2) In the case of an individual who is a
member of the Armed Forces at the time of
the provision of benefits under this section,
either one day of administrative absence or
payment of an amount not to exceed $200, as
selected by the Secretary concerned, for
each day the individual would have qualified
for a day of administrative absence as de-
scribed in subsection (a) during the pe-
riod specified in that subsection.
(c) Exclusion of Certain Former Mem-
bers.-(1) The Secretary of Defense is
not eligible under this section for the benefits
specified in subsection (b)(1) if...
the former member was discharged or released from the Armed Forces under other than honorable conditions.

(d) Maximum Number of Days of Benefits.—Section 1244(g) of the Refugee Act of 1980 (title XII of division A of Public Law 101–166; 84 Stat. 700) is amended by striking "for a period not to exceed eight months" and inserting "to the same extent, as such refugees.".

(e) Definitions.—In this section:

(1) The term ‘Post-Deployment/Mobilization Rehabilitation Program’ means the program of a military department to provide days of administrative absence not chargeable against available leave to certain deployed or mobilized members of the Armed Forces in order to assist such members in re-integrating into civilian life after deployment or mobilization.

(2) The term ‘Secretary concerned’ has the meaning given that term in section 101(5) of title 37, United States Code.

(f) Expiration.—(1) The Authority to provide the benefits under this subsection shall expire on the date that is 1 year after the date of the enactment of this Act.

(2) Expiration under this section of the authority to provide the benefits under this subsection shall not affect the utilization of any day of administrative absence provided a member of the Armed Forces under subsection (a) or the payment of any benefit authorized a member or former member of the Armed Forces under subsection (b), before the expiration of the authority in this subsection.

SEC. 8114. (a) Resettlement Support and Other Public Benefits for Certain Iraqi Refugees.—Section 1244(g) of the Refugee Crisis in Iraq Act of 2007 (subtitle C of title XII of division A of Public Law 110–181; 122 Stat. 396) is amended by striking ‘‘for a period not to exceed eight months’’ and inserting ‘‘to the same extent, and for the same periods of time, as such refugees’’.

(b) Resettlement Support and Other Public Benefits for Certain Afghan Aliens.—Section 602(b)(8) of the Afghan Allies Protection Act of 2009 (title VI of division F of Public Law 111–87; 123 Stat. 2463) is amended by striking ‘‘for a period not to exceed 8 months’’ and inserting ‘‘to the same extent, and for the same periods of time, as such refugees’’.

SEC. 8115. (a) With respect to the list of specific programs, projects and activities contained in the tables entitled ‘‘Explanation of Project Level Adjustments’’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of the Rule XIX of the House of Representatives, when awarded to a for profit entity, shall be awarded under full and open competition.

(b) For profit entities previously awarded a contract with the Department of Defense which remains in effect during fiscal year 2010, to propose programs and activities as described in subsection (a), shall be considered to have satisfied the conditions of full and open competition, provided that articulating the contract was awarded under full and open competition.

SEC. 8116. The amounts appropriated in title II of this Act are hereby reduced from the specific amounts specified in the following:

‘‘Operation and Maintenance, Army’’, $152,000,000.

‘‘Operation and Maintenance, Marine Corps’’, $28,000,000.

‘‘Operation and Maintenance, Air Force’’, $188,000,000.

‘‘Operation and Maintenance, Defensewide’’, $142,000,000.

SEC. 8117. In carrying out Congressionally Directed Medical Research programs related to breast cancer research, the Secretary of Defense shall ensure the following:

(a) The selection process for choosing an individual to serve as a member of an integration panel shall be fair and representative of the interested community so that the integration panel consists of a diverse representation of the breast cancer survivor and advocacy community; and

(b) An individual as a member of an integration panel may not be an employee, serve on the board of, or have a financial relationship with the same organization related to such organization through common board membership, financial support, or other similar relationship) as that of another individual serving as a member of such panel.

SEC. 8118. None of the funds appropriated or otherwise made available by this Act, or that remain available for obligation for the Department of Defense from the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–161, 122 Stat. 452) or the Defense Appropriations Act of 2009 (Public Law 111–81), and the Supplemental Appropriations Act, 2009 (Public Law 111–32), may be used to eliminate the restrictions from the 194th Regional Support Wing of the United States Air National Guard as of the date of enactment of this Act.

SEC. 8119. (a) None of the funds made available in this or any prior Act may be used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, any other place or facility outside the United States, Alaska, Hawaii, the District of Columbia, or any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI).

(b) None of the funds made available in this or any prior Act may be used to transfer or release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, any other place or facility outside the United States, Alaska, Hawaii, the District of Columbia, or any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purpose of detaining or procuring such individual until 2 months after the plan detailed in subsection (c) is received.

(c) The President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of each individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, any other place or facility outside the United States, Alaska, Hawaii, the District of Columbia, or any of the United States territories of Guam, American Samoa (AS), the United States Virgin Islands (USVI), the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands (CNMI), for the purpose of detaining or procuring such individual, including the amount of any financial assistance related to such agreement.

TITLE IX

OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ‘‘Military Personnel, Army’’, $1,049,723,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, NAVY

For an additional amount for ‘‘Military Personnel, Navy’’, $1,622,717,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ‘‘Military Personnel, Marine Corps’’, $997,470,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ‘‘Military Personnel, Air Force’’, $1,655,337,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, ARMY

For an additional amount for ‘‘Reserve Personnel, Army’’, $392,527,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.
RESERVE PERSONNEL, NAVY
For an additional amount for “Reserve Personnel, Navy”, $39,090,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, MARINE CORPS
For an additional amount for “Reserve Personnel, Marine Corps”, $31,337,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, AIR FORCE
For an additional amount for “Reserve Personnel, Air Force”, $24,822,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, ARMY
For an additional amount for “National Guard Personnel, Army”, $839,966,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, AIR FORCE
For an additional amount for “National Guard Personnel, Air Force”, $13,500,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NATIONWIDE
For an additional amount for “Operation and Maintenance, Nationwide”, $41,836,029,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY
For an additional amount for “Operation and Maintenance, Navy”, $163,461,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS
For an additional amount for “Operation and Maintenance, Marine Corps”, $2,961,279,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE
For an additional amount for “Operation and Maintenance, Air Force”, $7,858,895,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY RESERVE
For an additional amount for “Operation and Maintenance, Army Reserve”, $54,447,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NATIONAL GUARD RESERVE
For an additional amount for “Operation and Maintenance, National Guard Reserve”, $99,333,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD
For an additional amount for “Operation and Maintenance, Air National Guard”, $231,889,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OVERSEAS CONTINGENCY OPERATIONS
TRANFER FUND
For an additional amount for expenses directly relating to overseas contingency operations by United States military forces, $14,636,901,000, to remain available for obligation for any fiscal year, that the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AFGHANISTAN SECURITY FORCES FUND
For the “Afghanistan Security Forces Fund”, $7,462,769,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command-Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other transfer authority available to the Department of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command-Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That these funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command-Afghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: Provided further, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.
not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**PROCUREMENT**

**AIRCRAFT PROCUREMENT, ARMY**

For an additional amount for “Aircraft Procurement, Army”, $889,097,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), concurrent resolution on the budget for fiscal year 2010.

**MISSILE PROCUREMENT, ARMY**

For an additional amount for “Missile Procurement, Army”, $495,470,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY**

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $1,219,466,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**PROCUREMENT OF AMMUNITION, ARMY**

For an additional amount for “Procurement of Ammunition, Army”, $370,635,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**OTHER PROCUREMENT, ARMY**

For an additional amount for “Other Procurement, Army”, $5,635,906,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**AIRCRAFT PROCUREMENT, NAVY**

For an additional amount for “Aircraft Procurement, Navy”, $698,160,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**MISSILE PROCUREMENT, NAVY**

For an additional amount for “Missile Procurement, Air Force”, $825,718,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**WEAPONS PROCUREMENT, NAVY**

For an additional amount for “Weapons Procurement, Navy”, $1,757,238,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS**

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, $698,160,000, to remain available until September 30, 2012: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**RAPID ACQUISITION FUND**

(including transfer of funds)

There is hereby established in the Treasury of the United States the Rapid Acquisition Fund. For the Rapid Acquisition Fund, $40,000,000, to remain available until September 30, 2012: Provided, That such funds shall be available to the Secretary of Defense for the purpose of providing for Joint Urgent Operational Needs: Provided further, That the Secretary of Defense may take such actions as are necessary to provide for Joint Urgent Operational Needs which are designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

**MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND**

(including transfer of funds)

For the Mine Resistant Ambush Protected Vehicle Fund, $3,494,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provisions of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: Provided further, That the Secretary shall transfer such funds only to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein.

**NATIONAL GUARD AND RESERVE EQUIPMENT**

For procurement of items of equipment as designated by the Chief of the National Guard Bureau and the Chiefs of the reserve components of the Department of Defense, $500,000,000, to remain available for obligation until September 30, 2012, of which $300,000,000 shall be available only for the Army National Guard: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 60 days after the enactment of this Act, individually submit to the congressional defense committees in writing of the details of any such equipment: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: Provided further, That the Secretary of Defense, notwithstanding any other provisions of law, may take such actions as are necessary to provide for Joint Urgent Operational Needs which are designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.
For an additional amount for “Research, Development, Test and Evaluation, Armv $57,962,000, to remain available until September 30, 2011: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test and Evaluation, Navy” $39,280,000, to remain available until September 30, 2011: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, $1,155,235,000, which shall be for operation and maintenance: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, $1,155,235,000, which shall be for operation and maintenance: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

JOINT IMPROVED EXPLOSIVE DEVICE DEFЕAT SYSTEM

$1,490,000,000, of which $730,000,000 shall be for Attack the Network, to remain available until September 30, 2011; $600,000,000 shall be for the Device, to remain available until September 30, 2012; and $180,000,000 shall be for Train the Force, to remain available until September 30, 2010: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, $8,876,000: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

REVOLVING AND MANAGEMENT FUNDS

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, $115,826,000, to remain available until September 30, 2011: Provided, That the amount under this heading is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $5,000,000,000 between the appropriations or funds made available to the Department of Defense in this title, with the exception of the “Overseas Contingency Operations Transfer Fund”: Provided, That the Secretary shall notify the Congress promptly of any transfer made pursuant to this authority.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriated funds for operation and maintenance or the “Afghanistan Security Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan or Iraq, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administrative costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase motor vehicles for military and civilian employees of the Department of Defense in Iraq and Afghanistan, up to a limit of $75,000 per vehicle, notwithstanding other limitations applicable to passenger carrying motor vehicles.

SEC. 9005. Not to exceed $1,300,000,000 of the amount appropriated in this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commander’s Emergency Response Program, for the purchase of equipment enabling military commanders in Iraq and Afghanistan to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this provision or under any other provision of law for the purposes described herein: Provided further, That, of the funds provided, $500,000,000 shall not be available: Provided further, That the amount in this section is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to fund the Secretary of Defense has completed a thorough review of the Commander’s Emergency Response Program and provided a report on his findings to the congressional defense committees regarding support provided under this section.

SEC. 9007. During fiscal year 2010 and from funds in the “Defense Cooperation Account”, as established by 10 U.S.C. 2608, the Secretary of Defense may transfer up to $6,500,000 to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the authority provided in this section.

SEC. 9008. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Code for a purpose as follows: 

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

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

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

SEC. 9009. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984): 

(1) Section 2301A of title 18, United States Code.


(3) Sections 1002 and 1003 of the Department of Defense Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2009 (Public Law 118–14).

IN REPLY TO IRAQ TROOP DRAWDOWN STATUS, GOALS, AND TIMETABLE—In recognition and support of the policy of
Mr. MURTHA. I have an amendment at the desk.

Mr. MURTHA. It is now in order to consider amendment No. 1 printed in part A of House Report 111–233.

Mr. MURTHA. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A Amendment No. 1 offered by Mr. MURTHA

Page 8, line 11, before the period at the end, insert the following: "Provided, That $60,199,000 shall be made available for the Joint POW/MIA Accounting Command".

Page 113, line 3, strike "$15,000,000" and insert "$2,000,000".

Page 113, after line 15, insert the following new section:

Sec. 8121. The amount appropriated in title II under the heading "Operation and Maintenance, Army" and the heading "Operation and Maintenance, National Guard" shall be in order except the amendment.

Sec. 8122. None of the funds appropriated or otherwise made available in this Act may be used to award to a contractor, or convert or otherwise make available in this Act may be used by the Secretary of the Army to construct, acquire or otherwise make available in this Act for the development or production of a joint POW/MIA account, $2 million additional funding for the Fisher House, for a total of $12 million, for directing $986,800 otherwise available for the advanced procurement of F–22 aircraft spare parts. Let me explain—well, some money shifting from the health program and some chemical agents and so forth. In other words, some amendments we couldn't get to in the floor.

The major difference is that I had advanced funding for the F–22 in the bill, and obviously the Senate, in its wisdom, defeated the possibility of the F–22. So what I've done is say, okay, if we're not going to have an F–22, let's at least fund the original 187 airplanes at the fullest robust level. And that's the only difference, actually, that I have between myself and Mr. YOUNG.

So with that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the manager's amendment.

Mr. YOUNG of Florida. Mr. Chairman, as Chairman MURTHA suggested, we basically support this manager's amendment. We have no opposition, and in fact, support it except for the one item that has to do with the air superiority aircraft, the F–22.

We support the original position that Chairman MURTHA offered to the subcommittee and the subcommittee agreed to, and that was to be able to keep the production line open for the F–22. We just really concerned that an 187 aircraft cannot guarantee that we will control the air over the battlefield if that situation develops.

I now include a chart that I discussed yesterday in general debate on the number of aircraft, fighter aircraft, that we have bought over the years, and how many of them we have lost through attrition, through accidents, and through actual combat.

**AIRCRAFT HISTORY**

<table>
<thead>
<tr>
<th>Aircraft</th>
<th>Production</th>
<th>Operator</th>
<th>Nationality</th>
<th>Losses</th>
</tr>
</thead>
</table>
(includes 2 shot down in Gulf War; Stricken for maintenance and exceeding life limits: 246 (40%); Active Today: 632).

F-22: Production: 2001 to 2009 by Lockheed Martin: Building: 167: Projected losses: 6, leaving only 181 (3% like the F-4); 19, leaving only 168 (10% like the F-15); 28, leaving only 159 (15% like the F-16); 34, leaving only 153 (18% like the F-15); 18, leaving only 151 (40% like the F-18).

187 just doesn’t really, in my opinion, doesn’t guarantee that we will have what we need. Hopefully, we’ll never need them, but we just don’t know that we might need them. And in order for us to need them and don’t have them, where are we and where is the soldier on the ground? If we need them and don’t have them, somebody else’s airplane may be over that battlefield.

So it would have been better if we could have had a straight up-or-down vote on the F-22 issue, and I requested of the Rules Committee to make such an amendment in order, and they chose not to do so.

So an Air vote against this manager’s amendment—again, not because we’re opposed to the manager’s amendment, but we think that we are threatening the future security of air control and air superiority over the battlefield.

I reserve the balance of my time.

Mr. MURTHA. I yield myself 2 minutes.

I certainly agree with what the gentleman said. I have a great concern about air superiority, but the problem is we’re not generating them. The President is hard over on this issue. We don’t have the F-22; we’re not able to produce the F-22. We are apparently working to reverse engineer some of those advanced fighters for their own use, and we know certain countries are producing advanced fighter aircraft. We have no F-22s. The Chairman is appar-
ent. I do not vote on the F-22 issue, and I requested of the Rules Committee to make such an amendment—again, not because we’re opposed to the manager’s amendment, but we think that we are threatening the future security of air control and air superiority over the battlefield.

So I rise in reluctant opposition to the amendment. I respect the chairman’s desire to sort of keep the line open, have spare parts, but I do oppose the amendment.

Mr. MURTHA. I reserve.

Mr. YOUNG of Florida. I will yield to the gentleman from Georgia (Mr. KINGSTON), a member of the subcommittee, for 2 minutes.

Mr. KINGSTON. I thank the gentleman from Georgia and the gentleman from Pennsylvania.

I wanted to speak about the F-22 issue because, as we know, the Senate has cut off funding for it, but I do have some concerns about our fighter fleet.

Currently, the military inventory is 3,500 fighter aircraft. That’s 2,400 for the Air Force, 1,700 for the Navy and the Marine Corps. Most of these aircraft were purchased at high annual rates. These aircraft will reach the end of their service in the next 10 years.

So what we’re talking about is something that maybe could be more important in the next decade or within the next decade than might be to people today, but the Air Force will replace the A-10, the F-16, and the F-15 with the F-22 and the F-35 Joint Strike Fighter.

To give you an idea of some of these ages, there are 350 A-10s with an average of 28 years, 470 F-15Es with an average of 26 years, 220 F-15s with an average of 17 years, 1,200 F-16–S’s with an average of 20 years. We have roughly 140 Raptors to replace the fleet and have no F-35–S’s and will not have them until 2013. And of course the F-22 production line will end in 2011. That’s the Air Force.

Now, as respects the Navy, the Navy will replace the carriers and F/A-18 Hornets with Super Hornets and the F-35 Js, Joint Strike Fighters. The reason they’re doing this is to have the Navy with an average age of 14 years each, 620 Hornets with an average age of 19 years.

The Acting CHAIR. The time of the gentleman has expired.

Mr. YOUNG of Florida. I yield the gentleman from Georgia 1 additional minute.

Mr. KINGSTON. I thank the gentleman.

What I will do, I will submit some of these statistics for the record. But I guess the bottom line is that we’re very concerned with the need to replace the aging fleet in the Navy and in the Air Force, and I believe keeping the F-22 line open resolves some of this.

The Defense Committee has worked very hard on this. There’s been a lot of good bipartisan dialogue. I know both the chairman and the ranking member’s leadership on this issue and look forward to continue working with you.

Mr. MURTHA. I just want to reiterate what I said.

The political climate has changed substantially. We’re in a situation where the President’s hard over; and we are doing the best we can to have robust funding for the fleet. That’s what I intend to do, or I hope, when this amendment passes, that’s what we’ll have done.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I now yield 1 minute to the distinguished gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I appreciate the difficulty we’re in; but once again, to have air superiority requires two things: technical superiority, which is what the F-22 provides, as well as numerical superiority, which was why originally we were going to build 750. Up until last year, 381 was the minimum. Everyone from Air Combat Command, to Air National Guard, to every study says 243 is the number. That means that 187 says 187 is the correct number, other than the Secretary. If the Russians are going to build a new generation and sell 200 to 300 at the same time we cut 250 legacy planes from our Air Force, at the same time we stop the F-22, at the same time the F-35 is not going to be available until 2014 at the earliest and still has problems, we may find ourselves on the wrong side of history.
if we do not stand up for the F–22. If we can spend $5 billion on ACORN but complain about $2 billion for 18,000 jobs to continue on a plane that we need, there is something in our prioritization that needs to be reviewed.

I appreciate the position of the gentleman from Pennsylvania, but here is the time we need to make a statement that the future is essential.

Mr. MURTHA. I yield myself 1 minute.

I will say to the gentleman, as I have said before, we're doing the best we can with what we have. Politically, it's changed dramatically that we just have no alternative than to make sure that what we have is robustly funded.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, can I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Florida has 2 minutes remaining. The gentleman from Pennsylvania has 7 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

I want to say and to make sure that Members understand that I know that Mr. MURTHA is not opposed to the F–22 and that he supports it because it was in his original mark that he presented to the subcommittee. And I understand the change in political mode that we have but you know, from the time that I came here, we were fighting about the F–14. There were those who didn't want to do the F–14, which was a very important aircraft for our fleet protection. Most of our new aircraft have been opposed by certain quarters in the country. The M1 tank, which is by far the world's best tank, was opposed by certain groups of people. Well, we cannot afford to allow an enemy to control the air over our troops as simply as that. We have never sent our soldiers into battle with only 187 fighter aircraft in our inventory that have the capability to control the air over the battlefield. So yes, it's expensive. Freedom doesn't come free. I'm not really opposed to this amendment, but I'm going to vote against it because of the F–22 issue.

I yield back the balance of my time.

Mr. MURTHA. I yield back the balance of my time and call for an affirmatory vote on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MURTHA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. YOUNG of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 1 of section XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

PART A AMENDMENT NO. 2 OFFERED BY MR. CONAWAY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 111–233.

Mr. CONAWAY. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 2 offered by Mr. CONAWAY:

Page 6, line 11, after the dollar amount, insert the following: “(increased by $1,000,000) (reduced by $1,000,000).”

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. I thank the Chair. I appreciate that, and I will endeavor to not use all the 5 minutes.

Mr. MURTHA. Will the gentleman yield?

Mr. CONAWAY. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We're willing to accept the amendment.

Mr. CONAWAY. Mr. Chairman, thank you for accepting the amendment.

Mr. YOUNG of Florida. Will the gentleman yield?

Mr. CONAWAY. Yes, sir; I will.

Mr. YOUNG of Florida. Mr. Chairman, we support this amendment and are happy to accept it.

Mr. CONAWAY. Thank you very much.

Let me briefly explain what it does because on the surface, it looks like it's just an in-and-out with no real issue. I will be quick. The issue allows me to talk about financial management, internal controls, and clean accounting processes at the Department of Defense. This is, as it should be, a high priority that is reflected in the priorities set by the Secretary of Defense himself. It's not really up to the Appropriations Committee to find these funds. These funds ought to come out of hide. It's important that they do that.

Yesterday or the day before, the Secretary announced a $60 billion savings search for the Department of Defense. He can't find that money without good internal controls. The authorization committee has said this is now a priority. We've accelerated the movement by 4 years, the point at which the Department of Defense needs to have clean, audited financial statements. Sarbanes-Oxley made that function of internal control a high priority when it was passed. Businesses had to do what was referred to as section 404 reviews. It was difficult, it was painful, and it was expensive. But almost every one of those publicly held companies will tell you today that after they put those amendments in at the direction of that, they are better. Their financial statements are better. Their decisions based on financial information are better. The same thing would apply to the Department of Defense if they would make this a priority. It has to be a priority for the Secretary of Defense, the appropriations committee and the authorization committee.

Mr. MURTHA. Would the gentleman take yes for an answer?

Mr. CONAWAY. I did. I just want to get this on record. I did take yes for an answer. The importance of financial statement auditing is important. It needs to be a priority.

I yield back the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition?

If not, the question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

PART A AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 111–233.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 596 in part A.

The Acting CHAIR. The Chair will designate the amendment.

The text of the amendment is as follows:

Part A amendment No. 3 offered by Mr. FLAKE:

Page 35, line 2, after the dollar amount, insert “(increased by $160,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair. Before I start with this amendment, I want to say that I support the part of the manager's amendment that the gentleman from Pennsylvania offered with regard to the F–22 program. I'm glad that we're doing what we're doing there, and I commend the committee for sticking with what the President wanted there. I think we've done the right thing.

This amendment would remove $160 million in funding for the U.S.-made first responder radios for use by Mexico's police force. This request is not classified as an earmark but is programmatic funding, and it came to my attention last week when it was featured in a story by the Washington Post. According to the article, 12 Members of Congress requested this funding which is to be used for radios with certain specifications. The article goes on to say that while no specific company is named in the bill, Motorola, which makes radios that fit the parameters set forth in the bill and which is based in Illinois, home to seven of the requesting Members, appeared to be the intended beneficiary of this funding. At the same time, the article points out that when it is not considered to be an earmark, the Members who requested it are not required to publicly report it. Typically they have
to sign a certification saying they have no financial interest in the earmark, and that was not the case here.

Mr. Chairman, if it looks like an earmark, sounds like an earmark, I think it's an earmark. It ought to be disclosed under the earmark rules, and it isn't here. Even if we accept that funding directed to a nameless company based on a certain set of requirements that only one company could provide is not an earmark, then we're met with an inconvenient problem: Why bother to make the earmark process more transparent when it would be just as easy to request the funding—in this case, funding that is several times more expensive than the average earmark—by calling the beneficiary a program and tailoring its description to suit the needs of one company? It's bad enough that this bill includes over 500 earmarks directed at private companies. The sponsors of those earmarks are all required to disclose their request on their Web sites; and they even certify, as I mentioned, that they have no financial interest. But that is not the case here. They write letters, but it doesn't show up as an earmark.

The Post article quotes Bill Allison, senior fellow at the Sunlight Foundation, as saying, "It kind of makes a mockery of the disclosure requirements we have. They will disclose the little things, the $1 million projects; but when you have big-ticket items, you don't have Members willing to take responsibility for those." I agree with Mr. Allison's assessment. If we truly want to drain the swamp and make the earmark process more transparent, we can't continue to allow private companies to be funded outside the current House rules.

I urge support for my amendment and reserve the balance of my time.

Mr. MURTHA. I rise in opposition to the amendment. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FLAKE. I would inquire of the gentleman on the subcommittee if he believes that this is an earmark; and if it is, why Members aren't required to certify that they have no financial interest if they're requesting money for it?

Mr. MURTHA. I reserve the balance of my time.

Mr. FLAKE. Would I inquire of the gentleman on the subcommittee if he believes that this is an earmark; and if it is, why Members aren't required to certify that they have no financial interest if they're requesting money for it?

Mr. MURTHA. I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. FLAKE. I will reserve the balance of my time.

Mr. MURTHA. I have the right to close the previous my time.

Mr. FLAKE. We have a process here that I think over the years has been abused severely. We see that whenever we pick up the paper. We see examples of earmarks that have gone out of this place in prior years with no notice at all. Last year we didn't even have any opportunity to offer any amendments. The Appropriations Committee didn't even mark up the Defense bill. We see story after story from prior years of what happens when we don't have adequate disclosure and transparency. I would submit that's what we're continuing here. We have a programmatic request that 12 Members signed, that the Members represent the State in which the recipient of the earmark clearly will receive a huge contract, and yet we don't have to file the disclosure requirements that we do for regular earmarks. I would urge support of this amendment.

I yield back the balance of my time.

Mr. MURTHA. I rise in opposition to the amendment. I am trying to figure out what the gentleman is trying to do. This was in the table from the White House, from the administration, the Defense Department. This would delete $160 million in drug interdiction and counter-drug activities which go to Mexico, Afghanistan and Colombia. The Defense Department has the authority to train and equip foreign governments for counter-drug activities since Congress enacted section 1004 of the '91 National Defense Authorization Act. This funding will enable the Department of Defense to provide digital communication equipment to our allies in order to fight the increasing drug trade and execute this funding at the discretion of the Defense Department.

I mean, I can't imagine anything that's more important to us and our troops in Afghanistan than the amount of money that we're putting in for anti-drug interdiction. So I would urge the Members to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question has been taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART A AMENDMENT NO. 4 OFFERED BY MR. SESSIONS.

Mr. SESSIONS. The amendment is as follows:

SEC. 1001. Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the use of hyperbaric oxygen therapy (in this section referred to as "HBOT") under the Secretary of Defense. Such report shall include the following:

(1) The number of members of the Armed Forces, veterans, and civilians being treated with HBOT.

(2) The types of conditions being treated with HBOT and the respective success rates for each condition.

(3) The current inventory of all hyperbaric chambers being used by the Secretary of Defense (including the locations, the purposes, and the rate of use of such chambers).

(4) Any plans for expanding the use of HBOT for treatment.

Mr. MURTHA. I rise in opposition to the amendment. Mr. YOUNG of Florida, Mr. Chairman, would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. MURTHA. Mr. Chairman, we are very familiar with this amendment. We know of the great work Mr. Sessions has done relative to the hyperbaric chambers for treatment of all types of wounds and diseases, and we are very pleased to accept this amendment.

Mr. SESSIONS. I thank the gentleman, and I appreciate his help.

Mr. MURTHA. If the gentleman would yield, I agree with the amendment.

Mr. SESSIONS. I thank the gentleman, the chairman of the committee, Mr. MURTHA.

Mr. Chair, I would just like to say that this committee, as well as the Rules Committee, has been very open to receiving information about the current status of hyperbaric oxygen treatment as an opportunity for us to learn more about how we will help our returning veterans and those who have been injured in conflicts around the globe.

This body has worked very closely with not only Secretary Gates, General Casey, the Chief of Staff of the United States Army, but also with their designee, General Lori Sutton, who is working very closely with the Congress to make sure that we pay attention to the head trauma injuries of our soldiers as they engage in trying to help the United States win the war on terror.

I want to personally thank not only the gentleman, Mr. YOUNG, and the
gentleman, Mr. MURTHA, but also the appropriators, Mr. WAMP and Mr. EDWARDS. I would also like to thank the chairwoman of the Rules Committee, Ms. SLAUGHTER, for not only making this amendment in order, but also the words of support that have been expressed on behalf of the Armed Services Committee, but also the Rules Committee.

I thank both these gentlemen for accepting my amendment.

I yield back my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

PART A AMENDMENT NO. 5 OFFERED BY MR. TIERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 111–233.

Mr. TIERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

PART A AMENDMENT NO. 5 OFFERED BY MR. TIERNEY

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in title IV under the heading “Research, Development, Test and Evaluation, Defense-Wide” shall be available for the Kinetic Energy Interceptor program, and the amount otherwise provided under such heading is hereby reduced by $80,000,000.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, my colleague, Congressman HOLT, and I are offering this amendment striking $80 million that’s in the bill for the Kinetic Energy Interceptor program. Mr. HOLT and I believe that the Kinetic Energy Interceptor program no longer warrants Congress’ support, and we are not alone in that assessment.

The Bush administration made the initial decision to terminate the KEI program last fall. Then, President Obama did not include funding for it in his budget proposal, and both the House Armed Services Committee and the Senate Armed Services Committee did not specify funding for it in their respective authorization bills.

Secretary Gates has testified that “the missile’s 38 or 39 feet long. It weighs 12 tons. There’s no extant ship we can put it on. We would have to design a new ship.”

The head of the Missile Defense Agency, Lieutenant General O’Reilly, has said that the KEI program is being terminated because “its capability is inconsistent with the missile defense mission to counter rogue nation threats.”

The KEI program was intended to be a 5-year development program that would result in field development program.

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

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. TIERNEY. Mr. Chairman, I would just like to say the majority leader is fond of saying that it is never too late to do the right thing, and here is our opportunity to do the right thing.

We have to, at some point in time, start looking at all of our budgets, and that includes the Defense budget, to make sure we’re not putting money out that needs to be put towards other priorities.

Here you have the Missile Defense Agency’s director itself saying that this program should be terminated. You have the Secretary of Defense in two additional letters saying the program should be terminated. You have, from what I can hear from people, the silence of those that say they are against this amendment, not arguing that in fact this is a program that should move forward.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. I continue to reserve.

Mr. TIERNEY. Mr. Chairman, I yield 1 minute to my colleague from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank my friend from Massachusetts.

Almost no one believes that the Kinetic Energy Interceptor program is necessary or that it will be completed successfully. The Director of the Missile Defense Agency, the Secretary of Defense, and the President have all called for the termination of the program. House and Senate Armed Services Committees have supported that position.

I understand the desire of the chairman of the subcommittee (Mr. MURTHA) to get something of value from all the money that has been already spent, but stringing this program along is not going to solve the removal of this money there will be plenty of funding to learn from the mistakes of the program.

Mr. Chairman, even if the KEI were successful, it will never work well enough to change our strategy. Missile defense systems must be perfect to achieve their professed goals, and we can never get that perfection.

The fact that we don’t need them against our friends and that they will only encourage our enemies to build missiles to get around, this so-called shield are the arguments against this missile defense. The best this flawed system could ever provide is a provocative, yet permeable defense. I urge my colleagues to adopt the amendment.

Mr. MURTHA. Mr. Chairman, I continue to reserve.

Mr. TIERNEY. I am happy, I guess, to be on talking. I think that the desire to have the final word without any rebuttal is somewhat indicative of the strength of an argument, but if that is the gentleman’s choice, certainly you are able to do that.

I would note that the administration urges the Congress to support the President’s initiative to terminate or reduce programs that fund narrowly focused activities and duplicate existing programs and that have outlived their usefulness. It particularly mentions the Kinetic Energy Interceptor program as one of those, indicating that we can better target scarce resources and redirect funds to programs with a greater potential for results. And that, of course, is in the Statement of Administration Policy with respect to this bill.

Let me, if I can, Mr. Chairman, just read what the Director of the Missile Defense Agency says about this, and he said this on May 21, 2008: "The original KEI mission grew from a boost phase only mission to a boost and mid-course mission. The development schedule grew from 5½ years to 12 to 14 years (depending on spirals), program cost grew from $4.6 billion to $12 billion, and the average unit production cost grew from $25 million to over $50 million per interceptor. Technical issues delayed the first booster flight test date (established in 2007) by over a year,” and this year any further testing is highly unlikely.

"Given the above and that 15 percent of the $8.9 billion worth of work on contract till 2013 has been accomplished, the KEI program was terminated."

And further, you have the Secretary of Defense, Mr. Gates, indicating that this is one decision that he didn’t have to make or take credit for. The Missile Defense Agency itself, under the Bush administration, essentially eliminated the Kinetic Energy Interceptor, or thought that it had.

First of all, he said this has been a 5-year development program that now looks like it’s about to be a 16-year development program. There has not been a single flight test. There has been little work on the third stage of the kill vehicle, which is obviously critical. A big part of the program is that it needs to be close to the launch site to be able to be effective, and the 38- or 39-foot size of the instrument and the weight of 12 tons means that we have no extant ship that could actually be used to get close enough. It would be virtually of limited or no use against Iran or Russia or the Chinese. It has very limited capability, and that is why we think it’s a productive way to proceed on this matter.

There may be some argument by some here—and we will never know
until after we’re finished talking, of course—that we want to keep some of this money in for research purposes. Let me suggest to my colleagues that there is a significant amount of money in research, development and testing within the entire Department of Defense budget as well as within the budget for the Missile Defense Program.

I urge my colleagues to support this motion and thank the chairman for the time.

Mr. MURTHA. I rise in opposition to the amendment. It will strike $80 million out of the Kinetic Energy Interceptor program.

In my estimation, what I said to the Defense Department over and over again, all at once, after all these years of no oversight in the Defense Department, they get nothing from the program. We’ve got the same thing in the Presidential helicopter. We’ve got the same thing in many of these other programs. We’re trying to convince them is they have to have oversight earlier in a research program.

Now, the Under Secretary tells me that in the new research programs he is going to try to have a cost cap or some kind of effectiveness so that they can measure these earlier.

We may have to adjust this in conference if this amendment doesn’t pass, but I ask the Members to vote “no” on this amendment. There are other ways of trying to convince them is they have to have oversight earlier in a research program.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The question was taken; and the Acting Chair proclaims the adoption of the amendment. This signifies an agreement to the amendment. This signifies an agreement to the amendment. The vote on the adoption of the amendment is as follows:

Mr. FLAKE. Mr. Chair, I reserve my time.

Mr. DICKS. Mr. Chair, I reserve my time.

Mr. FLAKE. Mr. Chair, when we were discussing earmarks earlier in the appropriation cycle, one Member defending his earmark came to the floor and said he was getting an earmark for a university. Based on things I’ve read in the newspapers, this college does not have a lobbyist, either a Federal or State lobbyist. No one from the school has donated to my campaign; nothing at the school is named after me or is proposed to be named after me. To my knowledge, the school has never received an earmark of any sort from the Federal Government prior to this.

I would ask the gentleman, the sponsor of the earmark, if he can make the same statement with regard to this earmark. I would ask, have they made money back from the recipient of the earmark?

And I would yield him time to do so.

Mr. DICKS. Mr. Chair, I reserve my time and I will answer this on my own time.

Mr. FLAKE. Roll Call has noted that PMA earmarks a little later, has been—we let him step back just a bit. Sunlight Foundation has noted that Concurrent Technologies paid PMA $320,000 in lobbying fees in 2008 and received more than $113,000 to current members of the House Defense Appropriations Subcommittee since 1998.

Let me just use a chart here. This chart kind of explains the phenomenon that we will see over and over and over again. And with every earmark amendment I am offering today, this pattern exists where Members of Congress will earmark dollars; the earmark spending goes to the earmark recipient; the earmark recipient will then turn around; and lobbying firm will spend the earmark recipient, PACs there, executives from the lobbying firm, executives from the company itself, contribute handsomely to Members of Congress, and it recycles again and again and again. Circular fund-raising, that’s what we’re talking about here.

Now, I will point out that when Members of Congress request an earmark, they are forced to sign a certification letter attesting they don’t have a financial interest. This kind of circular fund-raising is no illegal, and that’s not what I’m alleging at all. But is it right? And should we, as Members of Congress, tolerate it again and again when these companies like Concurrent Technologies are in the news for having problems explaining what they’ve done with the earmark money that they’ve received again and again? And here we go saying, Now we have transparency and accountability, and we’ve changed the earmark process, and yet here we are again appropriating more money through an earmark to Concurrent Technologies.

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

Mr. DICKS. Mr. Chair, I rise in opposition to the amendment. The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) as an amendment to the bill and then brings it to the floor and then the chairman of the subcommittee will be notified a question about it, to just say, Well, it’s for Afghanistan as well, that doesn’t help with this process at all. And I think that to try to simply reserve time and then not yield any so we can have any kind of colloquy to find out what really is at the heart of these earmarks or what these are really for.

So I hope that changes. I hope we have a real discussion here because we didn’t get it in the Appropriations Committee. Remember, 18 minutes to approve a bill unanimously, with more than 1,000 earmarks in it that nobody in the full body had seen, and we only got a copy of days before the bill came out. Eighteen minutes.

Anyway, this amendment would prohibit $5 million from going to fund Enhanced Navy Shore Readiness Integration. The earmark is going to Concurrent Technologies. Now, most people who have been following this process will know that name and know it well because Concurrent has drawn considerable attention due to its proclivity for earmarks. According to Taxpayers for Common Sense, Concurrent has received more than $200 million in earmarks between 2001 and 2006.

Concurrent technically is a nonprofit organization, with revenues in the hundreds of millions of dollars. And it is receiving earmark after earmark after earmark after earmark, although questions are raised all over the place. According to the Center for Responsive Politics, of the employees of Concurrent Technologies’ employer, more than $113,000 to current members of the House Defense Appropriations Subcommittee since 1998.

Let me just use a chart here. This chart kind of explains the phenomenon that we will see over and over and over and over again. And with every earmark amendment I am offering today, this pattern exists where Members of Congress will earmark dollars; the earmark spending goes to the earmark recipient; the earmark recipient will then turn around; and lobbying firm will spend the earmark recipient, PACs there, executives from the lobbying firm, executives from the company itself, contribute handsomely to Members of Congress, and it recycles again and again and again. Circular fund-raising, that’s what we’re talking about here.
provided the sponsor of this earmark with nearly $200,000 in campaign contributions since 2001.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DICKS. Mr. Chairman, I rise in strong opposition to this amendment offered by Mr. FLAKE.

In addressing my colleagues, I want to begin by clarifying what the funds designated for Enhanced Navy Shore Readiness Integration are directed to.

Several years ago the Navy adopted a significantly different approach to managing all of its installations on U.S. soil. The commander of Navy Installations Command operates an $8 billion enterprise for the Nation. Now, you can imagine that when making changes in such a vast enterprise, its leaders want to explore innovative options; but they need to carefully evaluate ideas to find the best ones. They also need to test out an idea as a pilot project, and that’s exactly what happened here.

The Concurrent Technologies Corporation is a nonprofit. In fact, they just had a competitive bid which they won a few months ago. They do great work for the United States Navy. The Navy matches the money that Congress puts up because the work is of such high quality. And this company is located in Bremerton, Washington, one of its branch offices. They do great work for Navy Region Northwest.

I don’t have anything named after me. My family has no interest in this in any way, shape, or form. This is a good, solid program; and this company this year has no one representing it. It doesn’t have a lobbying firm. Well, the gentleman wants to make various insinuations, but I still funded it because it was quality work. It was work that was meritorious. And Congress has the right to do this.

Congress also has the right to review national programs. National programs should be considered by Congress. We can either increase the funding for them or decrease the funding for them. We have the right to do that. Congress has the power of the purse, and we can’t give it away because it’s in the Constitution. And this is an important issue.

Now, all I can tell my colleagues here is that this is a good operation in Bremerton. They’re doing fine work for the United States Navy, and I urge a “no” vote.

Mr. FLAKE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The gentlewoman from Arizona (Ms. CARSON) said there have been no amendments to the full committee, and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 258 in part B.

The Acting CHAIR. The Clerk will designates the amendment.

The text of the amendment is as follows:

Part B amendment No. 258 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ____. None of the funds provided in this Act shall be available for Reduced Manning Situational Awareness.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, before I get to the substance of the amendment, if people out there want to know why members of the Appropriations Committee, and particularly the Defense Subcommittee, talk about these earmarks and to talk about this process and why the markup in the full committee took a full 18 minutes, this might explain it.

If you look here to the left of this chart, 3 percent of the total dollar value of the earmarks in the Defense Appropriations bill go to just under 4 percent of the Members of this body. One-twenty-fifth of the Members in this body take home 33 percent of the earmarked dollars in this appropriations bill. So I don’t blame them for wanting to get through this quickly, for having an 18-minute markup where nobody really talks about anything; you just shove it through and it’s a unanimous vote. If you want to talk about it.

But this Congress, the rest of the body, the rank-and-file Members who aren’t on that committee ought to be concerned, particularly when over and over again there are press stories that are unflattering about what happens when earmarks go in this fashion. The Washington Post’s top story above the fold today is another one, talking about how Members are loathe to get rid of these pork projects in the bill or these earmarks.

So I would submit that if anybody out there is wondering why this process goes so quickly and Members are so disinclined to debate, why not? If you can do it, do it. If 4 percent of the Members in this body can take home 24 percent of the earmarks, that’s a pretty good gig. But the rest of us ought to be concerned, and I think the country is concerned, certainly the press is reporting that there is an issue there.

This amendment would remove $5 million in funding for the Reduced Manning Situational Awareness program. According to the sponsor of this program, it’s a command and control system with smart sensors, 3-D visualization, video analytics, and bandwidth management.

I’m not here to argue the merits of the program. I frankly don’t have much knowledge in that area. But what we see here again is an earmark going to a private company. Sometimes Members will say, I’m working for my district; I’m just getting earmarks for economic development in my district. In this case the company is not even located in the sponsor’s district.

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

Mr. YOUNG of Florida. Mr. Chairman, I am not going to talk about the amendment because the gentleman has conceded that the program it would fund is essential to force protection, and that is the case.

But I think the point that I want to make is there has been a lot of misleading information suggested here, not necessarily intentionally and I don’t think with any attempt to be unflattering about what happens in the full committee, and particularly the Defense Appropriations Committee. And I think the gentleman has read on the cap-and-trade bill “read the bill.” We have heard on the health bill, if we ever see one, “read the bill.” And I agree with all of that. We ought to be reading the bill.

I don’t think my friend from Arizona has read this bill, and it is not nearly as big as the cap-and-trade bill was or the health bill will be. But had he read the bill, he would have found on page 113, section 6115(a) that it says: “Those which are considered congressional earmarks for purposes of rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition.”

Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I’m glad the gentleman brought up this phrase in the bill that it should be opened to full competition. The reason for the earmark is to get around competition. We all know that. Now we can have language in the bill that requires that. But I had a meeting with some Defense Department procurement officials and the Comptroller General a while ago, and I asked the Defense Department officials, What is your process with these earmarks? And they said, We subject them to full competition, basically except when we don’t. So I asked them, Can you do a random sample of earmarks in the 2009 or 2008 Defense bill and come back to me and let me know how many went to the intended recipient for the earmark?

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield.

Mr. DICKS. The gentleman obviously hasn’t read the bill because it’s in the bill that you have to compete these projects if it is done by a for-profit
company. Congress has passed a law saying you have to compete these. So the gentleman is wrong in so many ways, but on this one you are really wrong.

Mr. FLAKE. I thank the gentleman for truly clarifying that. But I would submit that that is the process that the Defense Department says that they follow now. So they will take this language and say that's what we do already, except when we don't. And when they don't subject it to full competition, they simply issue what's called a J&A. And the J&A is the justification for why that earmark was not subject to competition.

I have asked for months and months and months, and I'm still waiting for some of those J&As. But we know with uncanny precision these earmarks end up with the intended recipient and simply putting in language in here, which my guess is will be taken out in the Senate anyway, though it doesn't mean much much the first place, it will not likely survive the Senate; but if it does, the Defense Department will say we do that anyway.

If it's subject to full competition, the gentleman mentioned with Concurrent Technologies that they had won in open competition for another pot of money. Well, great. If they're so good, why do we have to earmark money for them? Why don't we say compete on your own like everybody else? That is the purpose of these earmarks, to get around competition. That is the purpose of it. So to say, well, we inserted language in it and that will solve it all, it simply doesn't because the Defense Department knows who butters their bread. They know that they need to follow with uncanny precision the intended recipient.

The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 315 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 315 offered by Mr. FLAKE

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. 1130. None of the funds provided in this Act shall be available for Body Armor Improved Ballistic Protection, Research and Development.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, let me just finish the thought I had before.

President Bush a couple of years ago said that earmarks that end up in the report language and not in the bill itself would be subject to full competition. I would instruct the Federal agencies to ignore them and to simply openly compete contracts out there. This Appropriations Committee inserted language after the President did that and said that the President or the Federal agencies should have to follow the language in the report even though it wasn't legislative language.

So if we're all keen on competition here, why in the world, until the public started to focus on it, did we instruct the Federal agencies and say you have to take the language that's in the report as if it were law?

Anyway, let's get to this amendment. This amendment would remove $7 million in funding for KDH Defense, for a Body Armor Improved Ballistic Protection.

I have not come here to debate the merits of the earmark. Again, I'm not an expert in improved ballistic protection defense. But I should say again I think people in our military are and the Pentagon is and that they should probably make this decision rather than a single Member of Congress.

As reported by Roll Call earlier this week, KDH Defense has received millions in earmarks to produce an underwater swimmer detection sonar system for the Navy to be used to protect its docks and ships. KDH's expertise lies in sewing bulletproof vests, but reportedly this earmark project was the first product to be delivered by KDH Electronic Systems, a startup company affiliated with KDH.

After several years and a series of botched agreements with subcontractors, KDH has yet to deliver this product. Based on the statements made by the president of KDH, it doesn't appear as though they ever will. And yet we are here today again ready to provide KDH with millions more in taxpayer dollars.

I would ask why are we doing this when we already have information that some of the individuals or companies that will be associated with this earmark haven't exactly done well in the past, haven't produced what they said they would, in some cases have little expertise in the area that they say they do in order to get the earmark?

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

Mr. MURTHA. I reserve my time.

Mr. FLAKE. Mr. Chairman, an editorial in The New York Times, entitled "Political Animal 101," referred to the "relationship between campaign dollars and the customized appropriations they are fed by grateful lawmakers" as "the ultimate in symbiotic survival and cynical influence.

That is The New York Times. There have been editorials in the Washington Post. They have been in Roll Call and The Hill and just about everywhere. The mainstream media has done a great job investigating this and showing that this process leaves a lot to be desired.

Again, it doesn't have to be illegal to be something that Members of this body should stand up and say, you know, our House should have a higher standard here. We ought to have a higher standard than whether we can survive an investigation going on by the Justice Department right now, that we ought to leave some confidence with the public that we are doing things right here. And I would submit when you have more than 1,000 earmarks, more than 500 of which represent no-bid contracts to private companies like this one, then we have got a problem.

I urge support of the amendment.

The Acting CHAIR. The gentleman's time has expired.
Mr. MURTHA. Let me read again to the gentleman from Arizona. “With respect to the list of specific programs, projects and activities contained in the tables entitled Explanation of Project Level Adjustment in the report of the Committee on Appropriations of the House of Representatives, those which are considered Congressional earmarks for purpose of rule XXI of the House of Representatives, when awarded for a profit entity, shall be awarded under full and open competition.”

Now, you talk about old awards. KDH was awarded on 14 July 2009, a competitive $39.4 million contract for 65,000 vests for the Army and Air Force. They must be doing a good job or they wouldn’t have been made that award.

I went to Iraq. They were short—the gentleman, I know the staff has a lot of information for him, but I would like him to listen to what I am saying.

I went to Iraq and I found with the First Division a 44,000 shortage of armor. The biggest complaint I get from the troops in the field—I don’t know how often you visit the field. Mr. FLAKE, I don’t know how often you come. That is the important work that they are doing there that they do that.

When I go in the factories, their sons and daughters are working in this place. They love the work that they do. They know they are doing work that is important in the job they are doing there. It has been in title X of the bill ever since I can remember. They have to be competitive if they are doing this work, and if they do the work, they are awarded the contracts. And they are competitive contracts, and it is very clear in our bill.

I just went out to the hospital the other day. I don’t know how often Mr. FLAKE goes to the hospital. I am sure he goes quite often. Every week he probably goes to the hospital. But I will tell you this. I go to the hospital. I saw a young fellow who was wound-up two years ago. His organs were outside of his body for 10 days. He had a bag for about 6 months. He got rid of the bag. They did another operation.

This goes on continuously. Nobody has done more work for the medical profession putting earmarks in for breast cancer, ovarian cancer, all of those things, because we feel so strongly about it.

We want a great defense in this country, and the people working in the defense industry do a great job. We don’t appropriate this money for anybody except the people that do the work, and if they do the work, they are awarded the contracts. And they are competitive contracts, and it is very clear in our bill. It has been in title X of the bill ever since I can remember. They have to be competitive if they are pro-profit.

With that, I yield back the balance of my time and ask for a ‘no’ vote on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

PART B AMENDMENT NO. 389 OFFERED BY FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 389 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

PART B AMENDMENT NO. 389 OFFERED BY FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 389 in part B.

The Acting CHAIR. The amendment is as follows:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. 2. None of the funds provided in this Act shall be available for Gulf Range Mobile Instrumentation Capability.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I want to respond to a little that the chairman of the Military Subcommittee said.

He mentioned some of the horrible things that are happening in Iraq and Afghanistan. I have attended funerals myself of members who were killed by an IED or some other measure out there that they need greater protection from. But that is what we are talking about here.

The reason we are here and the reason I offered the last amendment is it is going to a firm that, according to press reports, doesn’t have the expertise to do what they intend to do and in the past have not delivered on the promises that were made before.

We see stories again and again and again on that same theme, that earmarks go to such companies. In fact, there is a trial going on. I believe, right now in Florida where an earmark recipient has pled guilty, I believe, to distributing earmark money to contractors who had no intention of following through and delivering on the contract. That is why we are here.

So we can talk all we want about the needs of our troops in the field, and that is why I am offering these, because this money should be going to our troops in the field. Instead, it is being bled off, in some cases, according to press reports, to companies who don’t show enough that they are doing to receive the earmark. But they are getting an earmark and getting around competition despite the language in this year’s bill which claims that these will be subject to free and open competition.

The Wall Street Journal reviewed real estate records and reported that many of the facilities that ProLogic, the recipient of this earmark, uses have been implicated, at least it has been alleged, that they are under investigation.

The Wall Street Journal reviewed real estate records and reported that many of the facilities that ProLogic, the recipient of this earmark, uses have been partly owned by the family of the CEO, and ProLogic pays the CEO monthly rent that is higher than prevailing local rates. ProLogic was also subpoenaed in a broader Federal investigation into earmarks going to West Virginia, where ProLogic is headquartered.

The Wall Street Journal also noted that four of ProLogic’s six facilities were located in the congressional districts of senior members of the House Appropriations Committee. CBS News reported that ProLogic has spent more than $880,000 lobbying and contributed more than $400,000 to congressional campaigns.

I should note this company has denied allegations of wrongdoing and the status of the investigation is currently unknown.
But here we have a company that press reports say is either under investigation or cooperating with an investigation, and we are still giving it an earmark, a no-bid contract. Despite what is said about this will be open to free and open competition, we are receiving the same thing and saying this company at this address should get this money.

I just don’t see where this connects with the speech about the needs of our men and women in the military. Again, I will stipulate, we need to make sure that our men and women are armed, that they have force protection, that they have the arms and everything else they need. And that is why I am so against this process that we have here, because we bleed off money that should be going to our military into companies, through no-bid contracts, who in too many cases simply aren’t doing the work that they were contracted to do.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I will claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. I don’t know about the company and the concerns that Mr. FLAKE has about the company. I don’t even know the company, but I know the issue and I know the needs for the Eglin Range. The Air Force and the Navy use the eastern part of the Gulf of Mexico for just tremendous amounts of training.

Well, that during the debates over oil drilling and drilling for natural gas and doing other kinds of commercial activities in the eastern Gulf of Mexico, we always protected the Gulf of Mexico east of the military mission line because it was so critical to training for our national defense, to train those pilots and those people who are on seaborne missions, to train them so, if they do have to go into harm’s way, they will have the proper training.

This is for range sensors to help with the training of those military training programs of the Air Force and Navy. If you recall, the debate was very, very aggressive on that issue, and the Congress on numerous occasions agreed that we had to protect the eastern Gulf of Mexico so that we were free to use those areas for training.

Now, I am not going to vote for this amendment. Another interesting thing here is, I think, if Mr. FLAKE were a member of the Appropriations Committee or the Appropriations Committee, he would have a better knowledge of how that works. He may never have even heard of what we call unfunded requirements. He may never have heard of witnesses coming to testify before these committees on the issue of the request by the administration for appropriations and then giving you and giving and giving the company a list of unfunded requirements, things that they need that were not included by OMB in the budget request.

The Members that have been here for a while might remember that when I first became chairman of this subcommittee, I identified every unfunded requirement that I could and I put it on a scroll and we rolled it across the front of this Chamber so people, Members of this committee said that the military said they needed but didn’t have in the budget request.

I will give you one example. In talking about bombers at a particular hearing some years ago, an Air Force officer said that the bombers are really important, but you guys aren’t paying attention to something else really important.

I said, Tell us about it. What are you talking about?

He said, do you know that the tugs that we use to pull the bombers out of the hangars to take them out to the runway, we don’t have enough? And so, if we have a large mission, we have bombers and aircraft waiting in line to get a tug to pull them out. Well, that’s an unfunded requirement, and the committee tries to take care of those unfunded requirements. In the Department, under the language that I read earlier, must compete, no matter what the bill says, no matter what the report says about where the committee thinks that the work ought to go, the Department has to do the work.

Now, I don’t know how much more transparency we can give to Mr. FLAKE if the projects are competed. But I agree with him. If someone, some company is not doing the job properly, then they ought to be investigated, and they ought to be taken off the list of contractors. In fact, in my own district I had a request for an earmark in this year’s bill, and the Inspector General decided to pay that company a visit to see about something. I’m not even sure that it was because they were 

I pulled the request for that earmark until we work it out, until we find out what happened here, what went wrong, what are they investigating. And I think we ought to do that. And I don’t think we ought to be providing contracts to anyone who hasn’t treated the public trust properly. So Mr. FLAKE and I aren’t totally in disagreement, but we’re in disagreement because that Eastern Gulf of Mexico range that is so important to training Air Force and Navy pilots especially, and seaborne vehicles, is very, very important, and those sensors are part of that training.

I yield back my time.

Mr. FLAKE. I would disagree with the gentleman. I think we’re in total agreement on this amendment. CBS News reported ProLogics businesses are getting a lot of attention, a lot of it from the FBI, which is investigating whether the Department has money for its own private profit. This company is reported to be under investigation. And so should we be giving it an earmark?

The gentleman mentioned that he doesn’t know the company. But this we do know; that this company, it’s reported by CBS and by others, that it is under investigation, and we’re giving an earmark. So when the gentleman says that he thinks we are in agreement that we shouldn’t give earmarks to companies that it’s alleged that there’s some impropriety going on, I would submit that’s what we have here, according to the press. And unless we know completely that they’re clean and doing good work, then we shouldn’t give them an earmark. We should instead say to the Department of Defense: you decide. The gentleman mentioned that he doesn’t know the company. Does he know if this company is the only company that can provide these services outlined?

Mr. MILLER of Florida. Mr. Chair, I rise in opposition to the amendment.

I stand in vigorous support of my request for a Gulf Range Mobile Instrumentation Capability. This capability will convey enormous long-term benefits and provide weapons systems in a cost effective manner on time.

DISTRICT INTRODUCTION

For those of you that don’t know, I represent the First District of Florida. It is home to Eglin Air Force Base, Air Force Special Operations Command, Naval Air Stations Pensacola and Whiting Field, Corry Station, which hosts the Center for Information Dominance and is the proud future home of the Joint Strike Fighter.

ARGUMENT/JUSTIFICATION

The project fulfills a critical need. Specifically at Eglin Air Force Base, the 46th Range Group has a need for a capability for remote test, collection, storage and relay of various types of data. This capability can be accomplished with a Gulf Range Mobile Instrumentation Capability. This capability is needed to support test events which occur over large geographic areas on both land and sea. Examples of this testing includes Live, Virtual, Constructive test events, large footprint weapons testing, Directed Energy testing, and hypersonic testing.

This capability does not exist because there is a shortfall across this nation in both adequate range space and instrumentation to realistically test today’s long-range stand-off weapons. This problem is expanding with the enhanced performance of weapons in development. The Eglin range remains one of the only locations to test these weapons over its enormous land and water area. The instrumentation shortfalls and can and should be addressed.

This project would fill a critical gap in our mobile data acquisition capabilities to address the need for cost efficient operations involving remote areas with multiple ranges across the nation. As a simple example, extending a datalink, much like a wireless network, over 150 nautical miles into the Gulf would greatly enhance the amount of test professionals need this capability and it will help ensure that our defense test and evaluation capabilities field cost-effective systems.

Developmental test and evaluation brings new capabilities to the battlefield and saves lives. I have had the opportunity to watch some of the magnificent testing conducted on the Eglin range. The 46th Test Wing completed testing last year on the small diameter
Mr. FLAKE. Just in reference to the last amendment, let me finish my thought there. Here we have, and the ranking minority member on the subcommittee concedes that we shouldn’t be giving an earmark to a company if there’s allegations out there that they’re not doing the job that they’re supposed to do, or that there’s some cloud hanging over, I would assume. And yet that’s what this earmark is for.

And so I seem to hear that, yeah, that we shouldn’t do that and that my amendment doesn’t do that. But all I heard were noes when my amendment was offered. So I would hope that when it comes time to vote, that Members will say, you know, regardless of everything else, perhaps if it’s reported to a company that’s under investigation, perhaps we shouldn’t be giving it an earmark until that’s cleared up. And so I would hope that that’s remembered when it comes time to vote later this day.

This amendment would strike $1.5 million from the Ultra Low Profile EARS Gunshot Localization System. According to the sponsor’s Web site, funding for this localization will produce a completely covert detection system which will enhance situational awareness and survivability of our military.

Mr. Chairman, this sounds like a worthwhile project. Even though the military did not request it, it may be something that we will ultimately benefit from. But why are we earmarking funds again here for a private, for-profit company that will not have to compete, regardless of the language that’s in the House bill—that will likely not survive the Senate anyway, but which comes with regulations that the Defense Department says they already have about competition?

According to the sponsor’s Web site, Planning Systems, Incorporated, will be the recipient of these funds. What’s not included is justification for use of taxpayer dollars to an entity that the receiving entity of these funds was a client of now-defunct PMA Group. We’re all familiar, all too familiar with the PMA Group. The PMA Group, and the companies it represented, donated millions to Mr. Friedman’s campaign. And I’m proud to have their support, frankly, because they too were conscientious in making sure that nearly $1 million to the sponsor since 1998.

According to the Center for Responsive Politics, this earmark sponsor was the third-highest recipient of contributions from PMA since 1998. And that’s not all. The recipient of this earmark, Planning Systems, Incorporated, has contributed more than $35,000 to the campaign of the sponsor of this earmark, again, according to the Center for Responsive Politics.

There is nothing in our House rules that prohibit this. I’m not alleging that there are. But I’m saying that we have to stop this process of circular fund-raising. It just looks too bad outside of this body when we have a process where Members of Congress will earmark spending to an earmark recipient, and that earmark recipient, through its employees, through a PAC, through its lobbyists or through its executives, will contribute very handsomely back to the Member of Congress’ campaign committee.

There is no other way to look at this outside of this body, I would say, than to say we shouldn’t be doing that, particularly in a process where we’re told that there are more than 1,000 earmarks in the bill. We the bill comes to the floor, and we know that 552 of those earmarks are no-bid contracts to private companies like one.

I reserve the balance of my time.

Mr. MORAN of Virginia. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona will be recognized.

Mr. FLAKE. Just in reference to the last amendment, let me finish my thought there. Here we have, and the ranking minority member on the subcommittee concedes that we shouldn’t be giving an earmark to a company if there’s allegations out there that they’re not doing the job that they’re supposed to do, or that there’s some cloud hanging over, I would assume. And yet that’s what this earmark is for.

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Mr. MORAN of Virginia. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The question is now before the Committee of the Whole.
their earmarks were fully investigated, vetted, and competitively bid. And, in fact, for the last three straight years, this system was competitively bid and won.

What this system is is called the SMART System, it's very strongly supported by our military because it saves lives. What it does is to enable people, special operations primarily, and intelligence assets, that are in denied territory, and I don't need to go into detail any further than that, to find out exactly where our enemies are coming from, how far away, and how many snipers there are. And it's worked exceptionally well.

What Mr. Friedman does with a small amount of money is to address one problem with this system, which is that it's bulky. It's very visible. It has radars, and so it's too easily detected by the enemy so, to some extent, our people can be an easier target as a result. What this does is make this system invisible. And for $1.5 million it's going to save hundreds of lives in our expectation; that's why we are more confident that when it is competitively bid, which is required by this legislation, it will win this bid.

If the gentleman was actually to look at this system, he, even, would vote to include the money in this bill to ensure this system is available for our military in some of the roughest, most dangerous terrain, so as to save their lives. I reserve the balance of my time, Mr. Chairman.

Mr. FLAKE. I would simply ask, and maybe when he has his time back, to explain why, if it was open to competition in the last couple of years, there would be a flurry of press releases in the past:

"secure funds, because Members know, the Defense Department will follow these earmarks."

I would say, again, with this particular earmark it sounds like a great program. The sponsor of the earmark indicated that this was open to competition, the last couple of years. That's great. Why do we have to earmark it this year?

I yield back the balance of my time.

Mr. Moran. Mr. Moran of Virginia. May I inquire how much time I have, Mr. Chairman?

Mr. Moran. Mr. Moran of Virginia. Mr. Moran, again, in case it wasn't fully understood—this may resolve the gentleman's concern.

In the legislation, it says, again, that all earmarks, when awarded to a for-profit entity, shall be awarded under full and open competition.

I can't stress that enough. Now, to address the gentleman's concern, first of all, I've never made a press announcement about this. In fact, truth be known, I haven't talked to Mr. Moran for probably a year, and I certainly didn't even let him know that this earmark was in. It was in because we checked with military personnel, vetted it, and found that this was a system that was a substantial improvement over what the military is currently using, which is called the SMART System. This is the EARS System. This, as I explained, will be a much safer, less visible system that will protect lives.

Now, Mr. Moran is no longer represented by PMA, and I haven't had contact with him. The fact is, at least in quite some time, this has been in here because of the merits of the project. It's only $1.5 million, but it is highly meritorious. That's why it is in.

I grant you I know about it because it takes place, the work is done, in my congressional district. It also represents jobs, but they're not simply jobs for the sake of keeping people employed; they're jobs to protect our military and civilian personnel in the most dangerous terrain and in the most dangerous places on the planet. That's what this does for $1.5 million.

Now, again, I have enormous respect for the people in the Pentagon, but they don't always move with blazing speed when they are making a change from one system to another. Often times, you go with the status quo. Even though there are deficiencies, it is the easiest thing. What does this do and the reason we put many of these earmarks in is that it adds a new level of technology to do a better job of accomplishing its underlying purpose.

With that, I again thank the gentleman for raising this issue.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona. Mr. Moran, again.

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. Moran. Mr. Moran of Virginia. Mr. Moran, I have an amendment at the desk.

The Acting CHAIR (Mr. Holdman). The Clerk will designate the amendment. In the text of the amendment is as follows:

Part B amendment No. 439 offered by Mr. Moran.

Mr. Moran. Mr. Chair, this amendment would prohibit $2.5 million from being directed to Alliant Tech Systems, or ATK, for AARGM Counter Air Defense Future Capabilities.

According to ATK's Web site, AARGM is a supersonic, medium-range, air-launched tactical missile used by the U.S. and by allied forces. The sponsor's Web site and certification letter state that the funds directed to this project in the bill will enable ATK to continue to demonstrate improvements to AARGM, particularly at longer ranges.

Now, here again, I am not going to argue the merits of the problem; neither are most of us here. It's possible that ATK's missile system is the best one out there, but we don't know that. I would suggest that nobody in this body knows that, not even the sponsor of the earmark.

We don't know that because there is no way the Appropriations Committee thoroughly vetted each of the 1,102 earmarked projects in this bill during its 15-minute markup. We don't know that because Members of Congress, in general, don't have the kind of expertise required to make that determination.

In cases like these, when we're determining the kind of missiles that best work for our Armed Forces, it seems to me that the decision is best made by experts at the Department of Defense. Once that determination is made, just like with any other procurement, the contract to make these missiles ought to be competitively bid through the DOD.

But as is the case with nearly 550 of these earmarks, we have a handpicked subcommittee deciding federal funds for a project based solely on the discretion of one Member of Congress. This is a no-bid contract. This alone
should be troubling enough, but there is an additional facet.

I mentioned the problem with circular fundraising that has been detailed by so many media organizations out there. It’s getting tiring reading these stories every day. The Associated Press reported that an ongoing FBI investigation is “highlighting the close ties between special interest spending provisions, known as earmarks, and the raising of campaign cash.”

As I mentioned, in every one of the individual earmarks that we’re discussing today, there are examples of funding going to the earmark recipient, and then the executives from the company, their lobbyists and the PACs are contributing large amounts of campaign dollars back to the sponsors of the earmark. That simply doesn’t look right. It may be legal. It is.

Our Ethics Committee has said that you can get campaign contributions in close proximity to earmarks; but Members of Congress are not supposed to do it. Instead of giving a no-bid contract to a private company which happens to be in the district or doesn’t but which is simply willing to provide a lot of campaign contributions.

So I would say, Mr. Chairman, we have to stop this process. We have to say we can no longer afford to award no-bid contracts to private companies, as we have done in the past, regardless of the language that is inserted which says that all of these have to be subject to competition.

We know how it works in the Defense Department because they say now, over the past several years, these have to be subject to competition. Yet, time and time again, when you look at these contracts, there is an uncanny alignment between the earmark recipient designated by the sponsor of the earmark and the company that eventually gets the dollars.

I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. Mr. Chairman, I reserve my time.

Mr. FLAKE. Mr. Chairman, again, I would say we can no longer afford to give no-bid contracts to private companies. I would say, as I mentioned, that for those who say we have language now in the bill—and I would certainly yield time to the gentleman, to the chairman of the Subcommittee on Defense—I would hope that he would agree, if they really believe in this language and that if the Senate knocks the language out, that we will not agree to a conference report that has these beliefs in it.

If that is the case, if we are so willing to believe that this language actually has any force—and I don’t believe it does because the Defense Department already says that they subject these earmarks to full competition—for those who are placing so much stock in this language, I would assume that they agree so strongly and that they will say these are going to be subject to competition. I would strike that language out. I would like to hear from those here that the House will also nullify those no-bid contracts, because we have designated who those recipients should be.

I yield the balance of my time.

Mr. MURTHA. Let me read to the gentleman, Mr. Chairman:

“When respect to the list of specific programs, projects and activities contained in the tables entitled ‘Explanation of Project Level Adjustments’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of rule XXI of the House of Representatives, those which are considered commercial items, shall be awarded under full and open competition.”

This amendment would prohibit $2.5 million for AARGM Counter Air Defense Future Capabilities. Now, I know that Members of Congress represent their districts. I know that Arizona gets $9.7 billion in defense. I’m sure that this Member is not worried about the fact that some of this money may go somewhere else. I know that not his members of Congress. It’s $9.7 billion. It’s fifth in the number of defense industries throughout the country. Let me tell the Chair a story:

When I first took over the committee in 1989, I looked at one of the projects that the Navy was working on. They made consoles for all of the ships in the Navy, and they were paid $850,000 for those consoles. We said, You’ve got to compete them. We had probably 25 to 30 hearings that year. We had 51 trips to those ships on, which is the same as we had this year. We had 37 hearings this year, and we had hundreds and hundreds of meetings.

This one particular program was called the Q-70. We forced them to compete it, and it’s a very interesting thing. The Navy went to the Air Force and said, Look, we want you to buy this particular program, and we’ll buy it from you. This is so they wouldn’t have to compete. Well, the staff found out about it; and in the end, that didn’t work and they competed.

That particular console now costs $125,000 per unit. We’ve saved over $1 billion. They happen to make that in my district. Some people would say that was an earmark. We saved over $1 billion in one contract. On another submarine torpedo contract, we saved over a half a billion dollars.

So small business is the backbone of industry in this country. All the growth in small business; these folks are working diligently. They pay taxes. They go home every day, and they know how important it is to do good work. They meet super-specifications from the military. They complain all the time that the specifications are too tough and that competition is too tough.

The first time that I brought defense companies to my district, I had 24 percent unemployment, and we couldn’t get any business out; and they bid on these contracts, none of my companies knew how to do defense work. Now, in Arizona, they obviously know how to do defense work. They’ve got $9.7 billion worth of business in Arizona. Pennsylvania is not the best for the amount of defense work. That’s embarrassing with all of the troops that we send. We send more National Guard members to Iraq and Afghanistan than any other National Guard unit in the country. I’ve lost 19 people in my congressional district, so I feel very strongly about this.

Small business is the backbone. These people that I visit are working hard. They know how tough it is. They know that they meet the specifications, and they bid on these contracts, and they win these contracts, and I’m proud to represent them. With that, I ask for a “no” vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 449 offered by Mr. FLAKE:

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 449 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLe X—ADDITIONAL GENERAL PROVISIONS

Sec. 10. None of the funds provided in this Act shall be available for AN/SLQ-25D Integration.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit $8 million from being directed to Argon ST, which is a private systems engineering and development company headquartered in Fairfax, Virginia.

The sponsor’s Web site and certification letters say that the funding
from this earmark would be used to upgrade current naval torpedo capabilities that would enhance ship survivability against the modern threat of a torpedo attack.

This isn’t the first time that this company has received Federal funding for a project. This project, itself, received two earmarks, totaling $8.7 million in 2007, and $7.5 million was also allocated to such a system in 2006.

The FEC records indicate that, since 2006, employees of the earmark recipient, Argon ST, have donated more than $47,000 in campaign contributions to the sponsor of the earmark. According to the Center for Responsive Politics, the Argonne PAC made $23,000 in donations to the sponsor’s campaign and to his leadership PAC in the 2008 election cycle.

According to the FEC, this represented more than a third of all donations of Argon’s PAC made during the election cycle. In addition, during the 2008 cycle, Argon ST was reported to be the second highest contributor to the earmark sponsor’s PAC. The funding for the earmark may very well be vital to national defense or it may not be. We just don’t know here, I would suggest. But the earmarking system is so opaque that the purposes and justifications for more than 1,100 earmarks in this bill are a mystery to just about everyone.

Again, the committee took a whole 18 minutes to accept this bill on to the floor with a unanimous vote. Had this earmark been closely examined, it would have been revealed that this earmark recipient acquired Coherent Systems in 2007. Coherent Systems’ former president and CEO now faces Federal charges for soliciting kickbacks from a defense contractor.

Argon ST is cooperating with Federal authorities in the investigation and is not facing any charges. But in the wake of the Abramoff scandal and the burgeoning PMA scandals, I would simply ask whether Congress should be paying into the coffers of companies involved in Federal investigations. I would submit that it should not.

There is more than $2.7 billion in earmark spending in this bill. We’ve had less than 2 weeks to go over 1,100 earmarks that comprise this spending. We simply can’t continue to do this.

I know the Member will stand up and say these have to be competed out. And I will again ask the Member, and I will actually yield him the rest of my time, if he will stand and say that if the Senate removes this language that requires open competition, if then we will then remove these no-bid contracts.

And I will yield to the gentleman for that. He doesn’t have to take my time. He can take his.

Again, what I am asking is if the Senate removes the language that Members put, I think, too much stock in because the Defense Department says they already subject these contracts to full and open competition, but if the Senate should remove that language, will the Members of this body remove the no-bid contracts, 552 of them, I believe, from the bill.

And I will yield for an answer.

I yield back my time.

Mr. MURTHA. Let me read again to the Chair.

‘‘With respect to the list of specific programs, projects and activities contained in the tables entitled ‘Explanation of Project Level Adjustments’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition.’’

In this particular case, this company is doing very well. Reuters gave them a B rating. But what we look at is the people that work in those places, the awarding of these contracts, the fact that the Defense Department has such high levels of specification that they insist on.

When you go to a defense company, they have all kinds of things that are added that are not true in most places, and small business is the best you can get at doing this kind of work.

During World War II, we produced 83,000 airplanes in 1 year during 1943, 30,000 tanks. There were some abuses, I’m sure. Today, we don’t have that capacity. What we worry about, if we don’t have small business doing this, it’s going to go overseas, and if it goes overseas, we’re going to lose those businesses, we’ll lose the ability. We continually put ‘‘buy American’’ in our provisions, and it turns out that it still goes overseas. Much of the airplane parts are built overseas. Much of the parts—if we were careful, some of the body armor would be built overseas because some of the companies would be cheaper.

So we insist they be built in this country. We insist Americans do it. And those Americans are so proud of the work that they do, they have American flags on them. They have pictures of the troops. They have letters from the troops about how proud of the work they are doing, and the government checks continually to make sure they’re doing that kind of work, and they meet those specifications.

With that, I would ask for a ‘‘no’’ vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

PART B AMENDMENT NO. 553 OFFERED BY MR. FLAKE

Mr. FLAKE. I have an amendment at the desk designated number 553 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 553 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 3. None of the funds provided in this Act shall be available for the following projects:

<table>
<thead>
<tr>
<th>Account</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AP,N</td>
<td>Crane Integrated Defensive Electronic Countermeasures Depot Capability</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>DPA</td>
<td>Low Cost Military Global Positioning System (GPS) Receiver</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>OM,AF</td>
<td>Joint Aircrew Combined System Test (JCAST)</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>OM,ARNG</td>
<td>Multi-Jurisdictional Counter-Drug Task Force Training</td>
<td>$3,500,000</td>
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<tr>
<td>OM,N</td>
<td>Enhanced Navy Shore Readiness Integration</td>
<td>$5,000,000</td>
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<tr>
<td>OP,A</td>
<td>Ft. Bragg Range 74 Combined Arms Collective Training Facility</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>OP,A</td>
<td>Laser Marksmanship Training System</td>
<td>$2,000,000</td>
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<tr>
<td>OP,A</td>
<td>Machine Gun Training System for the Pennsylvania National Guard</td>
<td>$3,000,000</td>
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<tr>
<td>OP,A</td>
<td>Multi-Temperature Integrated Container System</td>
<td>$3,500,000</td>
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<tr>
<td>OP,A</td>
<td>Radio Personality Modules for SINCGARS Test Sets</td>
<td>$3,000,000</td>
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<tr>
<td>P,M,C</td>
<td>Portable Military Radio Communications Test Set</td>
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<tr>
<td>PANMC</td>
<td>Enhanced Laser Guided Training Round</td>
<td>$4,500,000</td>
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<tr>
<td>RDTE,A</td>
<td>Advanced Composite Armor for Force Protection</td>
<td>$2,000,000</td>
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<tr>
<td>Account</td>
<td>Project</td>
<td>Amount</td>
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<tr>
<td>RDTE,A</td>
<td>Advanced Composite Research for Vehicles</td>
<td>$5,000,000</td>
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<td></td>
<td>AN/ALQ 211 Networked EW Controller</td>
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<td>Army Vehicle Condition Based Maintenance</td>
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<td>Defense Support for Civil Authorities for Key Resource Protection</td>
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<td>Dermal Matrix Research</td>
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<td></td>
<td>Effects Based Analysis of Operations Decision Support Services</td>
<td>$2,000,000</td>
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<td></td>
<td>Eye-Safe Stand-off Fusion Detection of CWB Threats</td>
<td>$2,500,000</td>
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<td>Fire Shield</td>
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<td></td>
<td>Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model</td>
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<td>Highlander Electro-Optical Sensors</td>
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<td>Hostile Fire Indicator for Aircraft</td>
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<td>Javelin Warhead Improvement Program</td>
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<td>Joint Precision Air Drop Systems-Wind Profiling Portable Radar</td>
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<td></td>
<td>Lightweight Metal Alloy Foam for Armor</td>
<td>$4,000,000</td>
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<td></td>
<td>Mobile Integrated Diagnostic and Data Analysis, Nanotechnology for Potable Water and Waste Treatment</td>
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<td></td>
<td>Rapid Response Force Projection Systems</td>
<td>$2,000,000</td>
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<td></td>
<td>Reduced Manoeuvrability Situation Awareness</td>
<td>$5,000,000</td>
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<tr>
<td></td>
<td>Remote Bio-Medical Detector</td>
<td>$3,500,000</td>
</tr>
</tbody>
</table>
The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, let me note before I start this amendment, again I ask the chairman that if the Senate nullified the language requiring free and open competition, that the House would say, Okay, we will remove these no-bid contracts. I didn’t hear an answer to that.

I would suggest that we know full well the Senate will remove that language. I think we put too much stock in the language anyway, but the Senate will surely remove it, because not to remove it might force some Senators to think they might not be able to secure funding for their earmark, and we know that’s not going to happen.

So, if we were serious about this language, if we were serious about free and open competition, we wouldn’t be earmarking in this fashion. Full stock.

Mr. Chairman, I would ask unanimous consent that this amendment be modified in the form I placed at the desk.

Mr. MURTHA. I object.

The Acting CHAIR. Objection is heard.

Mr. FLAKE. This amendment would prohibit nearly $200 million for more than 70 earmarks for former clients of the PMA Group that would be funded in this bill.

We are now all familiar with the PMA scandal that I think is in the beginning stages and certainly not the end. PMA Group was a prominent lobbying firm that specialized in obtaining defense earmarks for its clients, whose offices were recently raided by the FBI, according to The Hill, as part of a Federal investigation into politically corrupt—potentially corrupt political contributions. The lobbying firm has ceased operations and shuttered its political action committee, but not before, according to The New York Times, leaving a detailed blueprint of how the political money churning works in Congress.

PMA is emblematic of the troubling circular fund-raising that’s become entrenched in the current earmarking process. CQ Today noted that the firm has charged $107 million in lobbying fees from 2000 to 2008. Safe to say, the PMA Group was associated with showering Members of Congress with campaign cash.

According to the Center for Responsive Politics, since 1996, the firm and its clients have spent more than $110 million an average $24 million a year—on lobbying fees, and it’s that total to the candidate committees and leadership PACs of 514 lawmakers, nearly every Member of the current Congress. The Center also reported that members of the Defense Appropriations Subcommittee have collected more than $1 million since 1998 from PMA employees and the firm’s PAC. If you include contributions from employees and PACs of the parent companies and subsidiaries of PMA clients, the total jumps to nearly $60 million over the last decade.

In review of the 2008 PMA earmarks, the Sunlight Foundation noted that 40 organizations whose sole lobbyist was PMA had an average return of nearly 2700 percent. Clients of the firm received at least $300 million worth of earmarks in fiscal year 2009 appropriations legislation, including several that were approved right after news that the FBI raided the firm’s office and the justice investigation into the firm was well known. That was earlier this year.

The omnibus spending bill that we approved in January, had money for PMA clients in there just weeks after it revealed that the PMA’s offices had been raided, and we still didn’t scrub them out. I would submit if we’re not going to do it then, when would we do it?

I believe there are 70 earmarks in this bill for former clients of PMA. And we have had several privileged resolutions, of which I think at one count 29 members of the majority party, and nearly all members of the majority party, who we would have the ethics committee look into the relationship between PMA and campaign dollars that have come to this Congress.

Mr. MURTHA. I reserve the balance of my time.

Mr. FLAKE. I rise in opposition. The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. FLAKE. May I inquire as to the time remaining?

The Acting CHAIR. The gentleman has 1 minute remaining.

Mr. FLAKE. I would yield the remainder of my time to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. I rise in support of this amendment. Coming from Illinois, we know the pace and timing of a Federal investigation. I think it’s fairly clear that PMA was several principals will now be indicted.

To protect this House and to protect the Appropriations Committee, I think having a strategic pause in the spending is necessary. It’s clear that PMA and its key folks with so many Federal resources now dedicated to this investigation are going to face Federal criminal prosecution.

So to protect this House, this is a wise amendment to put forward to make sure that we can be beyond reproach. As someone who comes from Governor Blagojevich’s State and already knows how Federal prosecutions goes forward, so many resources have been put forward on this case already that it is clear that an indictment is coming forward. And to protect this House, I think we should adopt the amendment.

With respect to the list of specific programs, projects and activities contained in the tables entitled ‘Explanation of Project Level Adjustments’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressionally mandated programs and projects are considered congressionally mandated programs and projects for purposes of Rule XXI of the House of Representatives, when awarded to a for-profit entity, shall be awarded under full and open competition.

I mentioned, I hope that there is no Member that’s trying to protect their own Defense money—$9.7 billion in Arizona—that is not the reason that there is opposition to these things.

But I don’t say that under any circumstances. One thing I say is we put money in for projects. We don’t put it in because of any one Representative.

Last year—this PMA is defunct, and this year, we’ve put the projects in that we thought were worthwhile, not because they’re from a Representative, because they don’t represent them any more. Those projects are in the budget because Members, themselves, thought they were good projects.

And with that, I ask a “no” on the amendment.

Mr. FRANKS of Arizona. Mr. Chair, my voting record has consistently demonstrated my support for a full investigation into the PMA Group, its lobbying activities, and the relationship between Member budget requests and campaign contributions by the House Committee on Standards of Official Conduct. I also publicly maintain that all budget requests that the PMA Group lobbied on behalf of should not be funded by the taxpayers. I intend to vote “aye” on this amendment.

Mr. MURTHA. I yield back the balance of my time.

The Acting CHAIR. The question was taken; and the Acting CHAIR announces the result of the vote: aye 236; no 184; not voting 4.

EN BLOC AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an en bloc amendment made in order under the rule.
The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendments en bloc consisting of all the amendments printed in part B of House Report 111-293 offered by Mr. Flake:

AMENDMENT NO. 1
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 2
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 3
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 4
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Army Force Generation Synchronization Tool.

AMENDMENT NO. 5
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 6
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Cost Military Global Positioning System (GPS) Receiver.

AMENDMENT NO. 7
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the AN/AAR-47D/Vx Missile Warning System.

AMENDMENT NO. 8
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Crane Integrated Defensive Electronic Countermeasures Depot Capability.

AMENDMENT NO. 9
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Universal Avionics Recorder Wireless Flight Download Data.

AMENDMENT NO. 10
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Cost Infrared Countermeasures Depot Capability.

AMENDMENT NO. 11
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the High Performance Thermal Battery Infrastructure Project.

AMENDMENT NO. 12
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 13
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 14
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Crane Integrated Defensive Electronic Countermeasures Depot Capability.

AMENDMENT NO. 15
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 16
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 17
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 18
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Inventory for Defense Applications.

AMENDMENT NO. 19
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Cost Military Global Positioning System (GPS) Receiver.

AMENDMENT NO. 20
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 21
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Cost Infrared Countermeasures Depot Capability.

AMENDMENT NO. 22
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 23
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Crane Integrated Defensive Electronic Countermeasures Depot Capability.

AMENDMENT NO. 24
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 25
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Army CH-47 Helicopter Forward and Aft Hook Project.

AMENDMENT NO. 26
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 27
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 28
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 29
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 30
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Skills Management Command Portal.

AMENDMENT NO. 31
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 32
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.

AMENDMENT NO. 33
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Enhanced Navy Shore Readiness Integration.
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for the Fort Benning National Incident Management System Compliant Installation Operations Center.

**AMENDMENT NO. 29**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Ground Combat System Knowledge Center and Technical Inspection Data Capture.

**AMENDMENT NO. 30**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Military Lens System Fabrication and Assembly.

**AMENDMENT NO. 31**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Net-Centric Decision Support Environment Sense and Respond Logistics.

**AMENDMENT NO. 32**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Multi-Jurisdictional Counter-Drug Task Force Training.

**AMENDMENT NO. 33**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 34**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Deployable Counter-Drug Task Force Training.

**AMENDMENT NO. 35**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Joint Interoperability Coordinator Operations and Training Exercise.

**AMENDMENT NO. 36**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Multi-Jurisdictional Counter-Drug Task Force Training.

**AMENDMENT NO. 37**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Joint Interoperability Coordinator Operations and Training Exercise.

**AMENDMENT NO. 38**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for an Army National Guard/Joint Depower Program.

**AMENDMENT NO. 39**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for UH-60 Leak Proof Drip Pans.

**AMENDMENT NO. 40**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 41**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Multi-Jurisdictional Counter-Drug Task Force Training.

**AMENDMENT NO. 42**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 43**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 44**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Joint Interoperability Coordinator Operations and Training Exercise.

**AMENDMENT NO. 45**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for a Joint Interoperability Coordinator Operations and Training Exercise.

**AMENDMENT NO. 46**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 47**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 48**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 49**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 50**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 51**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 52**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 53**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 54**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 55**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 56**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).

**AMENDMENT NO. 57**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC.** None of the funds provided in this Act shall be available for Force Protection Boats (Small).
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 2.** None of the funds provided in this Act shall be available for a Laser Marksman Training System.

**AMENDMENT NO. 58**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 3.** None of the funds provided in this Act shall be available for a Machine Gun Fighting Position.

**AMENDMENT NO. 59**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 4.** None of the funds provided in this Act shall be available for a Multi-Temperature Refrigerated Container System.

**AMENDMENT NO. 60**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 5.** None of the funds provided in this Act shall be available for an Air National Guard Joint Threat Emitter—Savannah Combat Readiness Training Centers.

**AMENDMENT NO. 61**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 6.** None of the funds provided in this Act shall be available for a Laser Marksman Training System.

**AMENDMENT NO. 62**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 7.** None of the funds provided in this Act shall be available for Radio Personality Modules for SINCgars Test Sets.

**AMENDMENT NO. 63**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 8.** None of the funds provided in this Act shall be available for a WMD Multi-Sensor Response and Infrastructure Project.

**AMENDMENT NO. 64**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 9.** None of the funds provided in this Act shall be available for a Special Operations Forces Modular Glove System.

**AMENDMENT NO. 65**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 10.** None of the funds provided in this Act shall be available for an Army Vehicle Condition Based Maintenance.

**AMENDMENT NO. 66**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 11.** None of the funds provided in this Act shall be available for a Virtual Man-Machine Training System.

**AMENDMENT NO. 67**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 12.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 68**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 13.** None of the funds provided in this Act shall be available for a Laser Marksman Training System.

**AMENDMENT NO. 69**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 14.** None of the funds provided in this Act shall be available for a WMD Multi-Sensor Response and Infrastructure Project.

**AMENDMENT NO. 70**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 15.** None of the funds provided in this Act shall be available for a Special Operations Forces Modular Glove System.

**AMENDMENT NO. 71**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 16.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 72**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 17.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 73**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 18.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 74**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 19.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 75**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 20.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 76**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 21.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 77**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 22.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 78**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 23.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 79**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 24.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 80**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 25.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 81**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 26.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 82**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 27.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 83**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 28.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 84**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 29.** None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 85**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

**SEC. 30.** None of the funds provided in this Act shall be available for a Machine Gun Training System for the Pennsylvania National Guard.

**AMENDMENT NO. 86**
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Reactive Armor Systems.

AMENDMENT NO. 87
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Radar Transceiver IC Development.

AMENDMENT NO. 88
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Rar-sefuation Weapon Engineered System.

AMENDMENT NO. 89
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Packaging Materials for Combat Rations.

AMENDMENT NO. 90
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms.

AMENDMENT NO. 91
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Lightweight Gunner Protection Kit for Lightweight MRAP Vehicle.

AMENDMENT NO. 92
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Ground EW and Signals Intelligence System.

AMENDMENT NO. 93
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Flexible Solar Photovoltaic Technologies.

AMENDMENT NO. 94
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Field Artillery Tactical Data System.

AMENDMENT NO. 95
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Digital Hydraulic Drive System.

AMENDMENT NO. 96
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Detection of Explosives.

AMENDMENT NO. 97
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Conductivity Program.

AMENDMENT NO. 98
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Composite Research for Vehicles.

AMENDMENT NO. 99
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Portable Military Radio Communications Test Set.

AMENDMENT NO. 100
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Microclimate Cooling Unit for M1 Abrams Tank.

AMENDMENT NO. 101
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Marine Corps MK 1077 Flatracks.

AMENDMENT NO. 102
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Acid Alkaline Direct Methanol Fuel Cell.

AMENDMENT NO. 103
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Enhanced Laser Guided Training Round.

AMENDMENT NO. 104
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Small Caliber Ammunition Production Modernization.

AMENDMENT NO. 105
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Microclimate Cooling Unit for M1 Abrams Tank.

AMENDMENT NO. 106
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Marine Corps MK 1077 Flatracks.

AMENDMENT NO. 107
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Re- active Armor Systems.
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Light Mobility Vehicle—Internally Transportable Vehicle.

**AMENDMENT NO. 116**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Ballistic Armor Research.

**AMENDMENT NO. 117**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Medical Information Network Decision Support.

**AMENDMENT NO. 119**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Blood Safety and Decontamination Technology.

**AMENDMENT NO. 120**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Breach of Skin for Battlefield Burn Repairs.

**AMENDMENT NO. 121**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Breast Cancer Awareness Sensor.

**AMENDMENT NO. 122**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Brownout Situational Awareness Sensor.

**AMENDMENT NO. 123**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Buster/Blacklight UAV Development.

**AMENDMENT NO. 124**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Cadmium Emissions Reduction-Lettermenky Army Depot.

**AMENDMENT NO. 125**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Capabilities Expansion of Spinel Transparent Armor Manufacturing.

**AMENDMENT NO. 126**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Ceramic and MMC Armor Development using Ring Extruder Technology.

**AMENDMENT NO. 127**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Bio-Printing of Skin for Battlefield Burn Repairs.

**AMENDMENT NO. 128**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Blood Safety and Decontamination Technology.

**AMENDMENT NO. 129**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 130**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Current Tinnitus Treatment Program.

**AMENDMENT NO. 131**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Combat Medic Trainer.

**AMENDMENT NO. 132**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Combat Medic Trainer.

**AMENDMENT NO. 133**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Cyber Threat Analytics.

**AMENDMENT NO. 134**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 135**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 136**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 137**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 138**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 139**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 140**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 141**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 142**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Crewmember Alert Display Development Program.

**AMENDMENT NO. 143**

At the end of the bill (before the short title), insert the following:
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Dermal Matrix Research.

AMENDMENT NO. 144
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Development of Improved Lighter-Weight IED/EFP Armor Solutions.

AMENDMENT NO. 145
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for an Electrically Charged Mesh Defense Net Troop Protection System.

AMENDMENT NO. 153
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Electronic Combat and Counter Terrorism Threat Developments to Support Joint Forces.

AMENDMENT NO. 154
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Fuel Engine Family for Unmanned Systems.

AMENDMENT NO. 155
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Fire Shield.

AMENDMENT NO. 156
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for the Heavy Fuel Engine Family for Unmanned Systems.

AMENDMENT NO. 157
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 158
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Headborne Energy Absorber.

AMENDMENT NO. 159
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Headborne Energy Absorber.

AMENDMENT NO. 160
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 161
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 162
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Fire Shield.

AMENDMENT NO. 163
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Domestic Production of Nanodiamond for Military Applications.

AMENDMENT NO. 164
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Enhanced Commercial Joint Mapping Toolkit to Support Tactical Military Operations.

AMENDMENT NO. 165
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for an Electrically Charged Mesh Defense Net Troop Protection System.

AMENDMENT NO. 166
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for an Electrically Charged Mesh Defense Net Troop Protection System.

AMENDMENT NO. 167
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 168
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for an Electrically Charged Mesh Defense Net Troop Protection System.

AMENDMENT NO. 169
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 170
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 171
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Field Deployable Hologram Production System.

AMENDMENT NO. 172
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for an Electrically Charged Mesh Defense Net Troop Protection System.
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for Intensive Burner for Turbo Shaft Engines.

**AMENDMENT NO. 171**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for High-Volume Manufacturing Development for Thin-film Lithium Stack Battery Technologies.

**AMENDMENT NO. 172**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Intensive Quenching for Advanced Weapon Systems.

**AMENDMENT NO. 173**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Lightweight Tracker System.

**AMENDMENT NO. 174**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Improved Electro-Optical Sensors.

**AMENDMENT NO. 175**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for an Improved Air Navigation System.

**AMENDMENT NO. 176**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Integrated Family of Test Equipment V6 Product Improvement Program.

**AMENDMENT NO. 177**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for a Lightweight Fire Indicator for Aircraft.

**AMENDMENT NO. 178**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for an Improved Desktop Electronic Material Technology.

**AMENDMENT NO. 179**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Lightweight Li-Ion Battery.

**AMENDMENT NO. 180**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Joint Fires Improvement Program.

**AMENDMENT NO. 181**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for an Integrated Intelligence, Surveillance and Reconnaissance (ISR) Simulation Integration Laboratory.

**AMENDMENT NO. 182**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for a Lightweight Bus.

**AMENDMENT NO. 183**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Joint Firepower Training System.

**AMENDMENT NO. 184**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Joint Precision Air Drop Systems-Wind Profiling Portable Radar.

**AMENDMENT NO. 185**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Large Format Air-to-Air Missile.

**AMENDMENT NO. 186**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Improved Thermal Batteries for Guided Munitions.

**AMENDMENT NO. 187**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for Improved Thermal Resistant Nylon for Enhanced Durability and Thermal Protection in Combat Uniforms.

**AMENDMENT NO. 188**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for an Infection Prevention Program for Battlefield Wounds.

**AMENDMENT NO. 189**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Javelin Warhead Improvement Program.

**AMENDMENT NO. 190**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Joint Precision Air Drop Systems-Wind Profiling Portable Radar.

**AMENDMENT NO. 191**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___ None of the funds provided in this Act shall be available for a Lens-Less Dual-Mode Micro Seeker for Medium-Caliber Guided Projectiles.

**AMENDMENT NO. 192**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for an Improved Thermal Batteries for Guided Munitions.

**AMENDMENT NO. 193**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for an Infection Prevention Program for Battlefield Wounds.

**AMENDMENT NO. 194**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Lightweight Metal Alloy Foam for Armor.
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles.

AMENDMENT NO. 202

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Lightweight Packing System for Enhancing Combat Munitions Logistics.

AMENDMENT NO. 203

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a LW25 Gun Power 30 kW System Power Control Unit Demonstration.

AMENDMENT NO. 204

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 205

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a LW25 Gun System and Demonstration.

AMENDMENT NO. 206

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a LW25 Gun System Demonstration.

AMENDMENT NO. 207

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Medical Bio-surveillance and Efficiency Program.

AMENDMENT NO. 208

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Medium Caliber Metal Parts Upgrade.

AMENDMENT NO. 209

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a MOTS All Sky Imager.

AMENDMENT NO. 220

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Multi-layer Co-extrusion for High Performance Packaging.

AMENDMENT NO. 221

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node Technology.

AMENDMENT NO. 222

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Medium Caliber Metal Parts Upgrade.

AMENDMENT NO. 223

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a MOTS All Sky Imager.

AMENDMENT NO. 224

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 225

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 226

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 227

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 228

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Mobile Mesh Network Node.

AMENDMENT NO. 229
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 299. None of the funds provided in this Act shall be available for a Next Generation Communications System.

**AMENDMENT NO. 230**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 300. None of the funds provided in this Act shall be available for Pacific Command Renewable Energy Security Systems.

**AMENDMENT NO. 231**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 301. None of the funds provided in this Act shall be available for Next Generation Green, Economical and Automated Production of Composite Structures for Aerospace.

**AMENDMENT NO. 232**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 302. None of the funds provided in this Act shall be available for an OMNI Antimicrobial Surface for Orthopedic Devices.

**AMENDMENT NO. 233**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 303. None of the funds provided in this Act shall be available for an OMNI Active Vibration Control System.

**AMENDMENT NO. 234**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 304. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 235**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 305. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 236**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 306. None of the funds provided in this Act shall be available for a Personal Miniature Thermal Viewer.

**AMENDMENT NO. 237**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 307. None of the funds provided in this Act shall be available for a Portable Fuel Cell Power Source.

**AMENDMENT NO. 238**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 308. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 239**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 309. None of the funds provided in this Act shall be available for Recovery, Reuse of DOE Metals for DoD Applications.

**AMENDMENT NO. 240**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 310. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 241**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 311. None of the funds provided in this Act shall be available for a Personal Miniature Thermal Viewer.

**AMENDMENT NO. 242**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 312. None of the funds provided in this Act shall be available for an OMNI Antimicrobial Surface for Orthopedic Devices.

**AMENDMENT NO. 243**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 313. None of the funds provided in this Act shall be available for an OMNI Active Vibration Control System.

**AMENDMENT NO. 244**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 314. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 245**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 315. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 246**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 316. None of the funds provided in this Act shall be available for a Portable Fuel Cell Power Source.

**AMENDMENT NO. 247**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 317. None of the funds provided in this Act shall be available for Recovery, Reuse of DOE Metals for DoD Applications.

**AMENDMENT NO. 248**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 318. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 249**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 319. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 250**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 320. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 251**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 321. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 252**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 322. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 253**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 323. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 254**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 324. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 255**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 325. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 256**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 326. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.

**AMENDMENT NO. 257**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 327. None of the funds provided in this Act shall be available for a Plasma Sterilizer.

**AMENDMENT NO. 258**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 328. None of the funds provided in this Act shall be available for a Next Generation Wearable Video Capture System.
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Reduced Manning Situational Awareness.

AMENDMENT NO. 29

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Shared Vision.

AMENDMENT NO. 265

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a SHARK Precision Guided Artillery Round—165mm.

AMENDMENT NO. 266

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Smart Oil Sensor.

AMENDMENT NO. 278

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Tire to Track Transformer System for Light Vehicles.

AMENDMENT NO. 276

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Sensor Tape Physiological Monitoring.

AMENDMENT NO. 264

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Specialized Compact Automated Mechanical Clearance Platform.

AMENDMENT NO. 275

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Standard Ground Station—Enhancement Program.

AMENDMENT NO. 276

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Superlattice Semiconductors for Mobile SS Lighting and Solar Power Applications.

AMENDMENT NO. 277

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Smart Wound Dressing for MRSA Infected Battlefield Wounds.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Solid State Process of Titanium Alloys for Advanced Material Armaments.

AMENDMENT NO. 274

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solar Power Applications.

AMENDMENT NO. 258

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Specialized Compact Automated Mechanical Clearance Platform.

AMENDMENT NO. 275

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Smart OTM OTR for Military Equipment Replenishment.

AMENDMENT NO. 273

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Soldier Situational Awareness Wristband.

AMENDMENT NO. 272

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Solid State Process of Titanium Alloys for Advanced Material Armaments.

AMENDMENT NO. 274

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Soldier Situational Awareness Wristband.

AMENDMENT NO. 272

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

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TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

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TITLE X—ADDITIONAL GENERAL PROVISIONS

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TITLE X—ADDITIONAL GENERAL PROVISIONS

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TITLE X—ADDITIONAL GENERAL PROVISIONS

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TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

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TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.

AMENDMENT NO. 271

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for a Solid Oxide Fuel Cell Powered Tactical Charger.
Heavy Alloy Penetrator and Warhead Development.

AMENDMENT NO. 297
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for UH-60 Transmission/Gearbox Galvanic Corrosion Reduction.

AMENDMENT NO. 298
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Small Structures Efficient Tactical Missile Technology.

AMENDMENT NO. 299
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 300
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Modular Avionics for Operationally Responsive Satellite Use.

AMENDMENT NO. 301
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 302
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 303
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 304
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.

AMENDMENT NO. 305
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Advanced Electronic Components for Sensor Arrays.
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Body Armor Improved Ballistic Protection, Research and Development.

AMENDMENT NO. 326
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Range Operations Control Center.

AMENDMENT NO. 327
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 328
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Efficient Utilization of Transmission Hyperspace.

AMENDMENT NO. 329
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Improved Ballistic Protection, Research and Development.

AMENDMENT NO. 330
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 331
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 332
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 333
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 334
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 335
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 336
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 337
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 338
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 339
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 340
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 341
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 342
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for the Command and Control Service Level Management (C2SLM) Program.

AMENDMENT NO. 343
At the end of the bill (before the short title), insert the following:
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Multilingual Text Mining Platform for Intelligence Analysts.

AMENDMENT NO. 344
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Senior Scout Services Oriented Architecture.

AMENDMENT NO. 345
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Rivet Joint Green Propellant.

AMENDMENT NO. 346
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Multi-UAS Cooperative Concentrated Observation and Engagement Against a Common Ground Object.

AMENDMENT NO. 347
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Open Source Research Centers.

AMENDMENT NO. 348
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Predator C.

AMENDMENT NO. 349
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Planar Lightwave Circuit Development for High Power Military Laser Applications.

AMENDMENT NO. 350
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Production of Nanocomposites for Aerospace Applications.

AMENDMENT NO. 351
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Reconfigurable Secure Computing.

AMENDMENT NO. 352
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Rivet Joint Services Oriented Architecture.

AMENDMENT NO. 353
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Small Turbofan Versatile Affordable Advanced Turbine Engine Program.

AMENDMENT NO. 354
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Technical Order Modernization Environment.

AMENDMENT NO. 355
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for a Watchkeeper.

AMENDMENT NO. 356
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Wavelength Agile Spectral Harmonic Oxygen Sensor and Cell-Level Battery Controller.

AMENDMENT NO. 357
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Wire Integrity Technology.

AMENDMENT NO. 358
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Advanced Battery Technology.

AMENDMENT NO. 359
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for an Advanced Decision Support System.

AMENDMENT NO. 360
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Antiviral Prophylactics and Therapeutics.

AMENDMENT NO. 361
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Botulinum Neurotoxin Research.

AMENDMENT NO. 362
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for AELED IED/WMD Electronic Signature Detection.

AMENDMENT NO. 363
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Affordable Miniature FOPEN Radar Special operations Craft—Riverine (SOC-R).

AMENDMENT NO. 364
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Affordable Robust Mid-Sized Unmanned Ground Vehicle.

AMENDMENT NO. 365
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for the AESA Technology Insertion Program.

AMENDMENT NO. 366
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Autonomous Control and Video Sensing for Robots.

AMENDMENT NO. 367
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Autonomous Machine Vision for Mapping and Investigation of Remote Sites.

AMENDMENT NO. 368
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Battle-Proven Packbot.

AMENDMENT NO. 369
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. _____. None of the funds provided in this Act shall be available for Biometric Optical Surveillance System.

AMENDMENT NO. 370
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Botulinum Toxin Treatment Therapy.

AMENDMENT NO. 371
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Botulinum Toxin Treatment Therapy.

AMENDMENT NO. 372
AMENDMENT NO. 372
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Broad Spectrum Therapeutic Countermeasure to OP Nerve Agents.

AMENDMENT NO. 373
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a Hand-held, Enhanced Defense Small Manufacturing Suppliers Program.

AMENDMENT NO. 374
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for California Enhanced Defense Small Manufacturing Suppliers Program.

AMENDMENT NO. 375
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a Carbon Nanotube Thin Film Near Infrared Detector.

AMENDMENT NO. 376
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a Copper-Base Coating Technology Applications.

AMENDMENT NO. 377
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Corrosion Resistant Ultrahigh-Strength Steel for Landing Gear.

AMENDMENT NO. 378
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Covert Waveform for Software Defined Radios.

AMENDMENT NO. 379
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Distributed Network Switching and Security.

AMENDMENT NO. 381
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for DLA VetBiz Initiative for National Sustainment.

AMENDMENT NO. 383
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for End to End Semi Fab Alpha Tool.

AMENDMENT NO. 384
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Enhancement of Geo-location Systems.

AMENDMENT NO. 385
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Facility Security Using Tactical Surveys.

AMENDMENT NO. 386
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a GMTI Radar for Class II UAVs.

AMENDMENT NO. 388
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a Hand-held, Lethal Small Unmanned Aircraft System.

AMENDMENT NO. 389
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Gulf Range Mobile Instrumentation Capability.

AMENDMENT NO. 390
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Hand-Held Apparatus for Mobile Mapping and Expedit ed Reporting.

AMENDMENT NO. 391
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for helicopter Cable Warning and Obstacle Avoidance.

AMENDMENT NO. 392
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for High Speed Optical Interconnects for Next Generation Supercomputing.

AMENDMENT NO. 394
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for a Hybrid Power Generating System.

AMENDMENT NO. 395
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Improving Support to the Warfighter.

AMENDMENT NO. 397
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Integrated Analysis Environment.

AMENDMENT NO. 398
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for an Integrated Rugged Checkpoint Container.

AMENDMENT NO. 399
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

Sec. ___. None of the funds provided in this Act shall be available for Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture (ISR-GSA).

AMENDMENT NO. 400
At the end of the bill (before the short title), insert the following:
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 401. None of the funds provided in this Act shall be available for Joint Gulf Range Complex Test and Training.

AMENDMENT NO. 401

SEC. 402. None of the funds provided in this Act shall be available for Joint Services Aircrew Mask Don/Doff Inflight Upgrade.

AMENDMENT NO. 402

SEC. 403. None of the funds provided in this Act shall be available for Lifetime Power for Wearable Control Sensors.

AMENDMENT NO. 403

SEC. 404. None of the funds provided in this Act shall be available for a Low Cost Stabilized Turret.

AMENDMENT NO. 404

SEC. 405. None of the funds provided in this Act shall be available for Material, Design and Fabrication Solutions for Advanced SEAL Delivery System External Structural Components.

AMENDMENT NO. 405

SEC. 406. None of the funds provided in this Act shall be available for MEMS Sensors for Real-Time Sensing of Weaponized Pathogens.

AMENDMENT NO. 406

SEC. 407. None of the funds provided in this Act shall be available for Miniature Day Night Sight for Crew Served Weapons.

AMENDMENT NO. 407

SEC. 408. None of the funds provided in this Act shall be available for a Tactical, Hybrid, Free Space, Optical Communication System.

AMENDMENT NO. 408

SEC. 409. None of the funds provided in this Act shall be available for Mosaic Camera Technology Transition.

AMENDMENT NO. 409

SEC. 410. None of the funds provided in this Act shall be available for a Multi-target Tracking System Mobile Continuous Air Monitor.

AMENDMENT NO. 410

SEC. 411. None of the funds provided in this Act shall be available for National Radio Frequency Research, Development and Technology Transfer.

AMENDMENT NO. 411

SEC. 412. None of the funds provided in this Act shall be available for a Rigid Aeroshell Variable Buoyancy Air Vehicle.

AMENDMENT NO. 412

SEC. 413. None of the funds provided in this Act shall be available for a Science, Technology, Engineering and Mathematics (STEM) Initiative.

AMENDMENT NO. 413

SEC. 414. None of the funds provided in this Act shall be available for a Radio Interoperability System.

AMENDMENT NO. 414

SEC. 415. None of the funds provided in this Act shall be available for a Low Cost Protection System.

AMENDMENT NO. 415

SEC. 416. None of the funds provided in this Act shall be available for a Remote VBIED Detection and Defeat System.

AMENDMENT NO. 416

SEC. 417. None of the funds provided in this Act shall be available for a Sea Catcher UAS Launch and Recovery System.

AMENDMENT NO. 417

SEC. 418. None of the funds provided in this Act shall be available for a Tactical, Cargo, and Rotary Wing Aircraft Decon.

AMENDMENT NO. 418
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 439. None of the funds provided in this Act shall be available for a Common Pointer/Illuminator for Force Protection.

**AMENDMENT NO. 438**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 440. None of the funds provided in this Act shall be available for a 76mm Gunshot Localization System.**

**AMENDMENT NO. 440**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 441. None of the funds provided in this Act shall be available for a X-Band/W-Band Solid State Power Amplifier.

**AMENDMENT NO. 441**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 442. None of the funds provided in this Act shall be available for an Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar.

**AMENDMENT NO. 442**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 443. None of the funds provided in this Act shall be available for an Advanced High-Speed Boat Design.

**AMENDMENT NO. 443**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 444. None of the funds provided in this Act shall be available for an Autonomous UUV Delivery and Communication System Integration.

**AMENDMENT NO. 444**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 445. None of the funds provided in this Act shall be available for a Common Command and Control System Module.

**AMENDMENT NO. 445**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 446. None of the funds provided in this Act shall be available for a Common Digital Sensor Architecture.

**AMENDMENT NO. 446**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 447. None of the funds provided in this Act shall be available for a Common Safety System Controller.

**AMENDMENT NO. 447**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 448. None of the funds provided in this Act shall be available for a High-Speed Boat Design.**

**AMENDMENT NO. 448**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 449. None of the funds provided in this Act shall be available for an Autonomous Anti-Submarine Warfare Vertical Beam Array Sonar.**

**AMENDMENT NO. 449**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 450. None of the funds provided in this Act shall be available for a Common Command and Control System Module.

**AMENDMENT NO. 450**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 451. None of the funds provided in this Act shall be available for a Common Digital Sensor Architecture.

**AMENDMENT NO. 451**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 452. None of the funds provided in this Act shall be available for a Common Safety System Controller.**

**AMENDMENT NO. 452**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 453. None of the funds provided in this Act shall be available for an Air Readiness/Effectiveness Measurement Program.

**AMENDMENT NO. 453**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 454. None of the funds provided in this Act shall be available for an Arc Fault Circuit Breaker with Arc Location.

**AMENDMENT NO. 454**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 455. None of the funds provided in this Act shall be available for a Bow Lift System.

**AMENDMENT NO. 455**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 456. None of the funds provided in this Act shall be available for a Bow Lift Body Project.

**AMENDMENT NO. 456**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 457. None of the funds provided in this Act shall be available for a Common Command and Control System Module.

**AMENDMENT NO. 457**

At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. 458. None of the funds provided in this Act shall be available for a Common Safety System Controller.
At the end of the bill (before the short title), insert the following:

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

- SEC. ______. None of the funds provided in this Act shall be available for a Continued Active Sonar for Torpedo DLC Systems.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for Cooperative Engagement Capability.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for Countermeine LIDAR UAV-Based Systems.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for an Infrared Kinetic Energy Cargo Round.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for an Improved Active Ordnance Disposal Diver Situational Awareness.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for an Integrated Psycho-Social Healthcare Demonstration Project.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for an Improved Active Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

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  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.

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  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

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  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.

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  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Joint Exploitive Ordnance Disposal Diver Situational Awareness System.

- At the end of the bill (before the short title), insert the following:
  **TITLE X—ADDITIONAL GENERAL PROVISIONS**
  
  - SEC. ______. None of the funds provided in this Act shall be available for a Kinetic Energy Cargo Round.
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Landing Craft Composite Lift Fan.

AMENDMENT NO. 496
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Laser Optimization Remote Lighting System.

AMENDMENT NO. 498
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Laser Phalanx.

AMENDMENT NO. 499
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Lightweight Composite Structure Development for Aerospace Vehicles.

AMENDMENT NO. 500
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Lithium Ion Storage Advancement for Aircraft Applications.

AMENDMENT NO. 501
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Frequency Active Towed Sonar System Organic A&W Capability.

AMENDMENT NO. 502
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Low Signature Defensive Weapon System for Surface Combatant Craft.

AMENDMENT NO. 503
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Maintenance Free Operating Period.

AMENDMENT NO. 504
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Maintenance Planning and Assessment Technology Insertion.

AMENDMENT NO. 505
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Management of Lung Injury by Micronutrients.

AMENDMENT NO. 506
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Paragon (Frequency Extension).

AMENDMENT NO. 507
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Navy Advanced Threat Simulator.

AMENDMENT NO. 508
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Next Generation Electronic Warfare Simulator.

AMENDMENT NO. 509
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Next Generation Scalable Lean Manufacturing Initiative—Phase Two.

AMENDMENT NO. 510
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Non Traditional Ballistic Fiber and Fabric Weaving Applications for Force Protection.

AMENDMENT NO. 511
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Open Source Naval and Missile Database Reporting System.

AMENDMENT NO. 512
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Out of Autoclave Composite Processing.

AMENDMENT NO. 513
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for for a Marine Corps Cultural and Language Training Platform.

AMENDMENT NO. 514
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Marine Mammal Awareness Alert and Respon Systems.

AMENDMENT NO. 515
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Multi-Mission Unmanned Surface Vessel.
title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 525. None of the funds provided in this Act shall be available for Passive RFID Development.

AMENDMENT NO. 525
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Shipboard Wireless Network.

AMENDMENT NO. 528
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Workforce Requirements Planning—Team Enhancement.

AMENDMENT NO. 538
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Underwater Explosion Modeling and Simulation for Voyage Repair Team Management.

AMENDMENT NO. 536
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Wide Area Sensor Force Protection Targeting.

AMENDMENT NO. 537
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for X-49A Envelope Expansion Modifications.

AMENDMENT NO. 539
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Battlefield Sensor Netting.

AMENDMENT NO. 540
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Enhanced Small Arms Protective Insert.

AMENDMENT NO. 541
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Near Infrared Optical Augmentation System.

AMENDMENT NO. 542
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Remote Aiming and Sighting Optical Retrofit.

AMENDMENT NO. 543
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Intelligent Graphics Turpedo Test Set Troubleshooting Maintainers Aid.

AMENDMENT NO. 544
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Passive Reentry Protection.

AMENDMENT NO. 545
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Underwater Hull Fairing.

AMENDMENT NO. 546


At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Persistent Surveillance Wave PowerBuoy System.

AMENDMENT NO. 531
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Pure Hydrogen Supply from Logistics Fuels.

AMENDMENT NO. 532
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Quiet Drive Advanced Rotary Actuator.

AMENDMENT NO. 533
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Near-Infrared Optical Augmentation System.

AMENDMENT NO. 534
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Tactical High-Speed Anti-Radiation Missile Propulsion Demonstration.

AMENDMENT NO. 535
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Shipboard Wireless Maintenance Assistant.

AMENDMENT NO. 536
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Underwater Fatline Vector Sensor Towed Array.

AMENDMENT NO. 537
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Submarine Automated Test and Re-Test.

AMENDMENT NO. 538
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Submarine Fatline Vector Sensor Towed Array.

AMENDMENT NO. 539
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Submarine Fatline Vector Sensor Towed Array.

AMENDMENT NO. 540
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Near-Infrared Optical Augmentation System.

AMENDMENT NO. 541
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for a Remote Aiming and Sighting Optical Retrofit.

AMENDMENT NO. 542
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for an Intelligent Graphics Turpedo Test Set Troubleshooting Maintainers Aid.

AMENDMENT NO. 543
At the end of the bill (before the short title), insert the following:
July 30, 2009

CONGRESSIONAL RECORD — HOUSE

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60002. None of the funds provided in this Act shall be available for Lightweight Torpedo F5U Test Equipment Modernization.

AMENDMENT NO. 545

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60003. None of the funds provided in this Act shall be available for Life Support for Trauma and Transport.

AMENDMENT NO. 546

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60004. None of the funds provided in this Act shall be available for Army/Joint STARS Surveillance and Control Data Link Technology Refresh.

AMENDMENT NO. 547

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60005. None of the funds provided in this Act shall be available for a Clinical Trial to Investigate Efficacy of Human Skin Substitute.

AMENDMENT NO. 548

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60006. None of the funds provided in this Act shall be available for Enhanced Driver Situational Awareness.

AMENDMENT NO. 549

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60007. None of the funds provided in this Act shall be available for Army/Joint STARS Surveillance and Control Data Link Technology Program.

AMENDMENT NO. 550

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60008. None of the funds provided in this Act shall be available for the MacDill Air Force Base Online Technology Program.

AMENDMENT NO. 551

At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 60009. None of the funds provided in this Act shall be available for the following projects:

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<thead>
<tr>
<th>Account</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.P.N</td>
<td>Crane Integrated Defensive Electronic Countermeasures</td>
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<tr>
<td>DPA</td>
<td>Low Cost Military Global Positioning System (GPS) Receiver</td>
<td>$4,000,000</td>
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<tr>
<td>OM.A</td>
<td>TRANSIM Driver Training</td>
<td>$3,500,000</td>
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<td>Joint Aircrew Combined System Tester (JCAST)</td>
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<td>OM.ARNG</td>
<td>Enhanced Navy Shore Readiness Integration</td>
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<td>OP.A</td>
<td>Ft. Bragg Range 74 Combined Arms Collective Training Facility</td>
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<td>OP.A</td>
<td>Laser Marksman Training System</td>
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<tr>
<td>OP.A</td>
<td>Machine Gun Training System</td>
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<td>OP.A</td>
<td>Multi-Jurisdictional Counter-Drug Task Force Training</td>
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<td>Radio Maturity Modules for SINCGARS Test Sets</td>
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<td>Portable Military Radio Communications Test Set</td>
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<td>Enhanced Laser Guided Training Round</td>
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<tr>
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<tr>
<td>RDTE.A</td>
<td>Advanced Composite Research for Vehicles</td>
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<tr>
<td>RDTE.A</td>
<td>AN/ALQ 211 Networked EW Controller</td>
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<tr>
<td>RDTE.A</td>
<td>Army Vehicle Condition Based Maintenance</td>
<td>$5,000,000</td>
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<th>Account</th>
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<td>RDTE.A</td>
<td>Defense Support for Civil Authorities for Key Resource Protection</td>
<td>$1,000,000</td>
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<td>RDTE.A</td>
<td>Dermal Matrix Research</td>
<td>$2,000,000</td>
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<tr>
<td>RDTE.A</td>
<td>Effects Based Operations Decision Support Services</td>
<td>$2,000,000</td>
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<td>RDTE.A</td>
<td>Eye-Safe Standoff Fusion Detection of CBE Threats</td>
<td>$2,500,000</td>
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<tr>
<td>RDTE.A</td>
<td>Fire Shield</td>
<td>$4,000,000</td>
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<tr>
<td>RDTE.A</td>
<td>Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model</td>
<td>$3,500,000</td>
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<td>RDTE.A</td>
<td>Heavy Fuel Engine Family for Unmanned Systems</td>
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<td>Highlander</td>
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<td>RDTE.A</td>
<td>Electro-Optical Sensors</td>
<td>$2,000,000</td>
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<tr>
<td>RDTE.A</td>
<td>Hostile Fire Indicator for Aircraft</td>
<td>$2,000,000</td>
</tr>
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<td>RDTE.A</td>
<td>Javelin Warhead Improvement Program</td>
<td>$5,000,000</td>
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<td>RDTE.A</td>
<td>Joint Precision AirDrop Systems-Wind Profiling Portable Radar</td>
<td>$2,300,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Lightweight Metal Alloy Foam for Armor</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Mobile Diagnostic Data Analysis</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Nanotechnology for Potable Water and Waste Treatment</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Rapid Response Force Projection Systems</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Reduced Manning Situational Awareness</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Remote Bio-Medical Detector</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>RDTE.A</td>
<td>Universal Control</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>RDTE.AF</td>
<td>Advanced Modular Avionics for Operationally Responsive Satellite Use</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>RDTE.AF</td>
<td>Cyber Attack and Security Environment</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>
There is no way to really track these, know the Senate is not going to agree all open to competition. Department should simply make them language, that they would strike these no- that if the Senate nullifies that lan- that statement, then they would agree bill just saying they must now be com- language has been submitted in this aisle, as much of the members of the country agrees, that we should be simply do not believe, and I think the of the earmarked dollars in the bill. I it's $1.3 billion, comprising nearly half of these—I'm sorry. There are 1,102 earmarks representing $2.7 bil- lion. This is not chump change. This is a lot of money going out the door. I'm sorry. I said 553. 552 are listed as going to for-profit companies. If a dollar amount is attached to these earmarks, it's $1.3 billion, comprising nearly half of the earmarked dollars in the bill, I simply do not believe, and I think the country agrees, that we should be doing no-bid contracts for private companies.

As much as the Members on the other side of the aisle, and this side aisle, as much of the members of the Appropriations Subcommittee will say that these are going to be competed out, we know that they won't be.

We had testimony from the Controller General's office in the Government Reform Committee. He said there is no automated database that provides insight into the extent of competition achieved on congressional earmarks. I have been trying for literally months to get some insight into this process. And we were told, as I mentioned, we were told we do compete these out, but then when I asked them to do a random sample of earmarks in a prior bill, they came back and confessed that with uncanny precision, these earmarks find their way to the intended recipients.

This process will not change because language has been submitted in this bill just saying they must now be com- peted. If the Members really believe that statement, then they would agree that if the Senate nullifies that language, that they would strike these no-bid contracts and say that the Defense Department should simply make them all open to competition.

But we know that they're not going to do that because the Members here know the Senate is not going to agree to that language. Even if they did, the Defense Department confesses here: There is no way to really track these,
but with uncanny precision, even though they’ve had a process that they claim subjects these earmarks to open competition, they aren’t subjected to open competition. They know that unless they follow the guidelines in these conference reports that they may not get funding when they want it.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Florida.

Mr. DICKS. If, in fact, we do wind up competing these projects, which is the intent of our committee, wouldn’t the gentleman say that that is a major step forward in correcting his concern, if they were, in fact, competed?

Mr. FLAKE. If they were, in fact, competed, we wouldn’t need to earmark them. That’s the point. An earmark is a way around competition. We’ve seen it in other appropriations bills, and it’s no different here in defense dollars because we want that company, either in your district or out, to be sure to receive that funding. That’s why in the certification letters the Members say, This earmark is to go to this recipient at that company.

Mr. DICKS. Will the gentleman yield on that point?

Mr. FLAKE. I yield to the gentleman.

Mr. DICKS. Because, again, the gentleman may not understand the process. It is because that is the company that has made the request of the Member of Congress. The Member of Congress now realizes that it is going to be competed, that if it isn’t going to necessarily go to that company, I think that is a good reform. I supported it in the Appropriations Committee.

Also, by the way, for the gentleman’s knowledge, all of these earmarks, every single one, was vetted by the Department of Defense before the committee staff and Members considered those amendments. They were looked at by the Department of Defense.

Mr. FLAKE. Reclaiming my time, I would submit that if it’s going to be subjected to competition, there is no reason to name the recipient organization that’s to get the earmark.

Mr. DICKS. They’re the ones that made the request.

Mr. FLAKE. Excuse me. I have very limited time.

The Acting CHAIR. The gentleman from Arizona controls the time.

Mr. FLAKE. May I inquire as to the time remaining?

Mr. DICKS. The Acting Chair announced that the noes appear to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) are postponed. The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The amendment offered by the gentleman from Arizona (Mr. FLAKE) is postponed.
Mr. CAMPBELL. Mr. Chairman, I have at the desk Campbell amendment No. 1.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part C amendment No. 1 offered by Mr. CAMPBELL.

Mr. CAMPBELL. Mr. Chairman, I hereby reduce by $3,000,000.

The Acting CHAIR. Pursuant to House Resolution 685, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

Mr. CAMPBELL. This amendment would strike the $3 million earmark for the Rapid Deployable Shelter project, which money would go to Johnson Outdoors Inc. Mr. Chairman, during the debate on the previous earmark, there has been a lot of discussion on all the previous earmarks about how the earmarks say that they are to be competitively bid. I guess the question that I would have is: If, in fact, the earmarks are to be competitively bid, why did the author/sponsor of this earmark send in his certification letter to the ranking member and the chairman of the Appropriations Committee to say, ‘The entity to receive funding for this project is Johnson Outdoors Inc., 625 Conklin Road, Binghamton, New York,’ 13903.’

So I would ask the question of the sponsor to be competitively bid, how do you reconcile that with the statement that ‘the entity to receive funding for this project is’? Mr. DICKS. Will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Washington.

Mr. DICKS. I think it’s a very simple answer. It’s the company that made the request. But that doesn’t mean that there was no competition to this funding is going to necessarily go to that company. But if you want the people to certify that they don’t have a financial interest, you’ve got to put down the name of the company that made the request.

Mr. CAMPBELL. If I can reclaim my time, I understand—the gentleman from Washington and I have discussed this. Frankly, some day I hope maybe after which is the last appropriations bill—we can sit down and see if we can figure something out here. Because this says, ‘The entity to receive the funding for the project is.’ It’s that day that I don’t want to know what that company says.

Mr. DICKS. We might want to change that language to ‘will compete for the project.’

Mr. CAMPBELL. Well, then, don’t list the entity. If someone requested the money, and the expectation is that they’re going to get it, then where is the competitive bidding? Shouldn’t we just simply say, Here is a project. Here is what it is. There is no name. There is no indication. Let whoever wants to bid for this thing compete for it, and require that there be a minimum of three bidders or the earmark doesn’t go out. Because sometimes these things are written to a specific product that perhaps only one company likes.

I understand the gentleman from Washington’s point on this, but I hope you understand mine. Mr. Chairman, this is a stain on this House. I don’t want to be doing this. We’ve all got better things to do. There happens to be a recession going on. There are a lot of people out of work. There happens to be a big and legitimate debate about how health care should go forward in this country. We have a lot of things to do. But this has been a stain on this House, particularly the ones on private companies. I don’t do any earmarks; and arguably, if I were king, I don’t think we should do any in this House at all. I understand the legitimate argument for them, but I absolutely reject any thought or idea that earmarks that go to private entities like this, with a direction to a private entity, are anything but a stain in this House.

Mr. Chairman, there are former Members of this body in jail today because of earmarks to private entities. I wish I could say that there will never be any more, but I don’t know that. But the way we won’t have any more is if we stop this practice, and we don’t do this sort of thing again in the future. This really is about this House and the integrity of this House and the view of the integrity of this House to the outside world, to our constituents, and to the people of the United States.

I would ask a couple of more questions. I am almost out of time. But did the Defense Logistics Agency have a Defense procurement and was turned down, is that why you have this earmark? How did you determine the price, that $3 million is the right price? And will you, as other Members have, commit that you have not received and will not accept campaign contributions from company executives, employees, shareholders or lobbyists on this entity? Other Members on this floor have made that commitment.

With that, Mr. Chairman, I will yield back the balance of my time.

Mr. HINCHHEY. Mr. Chairman, I oppose the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HINCHHEY. Mr. Chairman, I just want to make it clear that we’re dealing with a situation here which is critically important to military personnel both here in the United States and in many places around the world.

I’m sure that the sponsor of this amendment doesn’t realize what it’s like not to have a roof over your head, but if you’re in the military and you’re stationed out in places that are difficult and hazardous to deal with, it’s important to have shelter.

The particular entity with which we are focusing attention on in this particular earmark to provide these tents is a company that has done so over and over again in the context of bidding and bidding successfully—for it. The Army and Marine Corps, just as an example, currently have unmet needs for shelters, and those unmet needs are growing.

This year, the tent and shelter industry was informed by the Marine Corps—just by the Marine Corps—of a need of 9,000 tents. Unfortunately, those real priorities are not resulting in production orders. And the main reason they’re not production orders is due to the way in which the Department of Defense has focused on other things and not dealing with this particular aspect of the needs of military personnel in places, here and in a lot of other places which are dangerous around the world, Iraq, Afghanistan, places like that, for example. So without this stop-gap funding for these shelter programs, our troops could literally be without that roof over their head.

The Defense Logistics Agency had stated that the tent and shelter industry is a critical part of the U.S. defense industrial base, and they did that in the context of a report to the Congress. So supporting this amendment by Mr. CAMPBELL will leave the United States military with a smaller, less competitive, and potentially foreign source of tents which is needed by our military personnel.

You’re dealing with something that is fundamentally essentially important. And in the context of this particular situation, if we didn’t deal with it in this particular way, these manufacturing operations would come from places outside the United States. There are a lot of people here, apparently, who are opposed to many of the things that we’re doing, who are not opposed to having manufacturing activities in other parts of the world and not here.

So this is what we are intending to do, to make sure that the military gets the security, the same need and, at the same time, to ensure in every way that we can that the manufacturing process is done here in the United States so that these jobs are going to be an important part of our dealing with this mission, which was put forward over the course of the previous 8 years and is now something that we are dealing with effectively.

So if you’re opposed to this earmark, it really doesn’t make any sense. If you’re opposed to the amendment, that makes perfect sense. And that is exactly what we’re doing, for all of the
Mr. MURTHA. I reserve my time.

Mr. CAMPBELL. I am going to reserve the balance of my time, and I would ask that the gentleman please continue his argument on his time.

Mr. MURTHA. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I reserve my time.

Mr. CAMPBELL. Mr. Chairman, one other question, one that didn't get answered on the last earmark, and I will ask it again on this particular earmark. I understand the sponsor is not here, but will the sponsor commit, as other people have done on this floor, that he has not received and will not accept campaign contributions from the company, its executives, its stockholders, employees, or lobbyists, or other people who can benefit directly from the earmark? Because, Mr. Chairman, if people won't do that, then as the gentleman from Arizona and others have suggested, that is where, perhaps, we can get in deeper trouble on these sorts of things in the future.

Mr. Chairman, I ask for an "aye" vote.

I yield back the balance of my time.

Mr. MURTHA. Mr. Chairman, let me read the policy of the committee. The full committee just brought me the policy which answers the gentleman's question.

Under the policies adopted by the great Appropriations Committee, "The use of Member earmarks awarded to for-profit entities as a functional equivalent of no-bid contracts is ended. "In cases where the committee funds an earmark designated for a for-profit entity, the committee includes legislative language requiring the executive branch to nonetheless issue a request for proposal that gives other entities an opportunity to apply and requires the agency to evaluate all bids received and make a decision based on merit. The legislative language included in the bills requires "full and open competition."
Now, let me read to the gentleman. Mr. Chairman: “With respect to the list of specific programs, projects and activities contained in the tables entitled ‘Explanation of Project Level Adjustments’ in the Report of the Committee on Appropriations of the House of Representatives, those which are considered congressional earmarks for purposes of Rule XXI”—this is on page 113 of the bill—‘when awarded to a for-profit entity, shall be awarded under full and open competition.’”

In this particular case, they strike $1.5 million from hospital maintenance—and Mr. Bishop offers an amendment ensuring that they are taken care of.

We work on making sure that the medical facilities are clean, making sure that they are taken care of. And Mr. Bishop offers an amendment which wants to make sure that the funding would provide for development, renovation, maintenance, for the environmental sustainable laboratories, hospitals, and clean rooms for drug development.

I ask for a “no” vote.

I yield to the gentleman from Mississippi (Mr. Taylor).

Mr. TaylOR. Again, I would remind the gentleman: the gentleman makes the point that we have had a new administration for 6 months. Don Rumsfeld, the guy who said he knew the Iraqis had weapons of mass destruction and knew they were going to use them, decimated the acquisition force. Unless you own the specs, you can’t put it out for competition. We are in the process, in the Armed Services Committee, of getting the specifications of everything we buy from here on out—something Rumsfeld never did—so that we can have the kind of competition that the gentleman seeks.

We are in the process of doing so, starting with the Littoral Combat Ship.

If the gentleman has a question, I would be more than happy to answer it.

Mr. CAMPBELL. Would the gentleman yield?

Mr. TAYLOR. Sure.

Mr. CAMPBELL. Does the gentleman see a problem with doing these in the future without a company name?

Mr. TAYLOR. Again, there will be times when someone who has invented something comes to Congress and says, I have something that is bigger, faster, smaller, whatever the deal is. And if that person says, and by the way, I own the unique rights to this, do you want to buy it from me or not? That first time it makes sense for the Nation to buy it. It also makes sense for the Nation to say, from here on out, when we buy your product, we are buying the specifications with it so we can get it from somebody else in the future.

Mr. CAMPBELL. Will the gentleman yield?

Mr. TAYLOR. Sure.

Mr. CAMPBELL. Mr. Chairman, I yield back the balance of my time and ask for a “no” vote.

The Acting CHAIR. The gentleman from Pennsylvania controls the time and he has yielded back his time.

The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111–233 on which further proceedings were postponed, in the following order:

Amendment No. 1 printed in part A by Mr. Tierney of Massachusetts.
Amendment No. 3 printed in part A by Mr. Flake of Arizona.
Amendment No. 5 printed in part A by Mr. Tierney of Massachusetts.
Amendment No. 258 printed in part B by Mr. Flake of Arizona.
Amendment No. 389 printed in part B by Mr. Flake of Arizona.
Amendment No. 432 printed in part B by Mr. Flake of Arizona.
Amendment No. 439 printed in part B by Mr. Flake of Arizona.
Amendment No. 449 printed in part B by Mr. Flake of Arizona.
Amendment No. 563 printed in part B by Mr. Flake of Arizona.

Amendments en bloc by Mr. Flake of Arizona.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

PART A AMENDMENT NO. 1 OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Chairman, I yield the floor back to the Majority Leader for his position on this part of the bill.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 269, noes 165, not voting 5, as follows:

AYES—269

Abercrombie
Ackerman
Almire
Amendes
Arcuri
Baca
Bacus
Baldwin
Barrow
Bean
Becker
Berkley
Berry
Bishop (GA)
Bishop (NY)
Bosco
Bordallo
Bosswell
Boucher
Boyd
Brady (PA)
Brayler
Brown, Corrine
Butterfield
Cappelli
Campbell
Cardenas
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Christensen
Cho
Clarke
Clay
Cleaver
Clyburn
Cohen
Connelly (VA)
Conyers
Cordero
Costa
Costello
Courtney
Crowley
Cuellar
Cunningham
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Edolphus
Ellison
Ellsworth
Emanuel
Engel
Etheridge
Fallin
Fleischmann
Frank (NY)
Fudge
Garrett (NJ)
Gerlach
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Haltverson
Hare
Harmar
Hastings (FL)
Hensarling
Herseth Sandlin
Higgins
Hilliard
Himes
Hinchey
Hinojosa
Hirono
Holcomb
Hollen
e
Hoyle
Honda
Hoskins
Howard
Hoyer
Inslee
Irsay
Jackson (IL)
Jackson-Lee
Johnson (GA)
Johnson (IL)
Johnson, E.B.
Jones
Kagan
Kaptur
Kennedy
Kilcher
Kilpatrick (MI)
Kilroy
Kinder
Kirpatrick (AZ)
Kissell
Klapmeier
Kucinich
Kulmala
Kucinski
Kulmala
Kucinski
Kurtz
Kusters
Landefeld
Lang
Larsen (WA)
Larson (CT)
Lasky
Leak
Leggett
Legislate
Levin
Lepore
Lesko
Ley
Lewis
Lew
Linder
Lindsay
Lim
Lisha
Lindsey
Lisa
Liptak
Lofgren, Zoe
Lowey
Lujan
Lynch
Maffei
Maloney
Mann
Mark (NY)
Mark (AZ)
Mark (MA)
Mark (FL)
Markakis
Markey
Mars
Martin
Marx
Massa
Matsui
McCain
McCullough
McCotter
McDermott
McGovern
McIntyre
McKinley
McNerney
McNulty
McNulty
McCollum
McDavid
McDermott
McEwen
McGovern
McHale
McKee (FL)
Meeks (NY)
Mehan
Mehlhorn
Merkel
Miller (CA)
Miller (NY)
Miller (ND)
Miller (OH)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (OR)
Moran (NY)
Murphy (CT)
Murphy (NC)
Murphy, Patrick
Murphy, Tim
Murtha
Murphy, Nadler (NY)
Napolitano
Neal (VA)
Nolte
Noll
Nonnenmacher
Nonnenmacher
Norris
Norton
Olivier
Olmstead
Olver
Olver
Onofre
Owens
Owen
Owens
Palin
Palster
Pastor (AZ)
Paul
Paulsen
Payne
Perlmuter
Pelosi
Peters
Petterson
Petri
Pieper
Pierlousi
Pigott (ME)
Pilcher
Pomeroy
Pomroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Robusteller
Ross
Rotman (MD)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sablan
Salazar
Sánchez, Linda T.
Sánchez, Loretta
Sarbanes
Schakowsky
Schiff
Schiff
Schroder
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays-Porter
Sherman
Shuler
Sires
Skakun
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spencer
Stearns
Stupak
Sutter
Tanner
Taylor
Thompson (CA)
Thompson (MS)
Titus
Tinkham
Tonto
Towns
Towns
Trevelyan
Turner
Upton
Van Hollen
Velasco
Walden
Water
Water
Water
Water
Waxman
Waxman
Wilson (OH)
Wa
Waxman
Waxman
Waxman
Yarmuth

NOES—165

Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett

Ms. LEE of California, Ms. KOSMAS and Messrs. GOMERT and KUCINICH changed their vote from “aye” to “no.”

Ms. EDWARDS of Maryland and Mr. ROHrabacher changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:
Ms. SCHWARTZ, Mr. Chair, on rollcall No. 661, had been present, I would have voted “aye.”

Ms. NORTON, Mr. Chair, on rollcall No. 661, had been present, I would have voted “aye.”

Stated against:
Mr. TURNER, Mr. Chair, on rollcall No. 661, inadvertently voted “aye”, intending to vote “no.”

PARLIAMENTARY INQUIRY

Mr. JACKSON of Illinois, Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. What gentleman will state his parliamentary inquiry.

Mr. JACKSON of Illinois, Mr. Chairman, are there 2-minute votes or 5-minute votes, the series?

The Acting CHAIR. The remaining votes in this series are 2-minute votes.
ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. TIERNY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignates the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 307, not voting 8, as follows:

(A Roll No. 663)

AYES—124

Behm
Balint
Baldwin
Berman
Bigger
Bishop (NY)
Blumenauer
Braley (IA)
Boswell
Blumenauer
Bishop (NY)
Boswell
Blumenauer
Bishop (NY)
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The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The amendment was defeated.

The Acting CHAIR. The amendment has been defeated.

The Acting CHAIR. A recorded vote was ordered.

The Acting CHAIR. There is 1 minute remaining in this vote.

The amendment was defeated.

The Acting CHAIR. The amendment has been defeated.

The Acting CHAIR. A recorded vote was ordered.

The Acting CHAIR. There is 1 minute remaining in this vote.

The amendment was defeated.

The Acting CHAIR. The amendment has been defeated.
The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY). The Acting CHAIR (Mr. GLADNEY).
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This will be a 2-minute vote.

The noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This will be a 2-minute vote.

The noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Acting CHAIR. A recorded vote has been demanded.
The vote was taken by electronic de-

The Acting CHAIR. This will be a 2-

ANSWERED "PRESENT"—11

Davis (IL)

FRANKLIN of Arizona. Mr. Chair, on roll-
call No. 670, I was unavoidably detained. Had
I been present I would have voted "aye."

EN Bloc AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIR. The unfinished busi-
ness is the demand for a recorded vote on the am-
endment offered by the gentleman from Arizona (Mr. FLAKE),
on which further proceedings were postposed and on which the
noes prevailed by voice vote.

The Clerk will redesignate the amend-
ment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been
 demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—[roll No. 671, naes 342, answered "present" 11, not voting 4, as follows:

[Roll No. 671]

AYES—82

Bachmann

Cantor

Davis (AL)

Davis (KY)

Gohmert

Goodlatte

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Boehner (OH), Ohio, 5, as follows:

A recorded vote was ordered.

The result of the vote was announced by the Acting CHAIR.

Yes—81

Not voting—5

AYES—81

Bachmann (MN), Minnesota, 5, as follows:

AYES—98

Bachmann (MN), Minnesota, 5, as follows:
The SPEAKER pro tempore. 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. FRELINGHUYSEN. Mr. Speaker, I have a motion to recommit to the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FRELINGHUYSEN. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk reads as follows:

Mr. Frelinghuysen moves to refer the bill H.R. 3326 to the Committee on Appropriations with instructions to report the same immediately back to the House with sundry amendments for the Department of Defense Appropriations Act, 2010, and for other purposes, pursuant to the rule, the previous question is ordered to be taken up, and the amendment is adopted by the Committee on Appropriations for the Department of Defense Appropriations Act, 2010, and for other purposes, the bill (H.R. 3326) making appropriations for the Department of Defense for fiscal year 2010, and for other purposes, including the following:

Page 2, line 22, after the dollar amount, insert "(increased by $100,000)".

Page 26, line 9, after the dollar amount, insert "(increased by $304,800,000)".

Page 29, line 21, after the dollar amount, insert "(reduced by $404,800,000)".

In section 8120, strike "None of the funds appropriated" and all that follows through "$368,800,000 of the funds" and insert "Funds".

In section 8120, strike paragraph (1) and redesignate subsequent paragraphs accordingly.

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that the motion to recommit be considered read.

The SPEAKER pro tempore. Is there objection to the motion of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for five minutes.

Mr. FRELINGHUYSEN. Mr. Speaker, the motion to recommit would restore funding originally included in the bill as reported by the Appropriations Committee for advanced procurement for 12 F-22 aircraft and allow the program to move forward. It would also provide an additional $100 million for the Army military personnel accounts. These increases are offset by cutting $400 million in unrequested funds for the Presidential helicopter, a troubled program that the President himself has proposed to eliminate.

My motion to recommit is consistent with the recently passed Defense authorization bill which recognized the concern for the F-22 by authorizing an additional F-22 aircraft and, at the same time, did not authorize additional funding for the President's helicopter.

Mr. Speaker, while much is made of the President's threatened veto of the bill, the fact is that the President has also threatened a veto over funding for the Presidential helicopter. While I appreciate the President having a role in this process, it is Congress, not the President, that has the power of the purse. I hope that we should simply take the President's budget proposal and rubber-stamp it.
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In addition, my motion to recommit begins to fill a known funding shortfall in
the Army military and personnel accounts that resulted from Secretary Gates’ recent decision to increase the
total Army end strength by 22,000 troopers to support the administration’s Afghanistan
strategy.

My motion would also leave intact the additional funds added in the Mur-
tha amendment for four of the Air Force’s unfunded priorities.

I urge my colleagues to support this motion to recommit.

I yield to the gentleman from Utah (Mr. BISHOP), a member of the Armed Services
Committee, for the remaining time.

Mr. BISHOP of Utah. Mr. Speaker, we all know that to maintain air superi-
ority, which we have had since the Korean War, requires two elements: one is the technological ability, which
we know the F–22 provides, but the other is the numerical superiority that we have, which is why, when
this program was originally started, it was supposed to be 750 planes.

Even as late as last year, the military was telling us 381 maintains the status quo and 243 is the absolute min-
umum, a number still maintained by the Air Combat Command, by the Air Na-
tional Guard, by 30 of the military studies over the last 15 years. Even the Chief of Staff admitted the 243 is what they
need.

The only person that said 187 is the Secretary of Defense. There is no study to verify that number. That number is
a political number, not a military number.

As we go into the future where the Russians are building a new generation fighter with 200 to 300 extra planes to
sell to countries like Iran and Ven-
euela, when we then couple that by
cutting 250 legacy planes already in the Air Force and stopping the F–22 and having an F–35 which will not be avail-
able under the best circumstances by 2014, maybe even 2016 as we are talking about it, what we are doing is
putting ourselves in danger 10 and 15 years out of being on the wrong side of history. We cannot do that.

This amendment mirrors what the House voted on the Defense authorization
bill by putting back procurement money for 12 F–22s and adding $100 mil-
lion for military personnel to help the anticipated shortfall in the upgrade in
what we are doing in Afghanistan.

This is the right thing to do. This is what the military needs. We should not simply make a political decision, be-
cause I hate to say this in this crass of a way, but while we can authorize $5 billion for groups like ACORN but $2
billion to keep 18,000 jobs going and provide planes for another year that this country needs, we have some-
ting to do to look at our priorities. The $2 billion is for the defense of this coun-
try and the future. The military needs this plane.

Mr. FRELINGHUYSEN. Please support the motion to recommit.

I yield back.

Mr. MURTHA. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gent-
leman from Pennsylvania is recognized for 5 minutes.

Mr. MURTHA. I’ve said over and over again, I have been for the F–22. The point is we’d need $212 votes here in order to pass the F–22. We’d need 66 votes in the Senate. The Senate voted 58–40 against it. So we have no alter-
native.

Now, what I’ve done is try to robustly fund the program as it is. In other words, they have 187. Let’s make sure it’s funded adequately. Let’s make sure they have what they need. They have a lot of maintenance questions about the F–22. There is no question about it, and so we need to make sure it’s robustly funded.

The Presidential helicopter, $3.2 bil-
lion we spent on this thing. We ought
to get something out of it. One of the
Secretaries said to me the other day that they are going to spend another $2 billion if you get it right. I said, Wait a minute; how much do you think you will spend if you have to do another one?

I’m trying to work something out with the White House on that and other issues.

It took a little more time than I ex-
pected in this bill today, but I’d appreci-
ate a “no” vote on this vote to re-
commit.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is or-
dered 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
noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant
to clause 9 of rule X, the Chair will reduce to 5 minutes the minimum time for electronic vote on the ques-
tion of passage.

The vote was taken by electronic de-
vice, and there were—AYES 109, noes 201, not voting 3, as follows:

[Roll No. 674]

AYES—169

Abercrombie
DeGette

Adams (NY)
DeLauro

Adams (PA)
Dempsey

Adams (RI)
Dingell

Adams (WA)
Donnelly (IN)

Akin
Doyle

Alexander
Edwards (TX)

Altmire
Edwards (NY)

Andrews
Elorza

Avery
Eller

Baer
Ellzey

Baca
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Balser
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Ms. BALDWIN changed her vote from "aye" to "no."  
Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from "no" to "aye."

So the motion to reconsider was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill. Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yes 400, nays 30, not voting 3, as follows: (Roll No. 675)

**YEAS—400**

Abercrombie (HI) Bonner (VLA) Carte

Ackerman (NY) Bono Mack (GA) Cassidy (LA)

Adler (OH) Boozman (AR) Castle (NE)

Adlum (CA) Boren (OK) Castle (TX)

Alkire (IA) Boswell (WV) Chadetz (IL)

Alexander (AL) Boysen (ND) Chandler (CO)

Altmire (PA) Bosnay (OH) Childers (OH)

Andrews (MS) Boyd (TN) Chisme (NY)

Arcuri (NY) Brady (PA) Clarke (MA)

Austria (OH) Brady (TX) Clay (KY)

Baca (CA) Braley (IA) Cleaver (MO)

Bachmann (MN) Bright (PA) Clyburn (SC)

Bachus (ID) Brown (GA) Coble (NC)

Baird (WA) Brown (SC) Coffman (CO)

Barlow (PA) Brown-Waite (FL)Cole

Barrett (OH) Brown (TN) Conaway (TX)

Barton (TX) Buchanan (PA) Connolly (VA)

Bean (TN) Burgess (TX) Conyers (MI)

Beccerra (CA) Burton (IN) Cooper (AR)

Berkeley (CA) Butterfield (NC) Costa (HI)

Berman (NY) Barton (CO) Costa (CA)

Berry (OH) Basset (WY) Courtesty (AR)

Biggert (IL) Camp (CA) Crenshaw (AL)

Bilirakis (FL) Bilirakis (GA) Cannon (GA)

Bishop (GA) Bucon (VA) Colburn (MT)

Bishop (NY) Bright (CT) Cummings (NY)

Bishop (UT) Capo (CA) Cummings (PA)

Blackburn (TN) Cardona (NY) Davis (NY)

Bhattach (NY) Carnahan (MO) Davis (TX)

Boehner (OH) Carney (DE) Davis (IN)

Boehner (IA) Carson (NV) Davis (MD)

Boehner (IN) Casalino (CT) Davis (PA)

Boehner (KY) Cascade (OH) Davis (WV)

Boehner (OH) Casper (WY) Davis (WV)

Boehner (SC) Castor (FL) Davis (AL)

Boehner (OH) Castor (FL) Davis (ME)

Boehner (OH) Castor (FL) Davis (WV)

Boehner (OH) Castor (FL) Davis (WV)

The SPEAKER pro tempore. The Chair announces a correction to an earlier vote tally. On rollcall vote No. 666, the ayes were 76 and the nays were 350.

Providing for consideration of H.R. 2749, food safety enforcement act of 2009

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 691 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2749) to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of food in the global market, and for other purposes.

Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from "aye" to "no."  
Mr. CONYERS. Madam Speaker, on July 30, 2009, I inadvertently cast a "yea" vote for H.R. 3326. I intended to vote "nay."

I request that the Record note that for rollcall No. 675, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, I voted "yea," but would like the Record to reflect, for the fiscal year ending September 30, 2010, I intended to vote "nay."

The SPEAKER pro tempore. The Speaker pro tempore (during the vote) has 1 minute remaining in the vote.

Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from "aye" to "no.

Mr. GRIFFITH changed his vote from "yea" to "nay."

So the bill was passed. The result of the vote was announced as above recorded.

Mr. CONYERS. Madam Speaker, on July 30, 2009, I inadvertently cast a "yea" vote for H.R. 3326. I intended to vote "nay."

I request that the Record note that for rollcall No. 675, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, I voted "yea," but would like the Record to reflect, for the fiscal year ending September 30, 2010, I intended to vote "nay."

The SPEAKER pro tempore. The Speaker pro tempore. The Chair announces a correction to an earlier vote tally. On rollcall vote No. 666, the ayes were 76 and the nays were 350.

Providing for consideration of H.R. 2749, food safety enforcement act of 2009

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 691 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2749) to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of food in the global market, and for other purposes. The first reading

The SPEAKER pro tempore (during the vote) has 1 minute remaining in the vote.

Mr. BURGESS and Mrs. KIRKPATRICK of Arizona changed their vote from "aye" to "no.

Mr. GRIFFITH changed his vote from "yea" to "nay."

So the bill was passed. The result of the vote was announced as above recorded.

Mr. CONYERS. Madam Speaker, on July 30, 2009, I inadvertently cast a "yea" vote for H.R. 3326. I intended to vote "nay."

I request that the Record note that for rollcall No. 675, making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, I voted "yea," but would like the Record to reflect, for the fiscal year ending September 30, 2010, I intended to vote "nay."

The SPEAKER pro tempore. The Speaker pro tempore. The Chair announces a correction to an earlier vote tally. On rollcall vote No. 666, the ayes were 76 and the nays were 350.