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 reply to 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 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, 100 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 rise 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 who are fortunate enough to have insurance 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 the time not 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 today 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 Sabaric.

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’s amendment complied with all applicable Rules of the House for amendments to 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, by Mr. Blumenauer (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
Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, for military functions administered by the Department of Defense and for other purposes, namely:

**TITLE I**

**MILITARY PERSONNEL**

**MILITARY PERSONNEL, ARMY**

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), or while serving on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 12310(a) 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 section 12301(d) 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 12310(a) 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, and expenses authorized by section 12310(a) of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $610,580,000.

**RESERVE PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $610,580,000.

**NATIONAL GUARD PERSONNEL, ARMY**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10, 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, $7,525,628,000.

**NATIONAL GUARD PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10, 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, $7,525,628,000.

**RESERVE PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10, 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 may 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 in 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 the approval or authority of the Secretary of the Navy, and payments may be made in his certificate of necessity for confidential military purposes, $33,785,349,000.

**OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses, not otherwise provided for, necessary for the operation and maintenance of active; to be expended on the approval or authority of the Secretary 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 $5,500,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $5,500,000 shall be available for travel and transportation; and not to exceed $10,000 may be available for travel and transportation; and not to exceed $2,621,196,000 may be used for the Smithsonian Institution.

**OPERATION AND MAINTENANCE, NAVY RESERVE**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair 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

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

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 administrating 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 administrating 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; 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 Air National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $494,276,000, 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 for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herefor, for the foregoing purposes, and for the same time period as the appropriations to which transferred: 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, $285,969,000, 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 for the same time period as the appropriations to which transferred: 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, WORKFORCE DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

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

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $11,100,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herefor, for the foregoing purposes, and for the same time period as the appropriations to which transferred: 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, $285,969,000, 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 sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herefor, for the foregoing purposes, and for the same time period as the appropriations to which transferred: 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 CIVIL AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civil 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 of mass destruction and dual-use weapons-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and destruction of weapons components and weapons technology and expertise, and for defense and military contacts, $494,983,000, 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, RESEARCH, AND DEVELOPMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ground ordnance, ground handling equipment, spare parts, and associated support equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, materials, tools, and other supplies for 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.

**MISSILE PROCUREMENT, ARMY**

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

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

For construction, procurement, production, and modification of ammunition, and accessories therefor, specialized equipment and training devices, to expand and contract public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,226,403,000, to remain available for obligation until September 30, 2012.

**PROCUREMENT OF AMMUNITION, NAVY**

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices, to expand and contract public and private plants, including ammunition facilities, authorized by section 2834 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $794,886,000, to remain available for obligation until September 30, 2012.

**SHIPBUILDING AND CONVERSION, NAVY**

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

- Carrier Replacement Program, $739,269,000; Carrier Replacement Program (AP), $844,632,000; NSSLN, $1,961,317,000; NSSLN (AP), $1,959,729,000; CVN Refueling, $1,563,602,000; CVN Refueling (AP), $211,820,000; DD(X), $1,073,161,000; DDG-51 Destroyer, $1,912,267,000; DDG-51 Destroyer (AP), $328,596,000; Littoral combat ship, $2,160,000,000; LPD-17, $872,392,000; LPD-17 (AP), $184,555,000; Intrahtreehatter, $357,856,000; LCAC Service Life Extension Program, $613,857,000; Prior year shipbuilding costs, $454,586,000; Service Craft, $3,894,000; and other expenses necessary for the foregoing purposes, $9,293,801,000, to remain available for obligation until September 30, 2012.

**AIRCRAFT PROCUREMENT, NAVY**

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $18,325,481,000, to remain available for obligation until September 30, 2012.

**WEAPONS PROCUREMENT, NAVY**

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related equipment, to expand and contract public and private plants, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices, to expand and contract public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,226,403,000, to remain available for obligation until September 30, 2012.

**MISSILE PROCUREMENT, AIR FORCE**

For construction, production, production, and modification of missiles, equipment, including spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices, to expand and contract public and private plants, including land necessary therefor, for the foregoing purposes, $9,293,801,000, to remain available for obligation until September 30, 2012: Provided, That additional obligations may be incurred after September 30, 2014, for engineering services, tests, etc., as may be necessary, provided that such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided hereunder shall be used for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components, to be installed in such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

**OTHER PROCUREMENT, NAVY**

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,226,403,000, to remain available for obligation until September 30, 2012.

**PROCUREMENT, MARINE CORPS**

For expenses necessary for the procurement of aircraft, missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vessels to be constructed or converted in the final stage of ship construction, $5,144,991,000, to remain available for obligation until September 30, 2012.

**AIRCRAFT PROCUREMENT, AIR FORCE**

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, to expand and contract public and private plants, including 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; reserved plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,956,182,000, to remain available for obligation until September 30, 2012. Provided, That no funds provided in this Act for the procurement or modernization of F-17 aircraft may be obligated until all C-17 contracts funded with prior year “AirCraft Procurement, Air Force” appropriated funds are definitized.

**MISSILE PROCUREMENT, AIR FORCE**

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices, to expand and contract public and private plants, including 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; reserved 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: Provided, That additional obligations may be incurred after September 30, 2014, for engineering services, tests, etc., as may be necessary, provided that such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided hereunder shall be used for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components, to be installed in such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.
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 procurement, construction, production, and installation of ammunition, and accessories thereof; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities; Government-owned equipment and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $809,941,000, 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 thereof, not otherwise provided for; the purchase of passenger motor vehicles for replacement, and modification of existing passenger vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, 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, $14,883,791,000, to remain available for obligation until September 30, 2012.

DEFENSE WORKING CAPITAL FUNDS

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

DEFENSE HUMANITARIAN ASSISTANCE FUNDS

For expenses, not otherwise provided for, for medical assistance activities conducted primarily in African nations, $351,269,000, to remain available until September 30, 2012.

TITLES IV, V, VI

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

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

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical assistance activities conducted primarily in African nations, $351,269,000, to remain available until September 30, 2012.
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, $1,257,674,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided under this heading shall be 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”. $384,550,000, of which $183,000,000 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; and such amounts shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop, 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 Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance, procurement, research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

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 for the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $288,100,000, of which $1,000,000,000 shall be for operation and maintenance of the Office of the Inspector General, and $700,000,000 shall be 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, 2016, for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $290,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $411,002,000.

TITLE VIII

GENERAL PROVISIONS

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

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded under this heading shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 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 5501 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 5501 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 5501 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 5501 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 5501 of title 5, United States Code.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited to obligation only for the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for personnel other than employees of the Department of Defense in the Republic of Turkey.

SEC. 8005. No part of any appropriation contained in this Act shall remain available for obligation for the current fiscal year unless expressly so provided herein.

SEC. 8006. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That the report shall include—

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

(b) a statement that each congressional defense committee in order to appropriately evaluate the proposed reprogramming or transfer of resources shall be provided 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.

(TRANSFER OF FUNDS)

SEC. 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 which not to exceed $250,000,000 of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military operations for which such authority has been denied by the Congress): Provided further, That no obligation of funds may be made pursuant to this Act unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 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 the tables titled "Explanation of Project Level Adjustments" in the report of the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and any amendments made to such tables by such committees prior to any such obligation.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be transferred or reallocated from one appropriation to another, to include transfers from one appropriation to another, or to the extent any amounts appropriated and not applied as of September 30, 2010, or any amounts appropriated and not applied as of September 30, 2011, or any amounts appropriated and not applied as of September 30, 2012, and the dollar amounts described in subsection (a) may be made pursuant to section 1206 of Public Law 111–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8007. (a) Prior to any obligation of any amount appropriated under this Act, the Department of Defense shall comply with section 504 of title 10, United States Code, may be maintained in only such cash balances in working capital funds of the Department of Defense as determined by appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

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

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense shall be treated as subdivisions of appropriations for certain programs, projects, and activities, and of which $1,000,000,000 shall be for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitations upon 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 111–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8009. Provided, That no obligation of funds may be made pursuant to section 1206 of Public Law 111–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8010. (a) Prior to any obligation of any amount appropriated under this Act, the Department of Defense shall comply with section 504 of title 10, United States Code, may be maintained in only such cash balances in working capital funds of the Department of Defense as determined by appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

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

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense shall be treated as subdivisions of appropriations for certain programs, projects, and activities, and of which $1,000,000,000 shall be for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitations upon 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 111–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

SEC. 8009. Provided, That transfers 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 in accordance with any notification made by the Office of Management and Budget, except that such transfers may not be made unless the Secretary has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be incurred against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress thereof.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program or any notification made by the congressional defense committees.

SEC. 8010. These 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 the proposed contract award; Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability for such procurement; or (2) a contract for advance procurement leading to a multiyear employment of 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 the proposed contract award.

SEC. 8012. (a) During fiscal year 2010, the civilian personnel of the Department of Defense may not be managed on the basis of any 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 the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability for such procurement.

(b) The fiscal year 2011 budget request for the Department of Defense as well as all justification 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.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence or improperly influence any political action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be used toward any activity or function of the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to contract for any activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a cost or performance analysis by a qualified firm under at least 51 percent ownership by a nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(2) the conversion is not planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 6 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450h), or a Native Hawaiian Organization, as defined in section 8(a)(15)(B) of the Small Business Act (15 U.S.C. 637a(a)(15)), (b)(1) The Department of Defense, without regard to subsection (a) of this section or subsections (a), (b), or (c) of section 2561 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have the authority to enter into a long-term contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O’Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be only to the extent that the conversion is toward an outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (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 other appropriations for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 8001 of the National Defense Authorization Act for Fiscal Year 1991 (Pub. L. 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer or authority contained in this Act: Provided, That none of the funds in this Act may be used for the purchase of the Defense (commercial) Mentor-Protege Program developmental assistance agreement under such Act for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 8001 of the National Defense Authorization Act for Fiscal Year 1991 (Pub. L. 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer or authority contained in this Act: 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) and painting. Furthermore it is further stated that the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured by United States. Where 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, the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-14 rifles, .22 caliber rifles, .20 caliber carbines, M-1911 pistols, or to de-militarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal or State law.

SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used to transfer or relocate any single relocation of an organization, unit, activity or function of the Department of Defense into or within the United Capital Region: Provided, That the Secretary of the Department of Defense may waive this restriction on a case-by-case basis by certifying to the Committee on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8020. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That any prime contractor or subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined in section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, the term "domestic" shall apply to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of supplies or services, whether manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or by a small business or small business concern owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

Such study for a multi-function activity, commencing on the date on which the preliminary planning for the study begins through the date on which a performance decision or a funding decision for such study shall be made. The purpose of this section is to ensure that the study begins at least two years prior to the date on which the study is suspended because of protests before the Government Accountability Office or United States.

SEC. 8022. During the current fiscal year, the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-14 rifles, .22 caliber rifles, .20 caliber carbines, M-1911 pistols, or to de-militarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal or State law.

Provided further, That the Secretary of Defense or any agency of the Department of Defense may acquire the use in any Government-owned facility or controlled area, through competition based on one or more Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, stainless, alloy or armor steel shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, stainless, alloy or armor steel.

Provided further, That the Secretary of Defense or any agency of the Department of Defense may acquire the use in any Government-owned facility or controlled area, through competition based on one or more Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, stainless, alloy or armor steel.

Provided further, That the Secretary of Defense or any agency of the Department of Defense may acquire the use in any Government-owned facility or controlled area, through competition based on one or more Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, stainless, alloy or armor steel.
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 of an 'Indian tribe'?

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2010. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subparagraph (a)(2), 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, 1933 (41 U.S.C. 10a et seq.).

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2902 of the National Security Act of 1947 (Public Law 101–150; 19 U.S.C. 2877 note) shall be available until expended for the payments specified by section 2902(b) of the National Security Act of 1947.

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 located at Grand Forks Air Force Base, North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, and Minot Air Force Base that are in excess of 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 Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, and Minnesota.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes described in this subsection by the Secretary or the Department of Defense as well as all justice, quality-competitive, and available in a timely fashion.

SEC. 8032. During the current fiscal year, the fiscal year 2011 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2011 Department of Defense budget shall be submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation in fiscal year 2011 shall be budgeted for in a proposed fiscal year 2011 procurement appropriation and not in the supply management business area or any other area where the procurement of such equipment represents the product of original thinking, and was submitted in confidence by one source.

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 submitted to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriated funds made available to the Department of Defense for procurement.
“Research, Development, Test and Evaluation, Air Force, 2009-2010”, $70,000,000;

Sec. 8047. None of the funds appropriated 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 Committees on Appropriations of the Congress 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. That this restriction does not apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

Sec. 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 Committees on Appropriations of the Congress 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 that is not available from United States coal as an energy source.

Sec. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

Sec. 8051. None of the funds available in this Act may be used to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for a fiscal year unless the congressional defense committees of the Senate and the House of Representatives has been notified of the proposal or has been notified that the proposal has been made in this Act under the heading “Operational Use”.

Sec. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability has expired or which has been closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution;

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following—

(1) a description of the equipment, supplies, or services to be transferred;

(2) a statement of the value of the equipment, supplies, or services to be transferred.

Sec. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

Sec. 8055. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2390 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community and the Federal Republic of Germany: Provided, That in the case of an expired account, if subseq-uent review or investigation discloses that 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.

Sec. 8056. None of the funds appropriated in this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory, as end-items to equipment, unless the restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided, That in the case of an expired account, if subsequent review or investigation discloses that 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.

Sec. 8057. None of the funds appropriated in this Act, except funds appropriated for the National Intelligence Program and the Military Inte-elligence Program, except as specifically provided in an appropriation Act, or provisions of Acts providing supplemental appropriations for the Department of Defense, shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

Sec. 8058. None of the funds appropriated in this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory, as end-items to equipment, unless the restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided, That in the case of an expired account, if subsequent review or investigation discloses that 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.
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 needs on 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 national security interest to do so.

SEC. 8057. None of the funds made available in this Act may be used to approve or license the sale of a defense article to any foreign government.

SEC. 8058. (a) The Secretary of Defense may, in consultation with the Secretary of State relating to human rights violations by foreign security forces, determine that such waiver is required by extraordinary circumstances.

(b) The Secretary of Defense, in consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such a waiver is required by extraordinary circumstances.

(c) The Secretary of Defense shall provide a classified quarterly report beginning 60 days after enactment of this Act to the House and Senate Appropriations Committees, on certain matters as directed in the classified annex accompanying the report.

(d) Not more than 15 days after the enactment of this Act, to the congressional defense committees:

(1) options for the procurement of items made in order to acquire capability for national security purposes;

(2) options for the procurement of items provided under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project that may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense that may be used for the purpose of conducting official Department of Defense business.

SEC. 8059. (a) None of the funds made available by this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, its planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees:

(1) options for the procurement of defense items that are of a type or in the amount of such number of defense items as the Secretary of Defense determines to be required by extraordinary circumstances.

(b) Subsection (a) applies with respect to—

(1) options for the procurement of defense items under this Act that are not included in any prior report provided to the congressional defense committees;


SEC. 8060. None of the funds appropriated or made available in this Act to the Department of Defense or the Department of the Treasury shall be used to purchase or lease or to procure the T-AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States or a party to a valid reciprocal trade agreement for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the Department of Defense Appropriations Acts, 2009 and 2010.

Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense needs on 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 national security interest to do so.

Provisional Title: Export of Unclassified Military Articles

Provided further, That the Secretary of Defense may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

SEC. 8061. None of the funds appropriated or otherwise made available by this or other provisions of this Act for the Department of Defense may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense that may be used for the purpose of conducting official Department of Defense business.

SEC. 8062. For any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, its planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees:

(1) options for the procurement of defense items that are of a type or in the amount of such number of defense items as the Secretary of Defense determines to be required by extraordinary circumstances.

(b) Subsection (a) applies with respect to—


(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7304.49, 7304.40, 7304.90, 7502 through 7506, 8105, 8106, 8108, 8109, 8211, 8215, and 9404.

SEC. 8063. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act to the House and Senate Appropriations Committees, on certain matters as directed in the classified annex accompanying the report.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis:

Provided, That this restriction shall not apply if the department is authorized by law or by contract to provide certain services on a nonreimbursable basis, and is providing the requested support pursuant to such authority:

Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national interest to do so.

SEC. 8065. That the Secretary of Defense shall provide a classified semi-annual report beginning 60 days after enactment of this Act to the House and Senate Appropriations Committees, on certain matters as directed in the classified annex accompanying the report.

Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8066. None of the funds appropriated or made available in this Act to the Department of Defense or the Department of the Treasury shall be used to purchase or lease or to procure the T-AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States or a party to a valid reciprocal trade agreement for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the Department of Defense Appropriations Acts, 2009 and 2010.

Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense needs on 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 national security interest to do so.

SEC. 8067. That notwithstanding any other provision of law, the Comptroller General or the Director of the Office of Personnel Management may, at the request of the Secretary of Defense or the General Counsel of the Department of Defense or the Secretary of Homeland Security, determine that impairment of the Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense, may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8068. That the Secretary of Defense may waive the prohibition in subsection (a) if he determines that such a waiver is required by extraordinary circumstances.

Provisional Title: Military Procurement

Provided further, That the Secretary of Defense may waive the prohibition in subsection (a) if he determines that such a waiver is required by extraordinary circumstances.

SEC. 8069. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such systems modernization program.

Provisional Title: Transfer of Malt Beverages

Provided further, That notwithstanding any other provision of law, the Secretary of Defense may waive the prohibition in subsection (a) if he determines that such a waiver is required by extraordinary circumstances.

SEC. 8070. Of the amounts appropriated in this Act for the purchase of weapons and equipment, $1,066,651,000 shall remain available until expended:

Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government:

Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and services related to the operation of defense facilities.

Provided further, That the Secretary of Defense may provide for such indemnification as the Secretary of Defense, in his discretion, determines to be necessary:

Provided further, That the Secretary of Defense is authorized to enter into agreements with Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.
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, and Evaluation, Defense-Wide,” $202,494,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, $145,792,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, $50,036,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $72,400,000 shall be for the Arrow Missile Defense Program, of which $25,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to be used for the same purposes, consistent with each nation’s laws, regulations and procedures: Provided further, That funds made available under this provision for procurement of weapons and equipment may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same purposes for which the same appropriations were made available: Provided further, That the transfer authority provided under this provision is in addition to the transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion,” $454,586,000 shall be available until September 30, 2010, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and to be available for the same purposes as the appropriations to which transferred:

To:

Under the heading Shipbuilding and Conversion, Navy, 2004-2010: New SNS, $26,906,000; LPD 17 Amphibious Transport Dock Program, $16,498,000.

Under the heading Shipbuilding and Conversion, Navy, 2005-2010: New SNS, $18,702,000; LPH 17 Amphibious Transport Dock Program, $38,500,000.

Pharmacists, Audiologists, Psychologists, Social Workers, Orthotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapy Assistants, Registered Nurses, Psychologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, Medical Technicians, Psychologists, Pharmacy Technicians, Health System Specialists, Medical Instrument Technicians, and Dental Hygienists:

(A) The requirements of section 7403(c)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(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 the requested budget, the number, or the scope of a specific program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national defense and such action was written prior to notification to the congressional defense committees.

SEC. 8079. (a) In addition to the amounts provided elsewhere in this Act, $3,000,000 is hereby appropriated to the Department of Defense for “Operation and Maintenance, Army National Guard” to be made 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 provide mental health services to veterans in support of 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)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)), for the purposes set forth in section 6(b) of the Labor Management Cooperation Act 1947 (29 U.S.C. 175a note).

SEC. 8080. The budget of the President for fiscal year 2011 submitted to the Congress pursuant to section 251, Title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts:

Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriation account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases in resources necessary to support operations, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the class, a reconciliation of increases and decreases in resources necessary to support operations, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the

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 any contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional mission critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8083. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $88,700,000 is hereby appropriated to the Department of Defense: Provided, That the Secretary shall make grants in the amounts specified as follows: $20,000,000 to the United States Service Organizations; $30,000,000 to the Red Cross; $5,000,000 to the SOAR Virtual School District; $5,000,000 to the Presidio Heritage Center; $5,000,000 to the Paralympics Military Program; $85,000 to the Arrest Deterioration of Ford Island Aviation Control Tower; Pearl Harbor, HI; $2,000,000 to the Go For broke program; $1,000,000 to Our Military Kids; $3,000,000 to the National Baseball Hall of Fame and Museum; $2,000,000 to the Women in Military Service for America Memorial; $500,000 to the Marshall Legacy Institute; $1,000,000 to the VA, Service Members and Veterans, Wounded Warrior, and Special Olympics, $7,400,000 to the Edward M. Kennedy Institute for the Senate; and $1,000,000 for the Riverside General Hospital in Houston, Texas, for the treatment of psychological health issues.

SEC. 8084. None of the funds appropriated or otherwise made available in this Act shall be used to reduce or disestablish the operation of the 33rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would result in the loss of a WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 33rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8085. 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 performance of a authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8086. (a) 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.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 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 to cover authorized decreases resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in this Act: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided.
further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8088. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading “Shipbuilding and Conversion, Navy” that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund for obligations incurred for the same purposes as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in the current fiscal year or any prior fiscal year.

SEC. 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.

(b) None of the funds appropriated by this Act may be used to institute an inter-service common contract for acquisition of MQ-1 or MQ-1C UAVs until 30 days after the Secretary of the Army transmits to the congressional defense committees that a common contract would achieve cost savings, be interoperable with, and not create undue sustainment costs compared to the current fleet.

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 Veteran Affairs in 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” may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign military forces: Provided, That funds made available under this section are not subject to the internment limitations of section 309(b) of the National Defense Authorization Act for Fiscal Year 2011.

SEC. 8092. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2011.

SEC. 8093. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made under this Act under the heading “Shipbuilding and Conversion, Navy” shall be considered to be for the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8094. Notwithstanding any other provision of law, that not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $30,000,000 or higher.

SEC. 8095. The Secretary of Defense shall create a major force program category for space for the Future Years Defense Program of the Department of Defense. The Secretary of Defense may not carry forward in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget requests issued in any prior fiscal year, and the 1 percent limitation shall apply to such major force program category.

SEC. 8096. The Director of National Intelligence may realign the budget allocations to reflect the same priorities as the Budget for the same fiscal year, except that the Office of Intelligence Programs shall be considered to be for the same purposes as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to such realigned program category in addition to any other limitation applicable to such program category.

SEC. 8097. Notwithstanding any other provision of law, the Director of National Intelligence may realign the budget allocations to reflect the same priorities as the Budget for the same fiscal year, except that the Office of Intelligence Programs shall be considered for the same purposes as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to such realigned program category in addition to any other limitation applicable to such program category.

SEC. 8098. None of the funds appropriated for the National Intelligence Program in this Act shall be available to the congressional intelligence committees that such future-years intelligence program shall include the budget for national intelligence programs except as it relates to intelligence activities for the intelligence agencies classified in subsection (a) of section 502 of the National Security Act of 1947.

SEC. 8099. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2010: Provided, That such report shall include—

(1) a table for each appropriation with a description of the proposed reprogramming or transfer and a statement of the reason for the request, the amount, the purpose, and a reference to the page of the Defense authorization report for the year in which the reprogramming or transfer was requested; and

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

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

SEC. 8100. The Director of National Intelligence shall submit to Congress each year, in the same report required by section 1105(a) of title 31, United States Code, a budget: Provided, That the budget submitted is subject to the 1 percent limitation.

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 Defense of the Committee on Appropriations of the Senate.

SEC. 8102. The Department of Defense shall continue to report incremental contingency plans that provide for readiness and operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as described in the Department of Defense Financial Management Regulation: Provided, That the Department of Defense shall not include the budget for information systems for Operation Iraqi Freedom in the Department of Defense Instruction 7000.14, Volume 12, Chapter 23 “Contingency Operations,” Annex 1, dated September 2005.

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 made available to the Secretary to compensate for full-time active duty military personnel assigned to the Department of Defense, the Army, Navy, Air Force, and Marine Corps, including members of their reserve components, who, at any time during fiscal year 2010, serve on active duty beyond any members’ enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 122 or 1209 of title 10, United States Code, or any other provision of law (commonly referred to as a “stop-loss authority”) authorizing the President to extend the enlistment of obligated service members beyond their eligibility for retirement, for a period of not more than 12 months, or who are recalled to active duty to perform a mission that the Secretary of Defense designates as a special emergency mission: Provided, That the amount of the special pay authorized to military personnel assigned to Operation Iraqi Freedom on a monthly basis in the Cost of War Execution Report as described in the Department of Defense Financial Management Regulation: Provided, That the amount of the special pay authorized shall be distributed among all members of the military services on a fair and equitable basis according to the cost of maintaining such personnel in readiness: Provided further, That such special pay shall be computed on a pro rata basis for military personnel serving on active duty under the authority of section 122 of title 10, United States Code: Provided further, That the Secretary of Defense shall ensure that the number of military personnel serving under the authority of section 122 of title 10, United States Code, is on a level consistent with the number of military personnel serving under the authority of section 1209 of title 10, United States Code.

(b) Special Pay Amount.—The amount of the special pay paid under subsection (a) to or on behalf of an eligible member shall be $500 per month for each month or portion of a month during fiscal year 2010 that the member is retained on active duty as a result of application of the stop-loss authority: Provided, That in no case shall the amount of special pay otherwise authorized under this subsection exceed an amount equal to the member’s enlistment or period of obligated service is extended, or whose eligibility for retirement is suspended, pursuant to section 122 or 1209 of title 10, United States Code, or any other provision of law (commonly referred to as a “stop-loss authority”) authorizing the President to extend the enlistment of obligated service members beyond their eligibility for retirement, for a period of not more than 12 months, or who are recalled to active duty to perform a mission that the Secretary of Defense designates as a special emergency mission: Provided further, That such special pay shall be computed on a pro rata basis for military personnel serving on active duty under the authority of section 122 of title 10, United States Code: Provided further, That the Secretary of Defense shall ensure that the number of military personnel serving under the authority of section 122 of title 10, United States Code, is on a level consistent with the number of military personnel serving under the authority of section 1209 of title 10, United States Code.

SEC. 8104. Appropriations available to the Secretary of Defense for the purchase of uniformed services in time of war or of national emergency declared by Congress or the President.

SEC. 8105. The Secretary of Defense may acquire, for the Department of Defense, a link to the Internet website of the Office of the Inspector General of the Department of Defense.

SEC. 8106. Appropriations available to the Secretary of Defense shall be used to defray the costs of security assistance or combined exercises involving foreign armed forces.

SEC. 8107. Appropriations available to the Secretary of Defense shall be used to defray the costs of exercises with foreign security forces:

(1) Cooperation activities such as humanitarian assistance or combined exercises involving foreign armed forces;

(2) Training programs for foreign security forces;

(3) Program to exchange capabilities between foreign security forces and other units of the military departments;

(4) Program to exchange equipment between foreign security forces and other units of the military departments.

SEC. 8108. Appropriations available to the Secretary of Defense shall be used to defray the costs of exercises with foreign security forces:

(1) Cooperation activities such as humanitarian assistance or combined exercises involving foreign armed forces;

(2) Training programs for foreign security forces;

(3) Program to exchange capabilities between foreign security forces and other units of the military departments;

(4) Program to exchange equipment between foreign security forces and other units of the military departments.

SEC. 8109. Appropriations available to the Secretary of Defense shall be used to defray the costs of exercises with foreign security forces:

(1) Cooperation activities such as humanitarian assistance or combined exercises involving foreign armed forces;

(2) Training programs for foreign security forces;

(3) Program to exchange capabilities between foreign security forces and other units of the military departments;

(4) Program to exchange equipment between foreign security forces and other units of the military departments.

SEC. 8110. The Secretary of Defense shall submit to Congress each year, in the same report required by section 1105(a) of title 31, United States Code, a budget: Provided, That the budget submitted is subject to the 1 percent limitation.

SEC. 8111. The Secretary of Defense shall submit to Congress each year, in the same report required by section 1105(a) of title 31, United States Code, a budget: Provided, That the budget submitted is subject to the 1 percent limitation.

SEC. 8112. Appropriations available to the Department of Defense for the purchase of heavy and light armored vehicles for force protection purposes may be used for such purchase, up to a limit of $262,000 per vehicle, to be used to replace vehicles otherwise available to the purchase of passenger carrying vehicles.
SEC. 8105. During the current fiscal year, not to exceed $10,000,000 from each of the appropriations made in title II of this Act for “Operation and Maintenance, Army,” “Operation and Maintenance, Navy,” “Operation and Maintenance, Air Force,” and “Operation and Maintenance, Defense” may be transferred by the military department concerned to its central fund established for firefighter purposes pursuant to section 2493(d) of title 10, United States Code.

SEC. 8106. Of the funds appropriated in the Intelligence Community Management Account, the Director of Management, as the Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies, for the purpose of supporting Government-wide information sharing activities: Provided, That the funds transferred under this provision are 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 the Office of Management and Budget must approve any transfers made under this provision.

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 102(a)(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) unless three fifths of the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of the reprogramming that:

1. 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 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 110-127), the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and the Supplemental Appropriations Act, 2009 (Public Law 111-32), may be used to award a contract or subcontract for which the contractor or subcontractor does not have a standing contract with the Government to provide the same goods or services.

SEC. 8108. 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 110-127), the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and the Supplemental Appropriations Act, 2009 (Public Law 111-32), may be used to award a contract or subcontract for which the contractor or subcontractor does not have a standing contract with the Government to provide the same goods or services.

SEC. 8109. During the current fiscal year, the Secretary of Defense may transfer to the appropriation “Foreign Currency Fluctuations, Defense”, obligated amounts of funds appropriated for operation and maintenance for fiscal year 2007, 2008, or 2009 and unobligated amounts of funds appropriated for military personnel for any of such fiscal years if such unobligated amounts are not necessary for the liquidation of obligations or for the making of authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations: Provided, That the transfer of the “Foreign Currency Fluctuations, Defense” may not exceed the amount specified in subsection 2779(d) of title 10, United States Code, as a result of the details of the transfer of funds from this appropriation.

SEC. 8110. None of the funds appropriated in Title II of this Act are hereby reduced by $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 essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(b) During the current fiscal year no funds may be obligated or expended for a financial system that is a component of a mixed information system system supporting financial and non-financial systems, or a business system improvement of more than $100,000,000 to the National Intelligence Community until the Director of National Intelligence certifies to the congressional intelligence committees that the system is being developed and managed in accordance with the Business Transformation requirements.

SEC. 8112. (a) In addition to funds made available elsewhere in this Act, there are hereby appropriated $439,615,000 to remain available until expended for acquisition of any function or service performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76, as of the date of enactment of this Act.

SEC. 8113. (a) Under regulations prescribed by the Secretary of Defense, the Secretary of Defense is authorized to make transfers using funds provided in this section, notify the congressional defense committees detailing the rationale for such certification.

SEC. 8114. None of the funds provided for the National Security Program in the Intelligence Community Management Account or the National Security Agency shall be available for obligation or expenditure through a reprogramming of funds in accordance with section 102(a)(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) unless three fifths of the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of the reprogramming that:

1. 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 appropriated 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 102(a)(d) of the National Security Act of 1947 (50 U.S.C. 403-1(d)) unless three fifths of the Committees on Appropriations of the House of Representatives and the Senate are notified 15 days in advance of the reprogramming that:

1. 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) B ENEFITS.—The benefits authorized under this section are the following:

1. In the case of an individual who is a former member of the Armed Forces, the benefits authorized under this section are the following:

2. In the case of an individual who is a former member of the Armed Forces, the benefits authorized under this section are the following:

3. In the case of an individual who is a former member of the Armed Forces, the benefits authorized under this section are the following:

SEC. 8115. 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 transfer. Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(b) The Secretary of Defense is directed to award one or more contracts for the aerial refueling tanker replacement program according to either of the following alternatives:

1. Contract to a single offeror based on a best value or lowest cost source selection derived from full and open competition, subject to the condition that non-development funds produced under any such contract must be finally assembled in the United States.

2. Contracts awarded to each of the two offerors that responded to Request for Proposal No. FA8625-07-R-6470 (as released on January 29, 2007) subject to the condition that non-development funds produced under any such contracts must be finally assembled in the United States.

(c) The Secretary of Defense shall certify in writing to the congressional defense committees by October 1, 2009, that the procurement alternatives in subsection (b) represent the most cost-effective and expeditious source selection process that best responds to United States national security requirements. The certification shall be accompanied by a report to the congressional defense committees detailing the rationale for such certification.

SEC. 8116. Provided, That the Secretary of Defense is authorized to make transfers using funds provided in this section, notify the congressional defense committees detailing the rationale for such certification.

(b) BENEFITS.—The benefits authorized under this section are the following:

1. In the case of an individual who is a former member of the Armed Forces at the time of the provision of benefits under this section, the Secretary of Defense is authorized to make payments of an amount not exceeding $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, the Secretary of Defense is authorized to make payments of an amount not exceeding $200, as selected by the Secretary concerned, for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

3. 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, the Secretary of Defense is authorized to make payments of an amount not exceeding $200, as selected by the Secretary concerned, for each day the individual would have qualified for a day of administrative absence as described in subsection (a) during the period specified in that subsection.

SEC. 8117. That the Secretary of the Air Force 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.—Not more than 90 days of benefits may be provided to a member or former member of the Armed Forces under this section.

(e) CONSTRUCTION.—The payments authorized under this section may be paid in a lump sum or installments, at the election of the Secretary concerned.

(f) DEFINITIONS.—In this section:

(1) The term "Post-Deployment Mobilization 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.

(b) TERMINATION.—(1) The authority to provide administrative absence benefits under this section shall not affect the utilization of any day of administrative absence provided a member of the Armed Forces under subsection (b) of section 2651(a) of title 37, United States Code, is considered a congressional earmark for purposes of Rule XXI of the House of Representatives.

(2) An individual serving as a member of the Armed Forces under subsection (b) of section 2651(a) of title 37, United States Code, shall be considered to have satisfied the conditions, eligibility requirements, and limitations of any financial assistance 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.

(c) None of the funds made available in this Act, or any prior Act, may be used to transfer an individual or to transfer the individual's remaining benefits under this Act, or any prior Act, to or from any other country for acceptance of such individual, including the amount of any financial assistance related to such transfer.

IX
OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES
MILITARY PERSONNEL
MILITARY PERSONNEL, ARMY
For an additional amount for "Military Personnel, Army", $10,492,723,000: 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", $979,470,000: 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", $1,865,337,000: 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", $392,537,000: 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.
For an additional amount for ‘‘Operation and Maintenance, Army Reserve’’, $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, ARMY RESERVE

For an additional amount for ‘‘Operation and Maintenance, Navy 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, NAVAL RESERVE

For an additional amount for ‘‘Operation and Maintenance, Air Force Reserve’’, $54,895,000: 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, AIR FORCE RESERVE

For an additional amount for ‘‘Operation and Maintenance, Marine Corps Reserve’’, $2,361,279,000: 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, MARINE CORPS RESERVE

For an additional amount for ‘‘Operation and Maintenance, National Guard’’, $14,636,901,000, to remain available until September 30, 2011: Provided, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: Provided further, That the appropriation that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to the appropriation: Provided further, That the Secretary shall notify the congressional defense committees 15 days prior to such transfer: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority available to the Department of Defense: 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.

OPERATION AND MAINTENANCE, NATIONAL GUARD

For an additional amount for ‘‘Operation and Maintenance, Air Force Reserve’’, $257,572,000: 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, Army 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-TRANSFER FUND (INCLUDING TRANSFER OF FUNDS)

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 obligations incurred before September 30, 2011: 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.

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 or in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: Provided further, That the Secretary of Defense, in consultation with congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the specific use of such contributions. Provided further, That the Secretary of Defense shall,
not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: 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.

**PROCURMENT**

**AIRCRAFT PROCUREMENT, ARMY**

For an additional amount for “Aircraft Procurement, Army”, $1,656,329,000, 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, ARMY**

For an additional amount for “Missile Procurement, Army”, $469,470,000, 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”, $5,635,306,000, 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”, $852,718,000, 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.

**MISSILE PROCUREMENT, NAVY**

For an additional amount for “Missile Procurement, Navy”, $36,625,000, 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**

For an additional amount for “Procurement of Ammunition, Navy”, $101,906,000, 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.

**WEAPONS PROCUREMENT, NAVY**

For an additional amount for “Weapons Procurement, Navy”, $737,700,000, 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”, $698,780,000, 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, NAVY**

For an additional amount for “Other Procurement, Navy”, $540,000,000, 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 Fund**

There is hereby established in the Treasury of the United States the Rapid Acquisition Fund, for the Rapid Acquisition Fund, $80,000,000, to remain available until September 30, 2012: Provided, That such funds shall be available to the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, for the purpose of providing for Joint Urgent Operational Needs: Provided further, That the Secretary of Defense may transfer such funds to appropriations for operation and maintenance; procurement; and research, development, test and evaluation: Provided further, That such funds transferred shall be merged with and shall be available for the same purposes and the same time period as that account to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such funds may be transferred back to this appropriation: Provided further, That the transfer authority provided herein is in addition to any other transfer authority available to the Department of Defense: 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.

**MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND**

There is hereby established in the Treasury of the United States the Mine Resistant Ambush Protected Vehicle Fund, $3,600,000,000, to remain available until September 30, 2011: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, 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 for hereunder: 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 shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: 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.
$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 purpose of providing for the procurement of material, equipment, and services for programs and 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”, $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, AIR FORCE

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, $29,286,000, 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, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, $115,626,000, 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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, $1,155,255,000, 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.

DRUG INTERDICTON AND COUNTER-DRUG ACTIVITIES

(Including transfer of funds)

For an additional amount for “Drug Interdiction and Counter-Drug Activities”, $317,180,000, 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.

JOINT IMPROVED EXPLOSIVE DEVICE DEFEAT COMMAND

(Including transfer of funds)

For an additional amount for “Joint Improvised Explosive Device Defeat Command”, $29,286,000, 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.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “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.

GENERAL PROVISIONS—THIS TITLE

SUC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2010.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $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 such transfer: Provided further, That the Secretary shall report to the Congress all transfers made pursuant to this authority: Provided further, That the amounts in this section 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.

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

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase 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 further, 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 location and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, of the funds provided, $500,000,000 shall not be available for any other purpose.

SUC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to fund the provision of supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stabilization operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. During fiscal year 2010 and from funds in the “Defense Cooperation Account”, as established by 10 U.S.C. 160, the Secretary of Defense may transfer not to exceed $6,500,000 to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the purpose of the Security Forces Fund (as defined in Pub. L. 109–148) for the President’s National Strategy for Afghanistan and Pakistan: Provided, That such amounts shall be available for the purpose of providing support to the government of the Islamic Republic of Afghanistan to enable them to carry out their responsibilities.

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

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

(2) To exercise United States control over an area of international waters.

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

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 2304A of title 18, United States Code.


(3) Sections 1022 and 1003 of the Department of Defense Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9010. Authorization of Appropriations for FY 2009. (a) Fiscal Year 2009 Appropriations.—In recognition and support of the policy of
President Barack Obama to withdraw all United States combat brigades from Iraq by August 31, 2010, and all United States military forces from Iraq on December 31, 2011, Congress of the United States (in consultation with other members of the National Security Council) to prepare a report that identifies troop drawdown status and goals included:

1. A detailed, month-by-month description of the transition of United States military forces and equipment out of Iraq; and

(b) CONTENT OF REPORT.—At a minimum, the Secretary of Defense shall address the following:

1. The Government of Iraq is assuming the responsibility for reconciliation initiatives as the mission of the United States Armed Forces transitions.
2. How the drawdown of military forces complies with the President’s planned withdrawal of combat brigades by August 31, 2010, and all United States forces by December 31, 2011.
3. The roles and responsibilities of remaining contractors in Iraq as the United States mission evolves, including the anticipated number of United States contractors to remain in Iraq after August 31, 2010, and December 31, 2011.
4. Submission.—

1. 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 103, line 3, strike "$15,000,000" and insert "$12,000,000".
Page 113, after line 15, insert the following new section:

Sec. 121A. None of the funds appropriated or otherwise made available in this Act may be used for operation and maintenance of United States Armed Forces transitions.

Sec. 121B. None of the funds appropriated or otherwise made available in this Act may be used for operation, maintenance, and protection of United States Armed Forces transitions.
The Acting CHAIR. 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."
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 what we have to do about it. The President is hard on this issue. We need 66 votes in the Senate, and there is no chance of us getting that kind of a vote.

So I 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 what we have to do about it. The President is hard on this issue. We need 66 votes in the Senate, and there is no chance of us getting that kind of a vote.

So what I’m trying to do is make sure that that is robustly funded, the ones that are there, because the very thing Mr. YOUNG mentioned, the fact that these airplanes have high maintenance, they cost about $50,000 an hour to maintain, and it’s very expensive and very heavy. So I want to make sure they have the spare parts they need, the engines they need in order so the ones we have, have what they need.

With that, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield now to a very distinguished member of the subcommittee, the gentleman from New Jersey (Mr. Frelinghuysen) for 3 minutes.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

I arise in opposition to the amendment authored by our chairman. I don’t quarrel with many of the provisions of the Murtha amendment. He’s absolutely right on in most regards. But, Mr. Chairman, I ask my colleagues to remember one day, April 15, 1953. On that date is the last time a U.S. soldier, sailor or marine was killed by an attack from the air. It’s nearly 60 years ago, during the Korean War.

Air dominance has been the game changer that has allowed our ground troops to execute their missions. We have air dominance today. Our job here is to make sure we have it tomorrow, and certainly the committee is going to do that. But air dominance is fragile and could slip away quickly. As we gather here today, the Russians are producing advanced fighter aircraft. We can’t afford the F–22 because we apparently are working to reverse engineer some of those advanced fighters for their own use, and we know which countries are producing and selling very sophisticated air defense systems; more accurate, mobile, more difficult to neutralize than any systems our Air Force and Navy has ever faced. Hence, the need for the F–22.

The Air Force has 187 F–22 Raptors. It does not have 187 for combat deployment. We would like that to be the case. About 130 or so are ready, what we call combat coded with the full package, and they’re ready for those missions. Approximately 60 are maintained, as I understand, for training and testing purposes.

And the question, of course, arises—and I support the F–25 Joint Strike Fighter. It’s on its way, but when and how soon. The Joint Strike Fighter, as you’re aware, doesn’t have those capabilities. I think we need to keep the F–22 assembly line alive and warm. Once it’s shut down, there is virtually no prospect that we can bring it back again. You can’t flip the switch to bring the Raptor back into production.

And 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 Pennsylvania.

I wanted to speak about the F–22 issue because, as we know, the Senate has a minimum of 187 F–22s. Currently, the military inventory is 3,500 fighter aircraft. That’s 2,400 for the Air Force, 1,100 for the Navy and the Marine Corps. Most of these aircraft were purchased at high annual rates of production. 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 50 A–10s with an average of 28 years, 470 F–15s 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 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. The F–35 Js, Joint Strike Fighters. The reason they’re doing this is to have 125 carriers with an average age of 14 years each, 630 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 sides care about it. Whether you’re for or against this amendment, but I think that at this time we need to go on this very cautiously and very slowly.

I appreciate the chairman’s 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 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 maximum that the Russians can do. That’s why 381 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 affirmative 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 6 of rule 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 audits 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 fund these. These funds ought to come out of hide. It’s important 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 in place, 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 Clerk will designate the amendment.

The text of the amendment is as follows:

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

Page 55, line 2, after the dollar amount, insert the following: “(reduced 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 the proposal 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 House 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 open and 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 requests 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 Acting CHAIR. The gentleman from Arizona will be recognized for 1 1⁄2 minutes.

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

The Acting CHAIR. The gentleman from Arizona has 1 1⁄2 minutes remaining.

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

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

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?

I yield the gentleman time to respond.

Mr. MURTHA. I will use my own time.

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

The Acting CHAIR. The gentleman from Arizona has 1 1⁄2 minutes remaining.

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

Mr. MURTHA. I have the right to close the speech that 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 stories 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 a letter; the Members represent the States 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 say that we should fund this programmatic request, which is really a stealth earmark, and get back to the process that we at least pretend to follow here, where we have disclosure and accountability. I would urge support for my 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 Department of Defense.

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 Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, we are very familiar with this opportunity for you to recognize me.

Mr. SESSIONS. Mr. Chairman, I thank you very much, and I appreciate the opportunity for you to recognize me.

Mr. YOUNG of Florida. Mr. Chairman, would the gentleman yield?

Mr. SESSIONS. I would yield to the gentleman.

Mr. YOUNG of Florida. 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. Chairman, 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 our United States win the war on terror.

I want to personally thank not only the gentleman, Mr. YOUNG, and the
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 Acting CHAIR. 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 in its 2007 Program Objectives Memorandum 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 is now a non-mission 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. 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 articles 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. TIERNEY. 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 the way to do it. The money that has been already spent will be 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 not an effective way to proceed on this matter.

There may be some argument by some here—and we will never know 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, 2007, that 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 $5.9 billion, and 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 2018 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 not an effective 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 it, benchmarks of some sort 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, and we will see what we can work out. The program has already spent $1 billion, and we ought to get something out of it.

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

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

The question was taken; and the Act-
ing CHAIR announced that the nos ap-
ppeared to have it.

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

The Acting CHAIR. The amendment is printed in part B of House Report 111-233.

PART B AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 1 in part B.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. FLAKE:

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 Enhanced Navy Shore Readiness Integration.
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 support of 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 didn’t think 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 in-situations, 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 question has anything named after me. 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.

The Acting CHAIR. The Clerk will designate 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. 1. 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, the 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 shoved it on through and it’s a unanimous vote. If you want to get through, it is.

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 from the funding of 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 disingenuous, that people who have heard 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 bills.

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 procurement 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
Mr. FLAKE. Mr. Chairman, 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. But if it's in the bill, 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 Concurrenient 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 noses 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. 1. None of the funds provided in this Act shall be available for Body Armor Improved Ballistic Protection, Research and Development.

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. FLAKE. Mr. Chairman, again, here we have the same pattern of circular fund-raising. Again, I am not alleging any illegal activity here. This is legal. It is unfortunate, but it is legal Members to say to their constituents that they have no financial interest in the earmark. But our same Ethics Committee issues guidance to the Members saying campaign contributions do not necessarily reflect or constituted financial interest.

That, I would submit, Mr. Chairman, is the wrong approach, and we are going to continue to see story after story where earmark recipients simply don't have the capability or the inclination to deliver on the product that they said they would deliver on, and yet they still continue, even in this environment with investigations swirling around all over, to receive these same earmarks.

By now, my colleagues are familiar with the PMA scandal that has plagued this body for months. There is an investigation, at least they are looking into it, we are told, by our own Ethics Committee here.

I am unconvinced that the PMA scandal will be the last scandal we see in this body. I am convinced that there will be earmarks that we approve today that later investigation will determine were not aboveboard, that these companies receiving these earmarks simply weren't delivering, because we have seen that again and again and again, and yet we go through this same process as if nothing were amiss.

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, you talk about old awards. KDH was awarded on July 14, 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. I don't know how often you come to the place. 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 under very specific guidelines set by the government.

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR. The Chair would remind Members to address their remarks in debate to the Chair.

Mr. MURTHA. You are absolutely right. I am sorry, Mr. Chairman.

Mr. Chairman, I want you to know that when I go to visit these plants and I see these people working, whose sons and daughters are fighting, they know how important these vests are. They know that the important work that they do is for the Defense Department. I remember 20 years ago when I bought defense companies into my district and I had 24 percent unemployment. We didn't have the specifications. We didn't have any small business that could do the work. We didn't get any awards. Once we learned the ISOs, once we were able to perfect it, once we were able to compete—the people of my district are hardworking—we got the unemployment down to below the national level and diversified the economy.

All I can do is bring people in. I can't direct them where to do the business of the Defense Department. They do it on their own. They are the ones that award the contracts. I visit those plants and I see those hardworking people. I see what they do for this great country. Not only the troops serving in Iraq and Afghanistan, but the public who work in these defense companies. So everything they can to help this great country.

We put money into the budget. We have an obligation to take care of our district. We have an obligation to take care of this great country. And the people working in my district work hard. I visit these plants and these bases all the time. I visit the troops and I ask them, What are your biggest problems? The biggest problem is employment. Our biggest problem is the fact that the vests are too heavy for Afghanistan. They are working on trying to get vests that aren't so heavy.

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 wounded 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 backmark 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 appreciate 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 doesn't come out of the 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 KNOWLEDGEABLE
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 KNOWLEDGEABLE
At the end of the bill (before 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.

The Acting CHAIR. Pursuant to House Resolution 683, 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 a little to what the chairman of the Defense 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 not 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 know enough about what 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.

From the previous amendment. Mr. Chairman, would remove $3 million from funding for a Gulf Range Mobile Instrumentation Capability project. Again, I am here not knowing the specifics of the technology here, but I would submit that there are people in the Defense Department that perhaps might know better than some Members. And in this case, I would think that the chairman of the Defense Sub-committee would concede that we shouldn't be giving money to companies that 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 are partly owned by the family of the CEO, and ProLogic pays the CEO a 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 demanded allegations of wrongdoing and the status of the investigation is currently unknown.
But here we have a company that presses 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 giving the 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 Chairman. 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 Eglint Range. The Air Force and the Navy use the eastern part of the Gulf of Mexico for just tremendous amounts of training.

Members 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. I think the interesting thing here is, I think, if Mr. FLAKE were a member of the Armed Services 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 the members of the committees 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 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, so the Defense 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 Defense Department has to compete it.

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 whether it was about because they keep these investigations pretty secret.

But 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 company is using 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 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 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. I come to Eglint 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 Eglint 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 Eglint range remains one of the only locations to test these weapons over its enormous land and water area. The instrumentation shortfalls can and should be addressed. This project will provide 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 expand our test capabilities. Other 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 Eglint range. The 46th Test Wing completed testing last year on the small diameter
The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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 would correct 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 that it’s to a company 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. 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. That’s not included in 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 $152,000 to the Secretary of Defense, and the Department entity, continues to be a target for a for-profit entity, it shall be awarded to a for-profit entity, it shall be awarded under full and open competition, that when there is an earmark provided, that when there is an earmark provided, that when there is an earmark provided that 552 of those earmarks are no-bid contracts to private companies like this one.

I reserve the balance of my time.

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

Mr. FLAKE. I yield back.

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. 432 offered by Mr. FLAKE:

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 610. None of the funds provided in this Act shall be available for an Ultra Low Profile EARS Gunshot Localization System.

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. 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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Again, 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’s campaign committee.

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

I reserve the balance of my time.

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

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.

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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 would correct 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 that it’s to a company 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.

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I reserve the balance of my time.

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

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.
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 importantly 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 gunshots are coming from, how far away, and how many snipers there are. And it's worked exceptionally well.

What Mr. Moran does with this 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 to 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 it 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 3 years, why we had to earmark it this year.

The gentleman made the point that's been made again, that these have to be subject to fair and open competition. Let me say again, the Defense Department has said that all along. For years they've said the same thing. We subject these earmarks to full and open competition. But that doesn't stop Members of Congress. As soon as this bill is passed, not only will we subject these earmarks to full and open competition, but that doesn't stop Members of Congress. As soon as this bill is passed today, there will be a flurry of press releases. I guarantee it, where Members will say, I was successful in securing funding for this particular program. And if it's open to competition, how do you know that you've secured funding?

Let me just read from a couple of the press releases in the past:

I was pleased to secure funding to assist these small businesses in Prince George's County working on projects that will benefit our Nation's military and the safety of our troops.

That was somebody who knows the process pretty well. It's the majority leader. He put out a press release as soon as legislation was passed, not waiting for the competition that supposedly comes when the project gets to the Defense Department. And like I said, I'll see a round of those same press releases: I was able to secure funds, because Members know, with uncanny precision, 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 of Virginia. May I inquire how much time I have, Mr. Chairman?

The Acting CHAIR. The gentleman has 2 minutes.

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, I've never made a press announcement about this. In fact, truth be known, I haven't talked to Mr. Friedman 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. Friedman 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 this does and the reason we put many of these earmarks in is that it adds a new level of expertise at the Department of Defense, experts at the Department of Defense.

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 panel of 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 ought to want to have a higher standard here. We ought to say, you know, maybe we don’t know exactly the kind of missile systems that ought to be used. We ought to leave that to those with a little more expertise. I would think, would want to have a higher standard here. We ought 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 the contracts, there’s 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 rise in opposition.

Mr. FLAKE. Mr. Chairman, again, I would 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 the contracts, there’s 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 rise in opposition.

Mr. FLAKE. Mr. Chairman, again, I would say we can no longer afford to award 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 contracts 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. If they are a little reluctant to say 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:

“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.’’

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 $97.5 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 constituents. It’s $97.5 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 $1 trips that we sent the troops 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 that we have is 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 per cent unemployment, and we couldn’t get any business out. I know that 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 isCertainly none of the companies that 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. 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. 449 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I demand 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. 107. 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 system 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 defense contract. 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 this 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 providing no-bid contracts to private 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 own.

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 program 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 Bury hit 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 direction 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 body armor—it was not 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 work that they do, they have American flags there. 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

Sect. ____ 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 Electronics</td>
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<td>DPA</td>
<td>Low Cost Military Global Positioning System (GPS) Receiver</td>
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<td>OM,AF</td>
<td>Joint Aircrew Combined System Test Set (JCAST)</td>
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<td>Ft. Bragg Range 74 Combined Arms Collective Training Facility</td>
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<td>Laser MarksmanShip Training System</td>
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<td>RDTE,A</td>
<td>Advanced Composite Armor for Force Protection</td>
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<td>Account</td>
<td>Project</td>
<td>Amount</td>
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<td>RDTE,A</td>
<td>Advanced Composite Research for Vehicles</td>
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<td>AN/AI621 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>Effects Based Operations Decision Support Services.</td>
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<td>RDTE,A</td>
<td>Fire Shield</td>
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<td>Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model.</td>
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<td>Heavy Fuel Engine for Unmanned Systems.</td>
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<td>Javelin Warhead Improvement Program.</td>
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<td>RDTE,A</td>
<td>Rapid Response Force Projection Systems.</td>
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<td>Reduced Maneuver Situational Awareness.</td>
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<td>RDTE,A</td>
<td>Remote Bio-Medical Detector.</td>
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<td>Universal Control.</td>
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<td>Advanced Modular Avionics for Operationally Responsive Satellite Use.</td>
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<td>RDTE,AF</td>
<td>Cyber Attack and Security Environment.</td>
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<td>Demonstration and Validation of Renewable Energy Technology.</td>
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<td>RDTE,AF</td>
<td>Long-Looper, Load Bearing Antenna Platform for Periscopic Vehicleborne Intelligence.</td>
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<td>RDTE,AF</td>
<td>Rivet Joint Services Oriented Architecture.</td>
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<td>Senior Scout Communications Intelligence (COMINT) Capability Upgrade.</td>
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<td>Gulf Range Mobile Instrumentation Capability.</td>
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<td>Hand-held, Leather Small Unmanned Aircraft System.</td>
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<td>Low Cost Stabilized Turret.</td>
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<td>RDTE,AF</td>
<td>Ultra Low Profile EAR System.</td>
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<td>RDTE,AF</td>
<td>United States Special Operations Command-Joint Task Force Radio System.</td>
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<td>RDTE,AF</td>
<td>Mosaic Camera Technology Transition.</td>
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<td>Gulf Range Mobile Instrumentation Capability.</td>
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<td>Air Readiness/Effectiveness Measurement Program.</td>
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<td>High Density Power Conversion and Distribution Equipment.</td>
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<td>Hybrid Propulsion/Power Generation for Increased Fuel Efficiency for Surface Combatants.</td>
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<td>RDTE,N</td>
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<td>Integrated Condition Assessment and Reliability Engineering.</td>
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<td>Joint Tactical Radio System Handheld Manpack Small Form Factor Radio System.</td>
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<td>RDTE,N</td>
<td>Management of Lung Injury by Micro-nutrients.</td>
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<td>Micro-Drive for Future HVAC Systems.</td>
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<td>Military Upset Recovery Training.</td>
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<td>RDTE,N</td>
<td>Modular Advanced Vision System.</td>
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<td>Navy Advanced Threat Simulator.</td>
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<td>Next Generation Electronic Warfare Simulator.</td>
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<tr>
<td>RDTE,N</td>
<td>Persistent Surveillance Wave Powerbuoy System.</td>
<td>$2,000,000</td>
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</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 chair 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. The gentleman from Arizona will be recognized for 5 minutes.

Mr. FLAKE. Mr. Chairman, I offer an amendment, in the nature of a substitute, to the bill, in the Report of the Committee on Appropriations, for the fiscal year 2010, for military construction and veterans affairs, and for the Department of Housing and Urban Development, and other agencies, in the Senate, at page 269.

Mr. FLAKE. Mr. Chairman, I demand recognition.

The Acting CHAIR. The question was taken; and the Acting Chairman announced the result of the vote upon the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

EN BLOC AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an en bloc amendment made in order under the rule.
Secure Multi-Party Computation.

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 an Advanced Air Force Reserve KC–135 Podded Infrared Countermeasures Systems.

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 Reserve Alert System.

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 Universal Avionics Recorder Wireless Flight Download Data.

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 a Flexible Structures Transformation Initiative-Steel to Titanium.

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 High Performance Thermal Battery Infrastructure 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 High-Performance Global Positioning System Receiver.

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 a Low Cost Military Global Positioning System (GPS) Receiver.

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 a Common Logistics Operating System.
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 the Fort Benning National Incident Management System Compliant Installation Operations Center.

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 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 a Modular Command Post Tent.

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 Secure Remote Monitoring Systems.

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 Joint Interoperability Trainers.

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 Network Infrastructure.

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 Multi-Jurisdictional Siege-Rescue Operations.

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 Joint Mission Support Centers.

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 Multi-Jurisdictional Counter-Drug Task Force Training.

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 Operational/Technical Training Validation for Joint Maneuver Forces at Fort Bliss.

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 an 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 a Forward Air Control System.

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 Hydroacoustic Low Frequency Source Generation Systems.

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 an Enhanced Detection Adjunct Processor.

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 an Army National Guard SFOR-Mission Support Program.

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 an Army National Guard SFOR-Mission Support Program.

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 One AF/One Network Infrastructure.

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 an Adaptive Diagnostics Portable Testset.

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 Multi-Jurisdictional Counter-Drug Task Force Training.
At the end of the bill (before 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 Ft. Bragg Range 74 Combined Arms Collective Training Facility.

**AMENDMENT NO. 56**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for the ATIS Maintenance and Enhancement Program.

**AMENDMENT NO. 69**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Ultra Lightweight Camouflage Net System (ULCANS).

**AMENDMENT NO. 70**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Flame Resistant High Performance Apparel.

**AMENDMENT NO. 72**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Special Operations Forces Modular Glove System.

**AMENDMENT NO. 74**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a WMD Multi-Sensor Response and Infrastructure Project System.

**AMENDMENT NO. 75**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Advanced Tactical Laser Flashlight.

**AMENDMENT NO. 76**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Laser Marksman Training System.

**AMENDMENT NO. 77**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. 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:

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Aluminum Armor Project.

**AMENDMENT NO. 80**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for an Aircrew Body Armor and Load Carriage Vest System.

**AMENDMENT NO. 83**

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

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**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for a Laser Marksman Training System.

**AMENDMENT NO. 86**

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

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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 an Advanced Phosphate Battery System for Packaging Materials for Combat Rations.
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 an Advanced Lithium Ion Phosphate Battery System for Army Combat Hybrid HMMWV and Other Army Vehicle Platforms.
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 Lightweight Gunner Protection Kit for Lightweight MRAP Vehicle.
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 Ground EW and Signals Intelligence System.
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 Composite Research for Vehicles.
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 Composite Ammunition Magazine/Mount System.
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 an Advanced Carbon Hybrid Battery for Hybrid Electric Vehicles.
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 an Advanced Field Artillery Tactical Data 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 an Advanced Digital Hydraulic Drive System.
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 an Acid Alkaline Direct Methanol Fuel Cell.
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 an Enhanced Laser Guided Training Round.
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 an Acid Alkaline Direct Methanol Fuel Cell.
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 Special Operations Forces Combat Assault Rifle.
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 a Special Operations Forces Combat Assault Rifle.
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 a Special Operations Forces Combat Assault Rifle.
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 a Special Operations Forces Combat Assault Rifle.
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 a Special Operations Forces Combat Assault Rifle.
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 Special Operations Forces Combat Assault Rifle.
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 Cadmium Blacklight UAV Development.

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 Buster/Situational Awareness Sensor.

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 Ballistic Armor Research.

AMENDMENT NO. 118
At the end of the bill (before 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. 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 Breast Cancer Medical Information Network Decision Support.

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 Brownout Situational 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 Buster/Blacklight UAV Development.

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 Cadmium Emissions Reduction-Letterkenny Army Depot.

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 Capabilities Expansion of Spinel Transparent Armor Manufacturing.

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 a Combat Medic Trainer.

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 Conversion of Municipal Solid Waste to Renewable Diesel Fuel.

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 Cyber Threat Analytics.

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 for a Chronic Tinnitus Treatment Program.

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 for Primary Packaging.

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 for a Combat Medic Trainer.

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 Contingency Mobile Radio.

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 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 a Combat Medic Trainer.

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 Compact Biothreat Rapid Analysis Concept.
TITLE X—ADDITIONAL GENERAL PROVISIONS

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 a Dual Stage Reduction Program.

SEC. ___. None of the funds provided in this Act shall be available for a Drive System Silver Wound Dressing-Phase II.

AMENDMENT NO. 146
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Diabetes Care in the Military.

AMENDMENT NO. 147
At the end of the bill (before 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. 148
At the end of the bill (before 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 Drive System Composite Structural Component Risk Reduction Program.

AMENDMENT NO. 149
At the end of the bill (before 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 Dual Stage Variable Energy Absorber.

AMENDMENT NO. 150
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Effects Based Operations Decision Support Services.

AMENDMENT NO. 151
At the end of the bill (before 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 Electric All Terrain Ultra Light Vehicle for the Minnesota National Guard.

AMENDMENT NO. 152
At the end of the bill (before 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 Enabling Optimization of Reactive Armor.

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 Field Standoff Fusion Detection of CBE Threats.

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 Enhanced the Commercial Joint Mapping Toolkit to Support Tactical Military Operations.

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 Environmentally Intelligent Moisture and Corrosion Control for Concrete.

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 Fully Burdened Cost of Fuel and Alternative Energy Methodology and Conceptual Model.

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 Geospatial Airship Research Platform.

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 FOI Bearing Supported UAV Engine.

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 Flu Vaccine.

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 Fused Silica for Large-Format Transparent Armor.

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 a Headborne Energy Analysis and Diagnostic System.

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 a High Strength Glass Production and Qualification for Armor Applications.

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 a Headborne Energy Analysis and Diagnostic 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 a Headborne Energy Analysis and Diagnostic 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 High Strength Glass Production and Qualification for Armor Applications.
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 High-Volume Manufacturing Development for Thin-film Lithium Stack Battery Technologies.

**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 an Integrated Family of Test Equipment V6 Product Improvement Program.

**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 a Lens-Less Dual-Mode Micro Seeker for Medium-Caliber Guided Projectiles.

**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 Improved Thermal Batteries for Guided Munitions.

**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 Intensive Quenching for Advanced Weapon Systems.

**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 Intensive Quenching for Advanced Weapon Systems.

**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 Lightweight Metal Alloy Foam for Armor.

**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 Lightweight Parts for Military Applications.

**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 Lightweight Magnesium Parts for Military Applications.

**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 Inter Turbine Burner for Turbo Shaft Engines.

**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 Lightweight Facial Fingerprinting.

**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 Improved Human Organ and Tissue Preservation Technology.

**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 Fires and Effects Trainer System Enhancements.

**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 Li-Ion Battery.
At the end of the bill (before 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 Medical Bio-surveillance and Efficiency Program.

**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 Lightweight Packing System for Enhancing Combat Munitions Logistics.

**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 Lightweight Protective Roofing.

**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 Lightweight Polymer Designs for Soldier Combat Optics.

**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 Medium Caliber Metal Parts Upgrade.

**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 Micro Inertial Navigation Unit Technology.

**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 Micro-machined Switches in Support of Transformational Communications Architecture.

**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 Mid-Infrared Super Continuum Laser.

**AMENDMENT NO. 210**

At the end of the bill (before 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 Military Drug Management Center.

**AMENDMENT NO. 211**

At the end of the bill (before 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 Integraded Diagnostic and Data Analysis.

**AMENDMENT NO. 212**

At the end of the bill (before 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. 213**

At the end of the bill (before 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 Model for Green Laboratories and Clean Rooms.

**AMENDMENT NO. 214**

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

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ___. None of the funds provided in this Act shall be available for Green Technology Fuze.

**AMENDMENT NO. 215**

At the end of the bill (before 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 Model for Multi-layer Co-extrusion for High Performance Packaging.

**AMENDMENT NO. 216**

At the end of the bill (before 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. 217**

At the end of the bill (before 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. 218**

At the end of the bill (before 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. 219**

At the end of the bill (before 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. 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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**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 Multi-layer Co-extrusion for High Performance Packaging.

**AMENDMENT NO. 229**
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 230. 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. ___. None of the funds provided in this Act shall be available for a Next Generation Green, Economical and Automated Production of Composite Structures for Aerospace.

AMENDMENT NO. 231

At the end of the bill (before 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 Wearable Video Capture System.

AMENDMENT NO. 232

At the end of the bill (before 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-Leaching Antimicrobial Surface for Orthopedic Devices.

AMENDMENT NO. 234

At the end of the bill (before 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 OMNI Active Vibration Control System.

AMENDMENT NO. 236

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Optimization of the US Army Topographic Data Management Enterprise.

AMENDMENT NO. 237

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Optimizing Natural Language Processing of Open Source Intelligence.

AMENDMENT NO. 238

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Pacific Command Renewable Energy Security Systems.

AMENDMENT NO. 239

At the end of the bill (before 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 Personal Miniature Thermal Viewer.

AMENDMENT NO. 240

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Polymeric Web Run-Flat Tire Inserts for Convoy Protection.

AMENDMENT NO. 242

At the end of the bill (before 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 Fuel Cell Power Source.

AMENDMENT NO. 244

At the end of the bill (before 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 Plasma Sterilizer.

AMENDMENT NO. 246

At the end of the bill (before 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 Night Vision and Electronic Sensors Directorate.

AMENDMENT NO. 248

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Rapid Response Force Projection Systems.

AMENDMENT NO. 250

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Power Efficient Microelectronics Development for US Army Night Vision.

AMENDMENT NO. 252

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Precision Guidance Kit Technology Development.

AMENDMENT NO. 254

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Precision Guided Airdropped Equipment.

AMENDMENT NO. 256

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Recovery, Reuse of DOE Metals for DoD 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 Reactive Casting Modeling for Rapid Production of Critical Defense Components.

AMENDMENT NO. 260

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Printed and Conformal Electronics for Military Applications.

AMENDMENT NO. 262

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Rare Earth Mining Separation and Metal Production.

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 Printed and Conformal Electronics for Military Applications.

AMENDMENT NO. 266

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

TITLE X—ADDITIONAL GENERAL PROVISIONS
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Reduced Man-
ing Situational Awareness.

AMENDMENT NO. 259
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Manta Unmanned Aerial Systems.

AMENDMENT NO. 260
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Silver Fox and Manta Unmanned Aerial Systems.

AMENDMENT NO. 261
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ___. None of the funds provided in this Act shall be available for Scalable Efficient Power for Armament Systems and Vehicles Dual Use.

AMENDMENT NO. 262
At the end of the bill (before 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 Biomedical Detector.

AMENDMENT NO. 263
At the end of the bill (before 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 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—105mm.

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 Tire to Track Transformer System for Light Vehicles.

AMENDMENT NO. 267
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 268
At the end of the bill (before 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 Machine Platform Initiative.

AMENDMENT NO. 269
At the end of the bill (before 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. 270
At the end of the bill (before 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 Surveillance generation System.

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 Telepharmacy Robotic Medicine Device Unit.

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 SHARK Firearm for Microcannon.

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 Tire to Track Transformer System for Light Vehicles.

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 Standard Ground Station—Enhancement Program.

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 Talon Platform Initiative.

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 Remote Biomedical Detector.

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 Combined Vision.

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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 279
At the end of the bill (before 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. 280
At the end of the bill (before 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 Surveillance generation System.

AMENDMENT NO. 281
At the end of the bill (before 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 Telepharmacy Robotic Medicine Device Unit.

AMENDMENT NO. 282
At the end of the bill (before 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 Firearm for Microcannon.

AMENDMENT NO. 283
At the end of the bill (before 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. 284
At the end of the bill (before 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 Combined Vision.

AMENDMENT NO. 285
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 286
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 287
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 288
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 289
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 290
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 291
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 292
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 293
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 294
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 295
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 296
At the end of the bill (before 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 Surveillance Augmentation Vehicle.

AMENDMENT NO. 297
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. ___. None of the funds provided in this Act shall be available for VTOL Man-

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for a Big Anten-

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for Wireless HUMS for Condition Based Maintenance of Army Helicopters.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for Wireless Medical Monitors.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for Advanced Non-Tactical Vehicle.

**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 Universal Control.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for an Unmanned Robotic System Utilizing a Hydrocarbon Fueled Solid Oxide Fuel Cell System.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for an Advanced Electromagnetic Location of IEDs Defeat System.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for Advanced Deformable Mirrors for High Energy Laser Weapons.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for B-1 AESA Radar Operational Utility Evaluation.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for AT-6B Demonstration for ANG.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for Ballistic Missile Technology.

**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 a BATMAV Program Miniature Digital Data Link.

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

Sec. ___. None of the funds provided in this Act shall be available for a Big Antennas Small Structures Efficient Tactical UAV.
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 Command and Control Service Level Management (C2SLM) Program.

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 Efficient Mission Interoperability Toolkit (DMIT).

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 a Distributed Space Applications.

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 Development and Testing of Advanced Hybrid Rockets for Space Applications.

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 a Cyber Attack and Security Environment.

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 Corrosion Detection and Visualization 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 Florida National Guard Total Force Integration.

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 Gallium Nitride (GaN) Microelectronics and Materials.

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 GAPS/AWS Horizontal Integration.

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 Hybrid Nanoparticle-based Coolant Technology Development and Manufacturing.

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 an Integrated Engine Starter/Generator.

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 Micro-machined Switches for Next Generation Modular Satellites.

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 Laser Peening for Friction Stir Welded Aerospace Structures.

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 Micro-machined Switches for Next Generation Modular Satellites.

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 a Laser Peening for Friction Stir Welded Aerospace Structures.

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 Low-Defect Density Gallium Nitride Materials for High-Performance Electronic Devices.

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 a High Pressure Pure Air Generator System.

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 Body Armor Improved Ballistic Protection, Research and Development.
This Act shall be available for Senior Scout Services Oriented Architecture.

This Act shall be available for Rivet Joint Reconfigurable Secure Computing.

This Act shall be available for Nanocomposites for Aerospace Applications.

This Act shall be available for Production of Power Military Laser Applications.

Lightwave Circuit Development for High Performance Order Modernization Environment.

This Act shall be available for Open Source Engagement Against a Common Ground Object.

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

This Act shall be available for Multiple UAS Cooperative Concentrated Observation and Coordination.

This Act shall be available for a Small Turboprop Versatile Affordable Advanced Turbine Engine Program.

This Act shall be available for Technical Order Modernization Environment.

This Act shall be available for an Affordable Robust Mid-Sized Unmanned Ground Vehicle.

This Act shall be available for the AESA Technology Insertion Program.

This Act shall be available for Autonomous Control and Video Sensing for Robots.

This Act shall be available for Autonomous Machine Vision for Mapping and Investigation of Remote Sites.

This Act shall be available for Battle-Proven Packbot.

This Act shall be available for a Biometric Optical Surveillance System.

This Act shall be available for Botulinum Neurotoxin Research.

This Act shall be available for AELED IED/WMD Electronic Signature Detection.

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

This Act shall be available for Botulinum Toxin Treatment Therapy.
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 a Carbon Nanotube Thin Film Near Infrared Detector.

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 California 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 Chemical and Biological Resistance Clothing.

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 Chemical and Biological Threat Reduction Coating.

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 Flashlight Soldier-to-Soldier Combat Identification System.

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 Integrated Analysis Environment.

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 Mobile Mapping and Expedited Reporting.

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 DLA VetBiz Initiative for National Sustainment.

AMENDMENT NO. 380
At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds provided in this Act shall be available for Fleetwide Net Centric Airborne Surveillance, and Reconnaissance Global Sensors Architecture (ISR–GSA).

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 Geographic Positioning System.

AMENDMENT NO. 382
At the end of the bill (before 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. 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 Integrated Rugged Checkpoint Container.

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 a GMTI Radar for Class II UAVs.

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 Improving Support to the Warfighter.

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 Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture (ISR–GSA).

AMENDMENT NO. 387
At the end of the bill (before 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. 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 an Integrated Network Switching and Security.

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 Distributed Network Switching and Security.

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 Broad Spectrum Therapeutic Countermeasure to OP Nerve Agents.

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 a GMTI Radar for End to End Semi Fab Alpha Tool.

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 a Carbon Plastics Program.

AMENDMENT NO. 393
At the end of the bill (before 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. 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 GMTI Radar for Class II UAVs.

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. 396
At the end of the bill (before 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. 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 Intelligence, Surveillance, and Reconnaissance Global Sensors Architecture (ISR–GSA).

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 Network Switching and Security.

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 Broad Spectrum Therapeutic Countermeasure to OP Nerve Agents.

AMENDMENT NO. 400
At the end of the bill (before the short title), insert the following:
TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 419. None of the funds provided in this Act shall be available for Joint Gulf Range Complex Test and Training.

AMENDMENT NO. 591

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 591. None of the funds provided in this Act shall be available for Joint Services Aircrew Mask Don/Dooff Inflight Upgrade.

AMENDMENT NO. 692

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 692. None of the funds provided in this Act shall be available for Missile Activ- ity and Characteristics—Releasable.

AMENDMENT NO. 793

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 793. None of the funds provided in this Act shall be available for Miniature Day Sight for Crew Served Weapons.

AMENDMENT NO. 894

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 894. None of the funds provided in this Act shall be available for Real-Time Sensing of Weaponized Pathogens.

AMENDMENT NO. 995

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 995. None of the funds provided in this Act shall be available for MEMS Sensors for Real-Time Sensing of Weaponized Pathogens.

AMENDMENT NO. 1096

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1096. None of the funds provided in this Act shall be available for Secure, Miniaturized, Hybrid, Free Space, Optical Communications.

AMENDMENT NO. 1197

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1197. None of the funds provided in this Act shall be available for a Radio Inter- Operability System.

AMENDMENT NO. 1298

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1298. None of the funds provided in this Act shall be available for a Low Cost Stabilized Turret.

AMENDMENT NO. 1399

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1399. None of the funds provided in this Act shall be available for a Low Cost Mobile Continuous Air Monitor.

AMENDMENT NO. 1410

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1410. None of the funds provided in this Act shall be available for a Multi-target Shipping Container Interrogation System Mobile Continuous Air Monitor.

AMENDMENT NO. 1511

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1511. None of the funds provided in this Act shall be available for a Regenerative Filtration System for CBRN Defense.

AMENDMENT NO. 1612

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1612. None of the funds provided in this Act shall be available for a Portable De- vice for Latent Fingerprint Identification.

AMENDMENT NO. 1713

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1713. None of the funds provided in this Act shall be available for a Rigid Aeroshell Variable Bouyancy Air Vehicle.

AMENDMENT NO. 1814

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1814. None of the funds provided in this Act shall be available for a Science, Technology, Engineering and Mathematics (STEM) Initiative.

AMENDMENT NO. 1915

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 1915. None of the funds provided in this Act shall be available for a Sea Catcher UAV Launch and Recovery System.

AMENDMENT NO. 2016

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2016. None of the funds provided in this Act shall be available for a Radio Inter- Operability System.

AMENDMENT NO. 2117

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2117. None of the funds provided in this Act shall be available for a Self-decon-taminating Polymer System for Chemical and Biological Warfare Agents.

AMENDMENT NO. 2218

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2218. None of the funds provided in this Act shall be available for a Tactical, Cargo, and Rotary Wing Aircraft Decon.

AMENDMENT NO. 2319

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2319. None of the funds provided in this Act shall be available for a Wireless Control Sensors.

AMENDMENT NO. 2420

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2420. None of the funds provided in this Act shall be available for Reduced Cost Supply Readiness.

AMENDMENT NO. 2521

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2521. None of the funds provided in this Act shall be available for Secure, Miniaturized Hybrid, Free Space, Optical Communications.

AMENDMENT NO. 2622

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2622. None of the funds provided in this Act shall be available for Secure, Miniaturized Hybrid, Free Space, Optical Communications.

AMENDMENT NO. 2723

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 2723. None of the funds provided in this Act shall be available for Secure, Miniaturized Hybrid, Free Space, Optical Communications.
At the end of the bill (before 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 Thermal 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. ... None of the funds provided in this Act shall be available for Total Perimeter Surveillance System.

AMENDMENT NO. 451

At the end of the bill (before 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 Unified Management Infrastructure System.

AMENDMENT NO. 432

At the end of the bill (before 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 Under-Vehicle Inspection System.

AMENDMENT NO. 434

At the end of the bill (before 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 Anti-Submarine Warfare Vertical Beam Array Sonar.

AMENDMENT NO. 435

At the end of the bill (before 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 Fuel Filtration System.

AMENDMENT NO. 445

At the end of the bill (before 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 Bow Lifting Body Project.

AMENDMENT NO. 446

At the end of the bill (before 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 Common Command and Control System Module.

AMENDMENT NO. 447

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

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ... None of the funds provided in this Act shall be available for Digital Sensor Architecture.

AMENDMENT NO. 448

At the end of the bill (before 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 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 Continuous Active Sonar for Torpedo DCL Systems.

**AMENDMENT NO. 459**

At the end of the bill (before 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.

**AMENDMENT NO. 460**

At the end of the bill (before 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 Kinetic Energy Cargo Round.

**AMENDMENT NO. 461**

At the end of the bill (before 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 High-Shock 100 Amp Current Limiting Circuit Breaker.

**AMENDMENT NO. 462**

At the end of the bill (before 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 High-Temperature Superconductor Trap Field Magnet Motor.

**AMENDMENT NO. 463**

At the end of the bill (before 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 EP-3E Requirements Capability Migration Systems Integration Lab.

**AMENDMENT NO. 464**

At the end of the bill (before 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 Flow Path Analysis Tool.

**AMENDMENT NO. 465**

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

**TITLE X—ADDITIONAL GENERAL PROVISIONS**

SEC. ____ None of the funds provided in this Act shall be available for Gallium Nitride (GaN) Power Technology.

**AMENDMENT NO. 466**

At the end of the bill (before 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 HBCU Applied Research Incubator.

**AMENDMENT NO. 467**

At the end of the bill (before 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 Density Power Conversion and Distribution Equipment.

**AMENDMENT NO. 468**

At the end of the bill (before 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 Explosive Ordnance Disposal Diver Situational Awareness System.

**AMENDMENT NO. 469**

At the end of the bill (before 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 Tactical Radio System Handheld Manpack Small Form Factor Radio System.

**AMENDMENT NO. 470**

At the end of the bill (before 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 Advanced Ship Control.

**AMENDMENT NO. 471**

At the end of the bill (before 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 Hydropower System Turbine.

**AMENDMENT NO. 472**

At the end of the bill (before 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 Condition Assessment and Reliability Engineering.

**AMENDMENT NO. 473**

At the end of the bill (before 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 Power System Dense Harmonic Filter Design.

**AMENDMENT NO. 474**

At the end of the bill (before 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.

**AMENDMENT NO. 475**

At the end of the bill (before 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 IP over Advanced Wide Field of View Sensor with Reusable, Reconfigurable Payload Processing Testbed System.

**AMENDMENT NO. 476**

At the end of the bill (before 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 Area Network Littoral Sensor Grid.

**AMENDMENT NO. 477**

At the end of the bill (before 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 Navigation and Precision Targeting.

**AMENDMENT NO. 478**

At the end of the bill (before 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 Integration of Advanced Wide Field of View Sensor with ICAS.

**AMENDMENT NO. 479**

At the end of the bill (before 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 Efficiency for Surface Combatants.

**AMENDMENT NO. 480**

At the end of the bill (before 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 High-Shock 100 Amp Current Limiting Circuit Breaker.

**AMENDMENT NO. 481**

At the end of the bill (before 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.

**AMENDMENT NO. 482**

At the end of the bill (before 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 Advanced Ship Control.

**AMENDMENT NO. 483**

At the end of the bill (before 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 Hydropower System Turbine.
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 Marine Corps Cultural and Language Training Platform.

AMENDMENT NO. 497
At the end of the bill (before 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 a Marine Mammal Detection System.

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 a Micro-Drive for Future HVAC Systems.

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 Military Upset Recovery Training.

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 Mobile, Oxygen, Ventilation and External (MOVES) System.

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 Modular Advanced Vision System.

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 an 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 Paragon (Frequency Extension).

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 Paragon (Frequency Extension).

AMENDMENT NO. 515
At the end of the bill (before the short title), insert the following:
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TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. ____ None of the funds provided in this Act shall be available for Passive RFID Development.

AMENDMENT NO. 516 At the end of the bill (before 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. 526 At the end of the bill (before 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. 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 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 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 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 an Enhanced Small Arms Protective Insert.

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. 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 Torpedo 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 a Submarine Panoramic Awareness System.

AMENDMENT NO. 550 At the end of the bill (before 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. 551 At the end of the bill (before 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 Navigation Decision Aids.

AMENDMENT NO. 553 At the end of the bill (before 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 Biometrics Access Control.

AMENDMENT NO. 553 At the end of the bill (before 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. 554 At the end of the bill (before 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 Ohio Class Replacement Composite Non-Pressure Hull Fairing.

AMENDMENT NO. 555 At the end of the bill (before 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 Tool Management.

AMENDMENT NO. 556 At the end of the bill (before 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 Autonomous Maritime Surveillance.

AMENDMENT NO. 557 At the end of the bill (before 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 Airborne Offensive Search Radar.

AMENDMENT NO. 558 At the end of the bill (before 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. 559 At the end of the bill (before 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. 560 At the end of the bill (before 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. 561 At the end of the bill (before 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. 563 At the end of the bill (before 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 Torpedo Test Set Troubleshooting Maintainers Aid.

AMENDMENT NO. 564 At the end of the bill (before 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 Panoramic Awareness System.

AMENDMENT NO. 565 At the end of the bill (before 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. 566 At the end of the bill (before 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 Navigation Decision Aids.

AMENDMENT NO. 567 At the end of the bill (before 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 Biometrics Access Control.

AMENDMENT NO. 568 At the end of the bill (before 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. 569 At the end of the bill (before 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. 570 At the end of the bill (before 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. 571 At the end of the bill (before 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 Torpedo Test Set Troubleshooting Maintainers Aid.
At the end of the bill (before the short title), insert the following:

### TITLE X—ADDITIONAL GENERAL PROVISIONS

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None of the funds provided in this Act shall be available for Lightweight Torpedo P&U Test Equipment Modernization.

None of the funds provided in this Act shall be available for Life Support for Trauma and Transport.

None of the funds provided in this Act shall be available for Hyper Spectral Technology Refresh.

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None of the funds provided in this Act shall be available for Enhanced Driver Situational Awareness.

None of the funds provided in this Act shall be available for the Family of Heavy Tactical Vehicles (FHTV).

None of the funds provided in this Act shall be available for a Clinical Trial to Investigate Efficacy of Human Skin Substitute.

None of the funds provided in this Act shall be available for Lightweight Metal Alloy Foam for Armor.

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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 chairman.

As my colleagues are aware, I submitted 553 amendments to the Rules Committee, each seeking to strike an earmark that was listed by the sponsoring Member as going to a private for-profit earmark—553 amendments. Nearly half of these—I’m sorry. There are 1,102 earmarks representing $2.7 billion. 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 the 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 competed. 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 with that language.

Mr. DICKS. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from Washington.

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. You earmark dollars because you 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 get to this recipient at this address.

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 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 earmark, was vetted with 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?

The Acting CHAIR. The gentleman from Arizona has 45 seconds remaining.

Mr. FLAKE. As I mentioned, I have very little time. I will say that if we believe in that language, then we would agree that if the Senate nullifies it, then we would take out these no-bid contracts. Would the gentleman agree to that?

Mr. DICKS. I think we ought to fight for that language in conference to do the very best we can to prevail and to keep that language.

Mr. FLAKE. I would submit that the gentleman knows full well that the Senate will not retain that language, that that bill will come back to the House without that language, and that we, unless we take a stand here—and we can with this amendment—and simultaneously, there's no reason for it, if these companies are great—some of them are, I'm sure—they'll win these contracts. If they're not, they won't. But the Member won't be earmarking and saying, This money needs to go to this company. This company isn't a no-bid contract. That's what the Member is seeking; and that, unfortunately, is what happens when it gets to the Defense Department.

I yield back the balance of my time.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I know that the gentleman from Arizona, who is my friend, listened to the comments that I made when I read from the bill earlier and when others have read from the bill. But I don't think he heard. He listened, but he didn't hear. The intent of this legislation is that if it were provided here will be competitively bid.

Now I've gone to the Senate in conference many, many times and have returned so frustrated many, many times. The Senate doesn't know what the Senate will do on this language or anything else in this bill. But I know if I were a Senator and I was being accused on the floor today, I would be really offended by the fact that he is suggesting that the Senate doesn't want competition. I am not prepared to say that. I think the Senators believe in competition, just like the House.

Mr. FLAKE. Will the gentleman yield?

Mr. YOUNG of Florida. No, I won't. If I have the time, I might; but right now I don't have time.

As we participate in this debate, anyone listening might think that Congress is all a bunch of crooks and that American free enterprise is sneaking in the back door to make money and that the Congress and the Department of Defense are at odds all the time. Well, that's not true. Congress is full of good people. The Defense Department secures our Nation. But they don't have all of the wisdom. Neither does the administration. Neither does the Congress. That's why we work together. I think that's one reason that the drafters of the Constitution included article I, section 9 to say how appropriations should be handled. Now maybe you don't like the way the appropriations are handled. People can make that decision in the House every 2 years. Article I, section 9 says very specifically that money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law." Now what that means is, Congress appropriates the people's money. The Constitution—read it thoroughly—does not say that Congress can only appropriate money requested by the administration. It does say that the administration can only spend money that has been appropriated by the Congress. Now if you don't like that, offer a constitutional amendment to put that in the Constitution. But somebody's got to be responsible, and the Constitution makes Congress responsible.

I said that the Pentagon is not the fountain of all knowledge. I will give you a couple of examples of where Congress has insisted on the part of the Pentagon, for certain types of appropriations.

With the leadership of Jerry Lewis who was the chairman of the subcommittee at the time, this subcommittee and the Congress insisted that we buy, produce and deploy unmanned aerial vehicles. We call it the Predator; and next to the American soldier on the ground, al Qaeda fears that Predator more than any other weapon that we have. The Pentagon didn't want it. It was not in any budget request. Congress insisted, and it has become one of the most effective weapons that we have in the war against terror in Iraq and in Afghanistan.

Then on another side of it—not taking out the enemy but saving our own people—without any pressure from the administration, Congress created something we refer to as the Bone Marrow Transplant Program. It is a life-saving program that has saved the lives of thousands of people. The administration didn't like it. They just thought we were wasting our time trying to do it, but we did it anyway. They told us we would never develop probably, maybe 50,000 people willing to donate their bone marrow to save the life of another human being, but we proceeded. Today there are over 7 million people in the registry that we created with an earmark that are saving lives every day not only in America but in many countries around the world. We have relationships with 13 other countries where we exchange patients and exchange bone marrow over the oceans to save people's lives, to give them a chance for life. That was a congressional earmark.

The Acting CHAIR. All time has expired.

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

The question was taken; and the Acting Chairman 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.

It is now in order to consider amendments printed in part C of House Report 111–233.
Mr. CAMPBELL. Well, then, don't list the entity. If somebody 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 competition. 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 makes.

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; 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 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 the base. 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.
Mr. CAMPBELL. Reclaiming my time—Mr. TAYLOR. And I would yield.

Mr. TAYLOR. If we think the contractor is not being fair with us, we can put it out for bid for someone else.

Mr. CAMPBELL. For my time, could I inquire as to how much time I have remaining, Mr. Chairman? The Acting CHAIR. The gentleman from California has 30 seconds remaining.

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.”

This gives the original designee an opportunity to be brought to the attention of the agency, but with the possibility that an alternative entity may be selected.”
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 were considered congressional earmarks for purposes of Rule XXI’—this is on page 113 of the bill—‘when awarded to a forprofit entity, shall be awarded under full and open competition.’

In this particular case, they strike $1.5 million from hospital maintenance and so forth. Nobody, there is no committee in the Congress—the authorizing committees work on different things. 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, to test 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 have no problem having it answered.

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. Murtha. 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. Tiernan 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. 553 printed in part B by Mr. Flake of Arizona.

Amendments en bloc by Mr. Flake of Arizona.

Amendment No. 1 printed in part C by Mr. Campbell of California.

Amendment No. 8 printed in part C by Mr. Campbell of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.
Mr. RANGEL of New York. Mr. Chair, on rollcall No. 661, had I been present, I would have voted against.

Ms. NORTON. Mr. Chair, on rollcall No. 661, had I been present, I would have voted against.

Ms. SCHWARTZ. Mr. Chair, on rollcall No. 661, had I been present, I would have voted against.

The result of the vote was announced as above recorded.

Stated for:

Ms. SCHWARTZ. Mr. Chair, on rollcall No. 661, had I been present, I would have voted "aye."  

Ms. NORTON. Mr. Chair, on rollcall No. 661, had I been present, I would have voted "aye."  

The result of the vote was announced as above recorded.

Stated against:

Mr. TURNER. Mr. Chair, on rollcall No. 661, inadvertently voted "aye," intending to vote "no."

PETTY OF—

Ms. LEE of California, Ms. KOSMAS and Messrs. GOHMERT 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.

The Acting CHAIR. The amendment has been agreed to.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye 48, noes 373, not voting 18, as follows:

[Roll No. 662]  

AYES—48

NOES—373

PART A AMENDMENT NO. 3 OFFERED BY MR. FLAKE

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 on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.  

The Clerk redesignated 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—aye 48, noes 373, not voting 18, as follows:

[Roll No. 662]  

AYES—48

NOES—373

The result of the vote was announced as above recorded.

Stated for:

Ms. SCHWARTZ. Mr. Chair, on rollcall No. 661, had I been present, I would have voted "aye."

Ms. NORTON. Mr. Chair, on rollcall No. 661, had I been present, I would have voted "aye."

The result of the vote was announced as above recorded.

Stated against:

Mr. TURNER. Mr. Chair, on rollcall No. 661, inadvertently voted "aye," intending to vote "no."

Mr. JACKSON of Illinois. Mr. Chairman, I have a parliamentary inquiry. The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. JACKSON OF ILLINOIS. Mr. Chairman, are these 2-minute votes or 5-minute votes, the series?

The Acting CHAIR. The remaining votes in this series are 2-minute votes.

Mr. TIM MURPHY of Pennsylvania. Mr. Chair, on rollcall No. 662 I was unavoidably

[1324]
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 redesignated the amendment. The Clerk redesignated the amendment.

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:

(Roll No. 663)

AYES—124

Barton (TX)    Tyson (AR)
Bartlet (DC)    Walden (TN)
Barrett (SC)    Vela (TX)
Baird (TX)      Venable (VA)
Bachus (ID)     Waldron (NY)
Andrews (MD)    Walker (GA)
Akin (GA)       Wagner (MO)
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The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

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 Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed.

The Clerk will redesignate the amendment.

The Clerk redesignated 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 69, noes 351, answered “present” 10, not voting 9, as follows:

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<tr>
<th>Ayes</th>
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<td>Boshers</td>
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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.

PART B AMENDMENT NO. 389 OFFERED BY MR. FLAKE

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 redesignate the amendment.

Mr. PLATTS changed his vote from "aye" to "no." So the amendment was rejected. The result of the vote was announced as above recorded.

PART B AMENDMENT NO. 432 OFFERED BY MR. FLAKE

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 redesignate the amendment.

The Acting CHAIR (during the vote). This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 76, noes 350, answered “present” 10, not voting 3, as follows:

AYES—76

Mr. PLATTS changed his vote from “no” to “aye.” So the amendment was rejected. The result of the vote was announced as above recorded.

AYES—82

The Acting CHAIR (during the vote). This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 82, noes 341, answered “present” 11, not voting 5, as follows:

AYES—82
<table>
<thead>
<tr>
<th>Representative Name</th>
<th>Party</th>
<th>Roll No.</th>
<th>Ayes</th>
<th>Nays</th>
<th>Result</th>
<th>Vote Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shuler</td>
<td>D</td>
<td>667</td>
<td>348</td>
<td>0</td>
<td>No</td>
<td>Partial roll call vote</td>
</tr>
</tbody>
</table>

The Acting CHAIR. A recorded vote has been demanded. The Acting CHAIR. This will be a 2-minute vote. The vote was taken by electronic device, and there were—ayes 78, nays 348, answered "present" 10, not voting 3, as follows:

![Roll No. 668](attachment:AYE-78)

No votes were reported.
The Acting CHAIR. This will be a 2-minute vote.

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. This will be a 2-minute vote.

The Acting CHAIR. This will be a 2-minute vote.

The Acting CHAIR. This will be a 2-minute vote.
So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for:

Mr. FRANK 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 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 ayes 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—with[e2] noes 314, answered “present” 11, not voting 4, as follows:

[Roll No. 671]

AYES—82

Bachmann    Cannon    Carper    Clijsters    Clyburn    Coffman    Collins (GA)    Courtney    Crenshaw    Crowley    Cuccinelli    Culverhouse    Cummings    Daines    Davis (AL)    Davis (KY)    Baughman    Blackburn    Broun (GA)    Burr

 следует привести таблицу голосования с именами голосовавших за и против, а также результаты голосования в форме таблицы.
Boehner
Blunt
Blackburn
Bachmann
vice, and there were—ayes 81, noes 353, a
minute vote.

There is 1 minute remaining in this vote.

The Acting CHAIR. The unfinished business
is the demand for a recorded vote.

The clerk will redesignate the
amendment.

The Clerk redesignated the
amendment.

ANNUAL SESSION—BY THE CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

The vote was taken by electronic device,
and there were—ayes 99, noes 338,
not voting 2, as follows:

Roll No. 673

AYES—99

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner

AYES—81

Bachmann
Barrett (SC)
Blackburn
Blunt
Boehner
Mr. HALL of Texas changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 2010".

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALTMAIRE) having assumed the chair, Mr. HOLDEN, Acting Chair of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 3326) making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes, pursuant to House Resolution 685, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

Pursuant to House Resolution 685, the question on adoption of the amendments will be put en gros.

The amendments were agreed to.

Mr. Speaker, while much is made of the President's threatened veto of this bill over the F-22, the fact of the matter is that the President has also threatened a veto over funding for the Presidential helicopter. While I appreciate the President has a role in this process, it is Congress, not the President, that has the power of the purse. I believe that we should simply take the President's budget proposal and rubber-stamp it.

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 RECOMMEND

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion to recommend to the desk.

The SPEAKER pro tempore. Is the gentleman prepared to move the recommendation?

MOTION TO RECOMMEND

Mr. FRELINGHUYSEN. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommend.

The Clerk read as follows:

Mr. Frelinghuysen moves to recommend the bill H.R. 3326 to the Committee on Appropriations with instructions to report the same together with the following amendments:

Page 2, line 22, after the dollar amount, insert "(increased by $100,000,000,000)."

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 $494,800,000)."

In section 8120, strike "None of the funds appropriated" and all that follows through "$388,000,000 of the funds" and insert "Funds."

In section 8120, strike paragraph (1) (and redesignate subsequent paragraphs accordingly):

Mr. FRELINGHUYSEN (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommend be considered read.

The SPEAKER pro tempore. There is objection to the recommendation 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. The motion to recommend 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 recommend is consistent with the recently passed Defense Authorization bill which recognized the conflict with the President's veto 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 this bill over the F-22, the fact of the matter is that the President has also threatened a veto over funding for the Presidential helicopter. While I appreciate the President has a role in this process, it is Congress, not the President, that has the power of the purse. I believe that we should simply take the President's budget proposal and rubber-stamp it.
Mr. BISHOP of Utah, a member of the Armed Forces Committee, for the remaining time.

Mr. BISHOP. We all know that to maintain air superiority, which we have had since the Korean War, requires two elements: one is the technological capability, which we know the F–22 provides, but the other is the numerical superiority that we have today which is what the 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 minimum number still maintained by Air Combat Command, by the Air National Guard, by 30 of the military studies over the last 15 years. Even the Chief of Staff admitted the 243 is what we are doing in Afghanistan.

The only person that said 187 is the Secretary of Defense. There is no study that they are going to spend another $2 billion to keep 187 jobs going and another $2 billion to sell to countries like Iran and Venezuela, we then when we 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 available under the best of 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 million 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, because 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 something to do to look at our priorities. The $2 billion is for the defense of this country and the future. The military needs this plane.

Mr. FRELINGHUYSEN. Please support the motion to recommit.
Ms. BALDWIN changed her vote from "aye" to "no."

Mr. BURGESS and Mrs. KIRK-PATRICK 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 400 ayes, 399 nays, 3 not voting as follows: (Roll No. 675)

YEAS—400

Mr. GRIFFITH changed his vote from "yea" to "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 "no", but would like the RECORD to reflect, I intended to vote "aye."