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H.R.2647

Title: National Defense Authorization Act for Fiscal Year 2010

Sponsor: [Rep Skelton, Ike](#) [MO-4] (by request) (introduced 6/2/2009) [Cosponsors](#) (1)

Related Bills: [H.RES.572](#), [H.RES.808](#), [H.R.270](#), [H.R.2990](#), [S.731](#), [S.1390](#)

Latest Major Action: Became Public Law No: 111-84 [GPO: [Text](#), [PDF](#)]

House Reports: [111-166](#), [111-166](#) Part 2; **Latest Conference Report:** [111-288](#) (in Congressional Record [H10565-11052](#))

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SUMMARY AS OF:

10/28/2009--Public Law. (There are 5 [other summaries](#))

National Defense Authorization Act for Fiscal Year 2010 - **Division A: Department of Defense Authorizations - Title I: Procurement - Subtitle A: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations for FY2010 for the Army, Navy and Marine Corps, and Air Force for aircraft, missiles, weapons and tracked combat vehicles, ammunition, shipbuilding and conversion, and other procurement.

(Sec. 104) Authorizes appropriations for FY2010 for: (1) defense-wide procurement; (2) National Guard and reserve equipment; and (3) the Mine Resistant Ambush Protected Vehicle Fund.

(Sec. 107) Makes amounts authorized under this Subtitle available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: Army Programs - (Sec. 111) Prohibits the Secretary of Defense (Secretary) from procuring more than one Future Combat Systems (FCS) spin out early-infantry brigade combat team equipment set for low-rate initial production. Authorizes the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) to waive such limitation after written certification to Congress with respect to the FCS's strategy and baseline, testing, technology readiness, and cost estimates.

Subtitle C: Navy Programs - (Sec. 121) Authorizes the Secretary of the Navy to procure up to 10 Littoral Combat Ships (LCS) and 15 LCS ship control and weapon systems via contract using competitive procedures. Requires a contract offeror to include a complete technical data package as part of each LCS proposal. Prohibits LCS costs from exceeding \$480 million per vessel, with certain amounts excluded from such limit. Allows the Secretary of the Navy to waive and adjust such limit following certain certifications to the congressional defense and appropriations committees. Allows such limit to be further adjusted by increases or decreases in costs attributable to: (1) economic inflation after September 30, 2009; (2) changes in federal, state, or local laws enacted after such date; and (3) the insertion of new technology. Requires annual reports from the Secretary of the Navy to the defense and appropriations committees on LCS vessels.

(Sec. 122) Treats the Littoral Combat Ship program as a major defense acquisition program (MDAP) for purposes of MDAP cost and schedule reporting requirements.

(Sec. 123) Directs the Secretary of the Navy to submit to the defense and appropriations committees the Navy's strategic plan for homeporting the LCS on the east and west coasts of the United States.

(Sec. 124) Authorizes the Secretary of the Navy to use funds available for advance procurement with respect to shipbuilding and conversion funding to enter into contracts for: (1) components, parts, or materiel, as well as production planning and other related support services that reduce the overall procurement lead time of the vessel; and (2) advanced construction efforts for the CVN-79 if such Secretary determines that cost savings, construction efficiencies, or workforce stability may be achieved through the use of such contract.

(Sec. 125) Prohibits the Secretary of the Navy from obligating or expending funds for construction of, or advance procurement of materials for, a surface combatant vessel to be constructed after FY2011 until such Secretary has submitted certain information and materials to Congress, including: (1) an acquisition strategy for such vessels; (2) the results of acquisition strategy reviews conducted by the Joint Requirements Oversight Council (JROC); and (3) conclusions of reviews by an independent review panel, the Secretary of the Navy, and the Director of the Missile Defense Agency. Requires such Secretary to: (1) submit to the defense and appropriations committees a future surface combatant acquisition strategy and an update to a previous report on naval surface fire support; and (2) develop a plan to incorporate into surface combatants constructed after 2011, and into fleet modernization programs, the technologies developed for the DDG-1000 destroyer and the DDG-51 and CG-47 Aegis ships.

(Sec. 126) Directs the Secretary of the Navy to report to the defense and appropriations committees on the effects of using a five-year interval for the construction of Ford-class aircraft carriers.

(Sec. 127) Directs the Secretary of the Navy to submit to the defense and appropriations committees a detailed analysis of a service-life extension program for the Oliver Hazard Perry class frigates, as well as related strategic plans.

(Sec. 128) Authorizes the Secretary of the Navy to enter into a multiyear contract for the procurement of F/A-18E/F or EA-18G aircraft. Directs the Secretary of Defense to report to the defense and appropriations committees on how the findings and conclusions of the Department of Defense (DOD) quadrennial defense review and 30-year aviation plan have informed the DOD acquisition strategy with regard to such aircraft programs. Terminates

the multiyear contract authority on May 1, 2010, but allows the Secretary of the Navy to extend such date after certain notification to the defense and appropriations committees.

Subtitle D: Air Force Programs - (Sec. 131) Directs the Secretary to report to the defense and appropriations committees on 4.5 generation fighter aircraft procurement.

(Sec. 132) Repeals provisions of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Hunter Act) allowing certain funds to be used (with limitations) for the advance procurement of F-22A fighter aircraft. Authorizes the Secretary of the Air Force to use funds appropriated for such purpose for FY2009 for other modernization priorities relating to such aircraft.

(Sec. 133) Directs the Secretary of the Air Force to develop a plan for the preservation and storage of unique tooling related to the production of hardware and end items for F-22 fighter aircraft. Prohibits FY2010 Air Force aircraft procurement funding for disposing of F-22 production tooling until 45 days after such Secretary reports to Congress describing such plan.

(Sec. 134) Directs the Secretary of the Air Force to submit to the defense and appropriations committees an assessment of the reduction in service life of AC-130 gunships as a result of accelerated deployments anticipated during the seven- to ten-year period beginning on the date of enactment of this Act. Requires such Secretary to: (1) conduct an analysis of alternatives for any gunship modernization requirements identified by the 2009 quadrennial defense review; and (2) report analysis results to the defense and appropriations committees within 18 months after completion of the 2009 review.

(Sec. 135) Directs the Secretary of the Air Force to report to the defense and appropriations committees on replacing the engines of E-8C joint surveillance and target attack radar system aircraft.

(Sec. 136) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2008 to repeal the requirement to maintain certain retired C-130E aircraft.

(Sec. 137) Prohibits the Secretary of the Air Force from proceeding with a decision to retire C-5A aircraft in any number that would reduce the total active inventory of such aircraft below 111 until: (1) the Air Force has modified a C-5A aircraft to a specified configuration; and (2) DOD's Director of Operational Test and Evaluation of the Department of Defense has conducted, and provides to the Secretary and the defense and appropriations committees, an operational evaluation and assessment of that aircraft. Provides additional limitations on the retirement of such aircraft, and requires an additional report from such Secretary on containing certain assessments related to the retirement of such aircraft.

(Sec. 138) Directs the Secretary of the Air Force, at least 90 days before a C-5 aircraft is retired, to report to the defense and appropriations committees on the proposed force structure and basing of strategic airlift aircraft.

(Sec. 139) Directs the Secretary of the Air Force, effective October 1, 2009, to maintain a total strategic airlift aircraft inventory of not less than 316.

Subtitle E: Joint and Multiservice Matters - (Sec. 141) Directs the Secretary to ensure that: (1) body armor is procured using funds authorized under this title; and (2) within each procurement account in the budget for FY2011 and thereafter, a separate procurement line item is designated for body armor.

(Sec. 142) Prohibits procurement funds from being obligated or expended for an unmanned cargo-carrying-capable aerial vehicle until 15 days after the Vice Chairman of the Joint Chiefs of Staff (JCS) and the Under Secretary certify to the defense and appropriations committees that the JROC has approved a joint and common requirement for such vehicle type.

(Sec. 143) Amends the NDAA for Fiscal Year 2006 to revise data link utilization requirements of tactical unmanned aerial vehicles.

Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations - (Sec. 201) Authorizes appropriations for FY2010 for DOD for research, development, test, and evaluation (RDT&E).

(Sec. 202) Provides that the amounts authorized under this Subtitle shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: Program Requirements, Restrictions, and Limitations - (Sec. 211) Prohibits the obligation or expenditure of funds to a military department for monitoring or analyzing the research activities and capabilities of foreign nations until the Director of Defense Research and Engineering has certified to the Under Secretary that such military department has provided appropriate information and assistance consistent with the purposes of the Global Research Watch program. Extends such program through FY2015.

(Sec. 212) Establishes in DOD the Joint Defense Manufacturing Technology Panel to conduct joint planning and develop joint strategies for the DOD manufacturing technology program.

(Sec. 213) Amends the NDAA for Fiscal Year 2000 to eliminate a reporting requirement relating to the defense science and technology program.

(Sec. 214) Authorizes the Secretary of the Navy to enter into one or more contracts for the purchase of infrastructure and government purpose rights for any or all technical data, computer software, and documentation used or created under the Navy-Marine Corps Intranet multiyear contract, if such Secretary determines that such purchase would be in the best interest of the Navy.

(Sec. 215) Prohibits the obligation or expenditure of FY2010 funds for the Joint Multi-Mission Submersible Program until the Secretary: (1) completes an assessment of the feasibility of a Program cost-sharing agreement between DOD and the intelligence community; (2) submits such assessment to the defense, appropriations, and intelligence committees; and (3) certifies to such committees that the agreement developed represents the most effective and affordable means of delivery under the Program.

(Sec. 216) Requires the Secretary, in the budget materials submitted to Congress for FY2011 and thereafter, to ensure that in each: (1) RDT&E account of each military department a separate program element is assigned to the research and development (R&D) of individual body armor and associated components; and (2) Navy RDT&E account and Navy aircraft procurement account a separate program element is assigned to each of the F-35B and F-35C aircraft, to the extent that such accounts include funding for each such aircraft.

(Sec. 218) Prohibits more than 50% of Army R&D funds for the Army Tactical Ground Network Program from being obligated or expended until 30 days after the Under Secretary reports to Congress on the acquisition strategy, requirements, and cost estimates for such Program.

(Sec. 219) Directs the Secretary to: (1) carry out separate programs for the development, test, and fielding of an operationally effective, suitable, and affordable next generation ground combat vehicle and self-propelled howitzer capability for the Army; (2) submit to the defense and appropriations committees a strategy and plan for the acquisition of weapon systems under such programs; and (3) report annually to such committees on the investments proposed to be made under each budget with respect to each program.

(Sec. 220) Directs the Secretary to issue guidance on the specification by the military departments and defense agencies of amounts to be requested for funding for each facility and resource of the Major Range and Test Facility Base in connection with: (1) operation; (2) sustainment; (3) investment and modernization; (4) government personnel; and (5) contractor personnel.

(Sec. 221) Requires the: (1) Director of Defense Research and Engineering to review and assess the technological maturity and integration risk of critical technologies of Army modernization programs and appropriate associated systems and programs; and (2) Secretary to report to the defense and appropriations committees on such maturity and risk.

(Sec. 222) Directs the: (1) Secretary to contract for an independent assessment of current, anticipated, and potential RDT&E activities for or applicable to the modernization of the combat vehicle fleet and armored tactical wheeled vehicle fleet of DOD; and (2) contracted entity to submit an interim and final report on such assessment to the Secretary and the defense and appropriations committees.

Subtitle C: Missile Defense Programs - (Sec. 231) Expresses the sense of Congress that: (1) the United States should develop, test, field, and maintain ballistic missile defense (BMD) systems capable of defending the United States, its forces, and other friendly nations from the threat of ballistic missile attacks from nations such as North Korea and Iran; (2) the missile defense force structure and inventory levels should be determined based on ballistic missile threats and a determination by the appropriate military officials of the requirements needed to address those threats; (3) the test and evaluation program for such systems should provide a high level of confidence in the capability of such systems; and (4) adequate resources should be made available for that test and evaluation program.

(Sec. 232) Expresses the sense of Congress that the Secretary should ensure the reliability, availability, maintainability, and supportability of the Ground-based Midcourse Defense (GMD) element of the BMD system. Requires the Secretary to: (1) assess the GMD and its future options; (2) report assessment results to the defense and appropriations committees; (3) establish a plan for the GMD that covers the period covered by the future-years defense program submitted to Congress for FY2011; and (4) report to such committees on the plan established. Directs the Comptroller General (CG) to review the Secretary's assessment and report, and report results to such committees.

(Sec. 233) Directs the Secretary to ensure that the Missile Defense Agency (MDA) does not allow a break in production of the ground-based interceptor missile until the Secretary has: (1) completed the Ballistic Missile Defense Review; (2) determined the number of such missiles that will be necessary to support the service life of the GMD element of the BMD system; and (3) reported such determination to the defense and appropriations committees.

Provides limitations with respect to decommissioning and the disposition of operational silos at Missile Fields 1 and 2 at Fort Greely, Alaska.

(Sec. 234) Prohibits any DOD funds for FY2010 or thereafter from being obligated or expended for the acquisition or deployment of a long-range missile defense system in Europe until the Secretary certifies to the defense and appropriations committees that the proposed interceptor to be deployed as part of such system has demonstrated a high probability of operational effectiveness and the ability to accomplish the mission.

(Sec. 235) Earmarks specified funds made available in FY2009-FY2010 for missile defense systems in Europe for RDT&E, procurement, or deployment of alternative missile defense systems designed to protect the United States and Europe from the threat posed by current and future Iranian ballistic missiles of all ranges. Requires a certification from the Secretary to the defense and appropriations committees with respect to the U.S.-Europe missile defense system. Directs the Secretary to: (1) contract with a federally funded research and development center (FFRDC) to conduct an independent assessment of the operational- and cost-effectiveness of the alternative missile defense architecture announced by the President; and (2) report assessment results to the defense and appropriations committees.

(Sec. 236) Directs: (1) the Secretary to establish a plan for the developmental and operational testing and evaluation of the BMD system and its various elements; (2) that the plan cover the period covered by the future-years defense program submitted to Congress for FY2011; and (3) the Secretary to report to the defense and appropriations committees on such plan and elements. Requires additional information in such report concerning test and evaluation activities pertaining to the GMD element of the BMD system.

(Sec. 237) Requires the Secretary to: (1) enter into an arrangement with the JASON Defense Advisory Panel to carry out a study on the discrimination capabilities of the U.S. missile defense system; and (2) report study results to the appropriate congressional committees.

(Sec. 238) Directs the Secretary to submit to the defense and appropriations committees a strategy and plan for ascent phase missile defense.

(Sec. 239) Amends the Hunter Act to extend, until March 1, 2011, the deadline for submission of the study by the National Academy of Sciences on the boost-phase missile defense system.

Subtitle D: Reports - (Sec. 241) Amends the NDAA for Fiscal Year 1997 to repeal the requirement for a biennial joint warfighting science and technology plan.

(Sec. 242) Amends the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Stump Act) to require the Under Secretary to submit annually to the National Science and Technology Council specified information concerning the defense nanotechnology research and development program, and requires such information to be included in an annual report submitted by such Council.

(Sec. 243) Directs the CG to: (1) assess the degree to which the requirements, technology goals, and research and procurement investments in energy storage technologies are coordinated within and among the military departments, appropriate defense agencies, and other DOD elements; and (2) report assessment results to the defense committees.

(Sec. 244) Requires the CG to: (1) conduct an annual review of the F-35 Lightning II aircraft acquisition program; and (2) for each of the years 2010 through 2015, report to the defense and appropriations committees on the results of the most recent review.

(Sec. 245) Prohibits the obligation or expenditure of more than 50% of the funding for a specified program element for advanced strategic programs until 30 days after the Under Secretary of Defense for Intelligence submits a related report required under the NDAA for Fiscal Year 2004.

(Sec. 246) Directs the Secretary of the Army to report to Congress on future R&D of man-portable and vehicle-mounted guided missile systems to replace the current Javelin and TOW systems. Prohibits the obligation of more than 70% of funds authorized for Army missile and rocket advanced technology RDT&E until such Secretary submits such report.

(Sec. 247) Requires the Secretary to submit an interim and final report to the defense and appropriations committees concerning plans for the consolidation of the Net-Enabled Command Capability system within the Global Command and Control family of systems.

(Sec. 248) Directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to: (1) conduct a comparative evaluation of extended range modular sniper rifle systems; and (2) report evaluation results to the defense committees.

Subtitle E: Other Matters - (Sec. 251) Requires the Director of the Department of Defense Test Resource Management Center to review proposed significant changes to the test and evaluation facilities and resources of the Major Range and Test Facility Base before they are implemented, and to

provide advice on the impact of such changes. Requires the Director to have access to appropriate records and data in order to carry out such duties.

(Sec. 252) Directs the Secretary to carry out a program to provide assistance to institutions of higher education eligible for assistance under title III or V of the Higher Education Act of 1965, or an accredited postsecondary minority institution, in order to assist DOD in defense-related RDT&E activities. Outlines program objectives, initiatives, and specific types of assistance to be provided. Authorizes the Secretary to give funding priority to institutions that have not otherwise received significant funding from DOD for RDT&E programs supporting national security functions.

(Sec. 253) Extends through FY2013 DOD authority to award prizes for advanced technology achievements.

(Sec. 254) Allows a FFRDC of the National Aeronautics and Space Administration (NASA) that functions primarily as a research laboratory to participate in DOD merit-based technology research and development programs.

(Sec. 255) States that it is the policy of the United States to support a development program for next generation bomber aircraft technologies.

Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations - (Sec. 301) Authorizes appropriations for FY2010 for operation and maintenance (O&M) for the Armed Forces and specified activities and agencies of DOD.

(Sec. 302) Provides that the amounts authorized under this Subtitle shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: Environmental Provisions - (Sec. 311) Specifies allowable funding sources for DOD participation in conservation banking programs as authorized under the Hunter Act.

(Sec. 312) Reauthorizes title I of the Sikes Act (conservation programs on military installations) for FY2009-FY2014.

(Sec. 313) Amends such Act to authorize military department Secretaries to enter into interagency agreements for land management on DOD installations.

(Sec. 314) Reauthorizes for FY2009-FY2014 a pilot program under such Act concerning invasive species management for military installations on **Guam**.

(Sec. 315) Authorizes the Secretary to reimburse the Environmental Protection Agency (EPA) for certain environmental cleanup costs in connection with ordnance and explosive safety hazards at the former Nansemond Ordnance Depot Site in Suffolk, Virginia.

(Sec. 316) Directs the Secretary to: (1) develop methods to account for the full life-cycle costs of munitions in making decisions regarding their procurement; (2) undertake a review of live-fire practices in order to reduce unexploded ordnance and contamination without impeding military readiness; and (3) annually report to Congress on such methods and the review results.

(Sec. 317) Directs the Secretary to: (1) prescribe regulations prohibiting the disposal of covered waste in open-air burn pits during current and future contingency operations, except when the Secretary determines that no alternative disposal method is feasible; (2) notify the defense committees of a no-alternative determination; (3) every 180 days after such notification, provide justification to such committees for continuing to operate an open-air burn pit; and (4) report to such committees on DOD use of open-air burn pits. Includes as covered waste hazardous and medical waste, as well as other waste designated by the Secretary.

(Sec. 318) Requires the Secretary, as part of annual budget submissions, to include funding levels requested for the Military Munitions Response Program and the Installation Restoration Program.

Subtitle C: Workplace and Depot Issues - (Sec. 321) Requires a public-private competition whenever DOD intends to convert to contractor performance functions previously performed by DOD civilian personnel.

(Sec. 322) Sets at 24 months the time limit for public-private competitions conducted under Office of Management and Budget (OMB) Circular A-76 (regarding the conversion to contractor performance of functions performed by DOD civilian employees), commencing from the date of preliminary planning and ending on the date on which a performance decision is rendered. Authorizes the Secretary to specify an alternative time limit of up to 33 months under certain circumstances, including notifying Congress of the reasons that the 24-month limit cannot be met. Requires such time limit to exclude any delays resulting from a protest before the Government Accountability Office (GAO) or a complaint before the U.S. Court of Federal Claims. Directs the: (1) Secretary to report annually to the defense and appropriations committees on the use of any alternative time limits and the reasons therefor; and (2) CG to report to such committees every three years on the Secretary's use of any alternative time limits and the appropriateness of such use.

(Sec. 323) Expresses the sense of Congress that no changes should be made to: (1) the DOD policy that, in the allocation of depot-level maintenance and repair, the installation of major modifications and upgrades are to be considered part of such maintenance; and (2) the interpretation and application of that policy.

(Sec. 324) Revises generally provisions concerning the authority of Army industrial facilities to engage in cooperative activities with non-Army entities.

(Sec. 325) Suspends the authority to initiate public-private competitions under OMB Circular A-76 until 30 days after the Secretary has made a specified certification to the defense and appropriations committees. Requires the: (1) Secretary to conduct a review of, and report to such committees on, DOD policies with respect to the conduct of such competitions; and (2) CG to assess the Secretary's review and report assessment results to such committees.

(Sec. 326) Directs the Administrator for Federal Procurement Policy to revise the Federal Acquisition Regulation (FAR) to allow for pre- and post-award debriefings of federal employee representatives in the case of conversion to contractor performance of a function previously performed by federal employees.

(Sec. 327) Makes technical and clarifying amendments to federal provisions concerning bid protest procedures by federal employees and agency officials with respect to such function conversions.

(Sec. 328) Directs the Secretary to submit to the defense and appropriations committees a plan for improving the inventory management systems of the military departments and the Defense Logistics Agency, with the objective of reducing the acquisition and storage of secondary inventory that is excess to requirements. Requires the CG to submit to such committees an assessment of: (1) the Secretary's plan; and (2) the extent to which such plan has been effectively implemented by each military department and the Defense Logistics Agency.

(Sec. 329) Revises the due date of an annual report from the Secretary to Congress on the percentage of depot-level maintenance funds expended for the performance of depot-level maintenance and repair workloads by the public and private sectors.

Subtitle D: Energy Security - (Sec. 331) Earmarks specified DOD O&M funds for the Director of Operational Energy Plans and Programs.

(Sec. 332) Requires additional information in an annual report from the Secretary to the defense and appropriations committees on progress made toward achieving DOD energy efficiency goals. Directs the CG to review the first report submitted by the Secretary containing the additional information, and report review results to Congress.

(Sec. 333) Requires DOD's Director of Operational Energy Plans and Programs to report to the defense committees on specific actions taken with respect to CG recommendations on fuel-demand management at forward-deployed locations.

(Sec. 334) Directs the Secretary to report to the defense committees on the use and potential use of renewable fuels in meeting DOD energy requirements.

(Sec. 335) Requires the Secretary to: (1) develop a plan for identifying and addressing areas in which the electricity needed to carry out critical missions on DOD installations is vulnerable to disruption; and (2) work with non-DOD entities to develop regulations or other mechanisms to address such vulnerability.

Subtitle E: Reports - (Sec. 341) Amends the Hunter Act to require an annual report through 2015 from the Secretary to the defense and appropriations committees on the procurement of military working dogs.

(Sec. 342) Requires an annual report from the Secretary to the defense and appropriations committees on constraints on the use of military lands caused by vegetation and overgrowth, as well as a plan to address such constraints.

(Sec. 343) Directs the CG to report to the defense and appropriations committees on the sustainment strategy for the AV-8B Harrier aircraft.

(Sec. 344) Requires the Secretary to: (1) contract with a FFRDC to conduct a study on the current and planned modularity structures of the Army; and (2) report study results to the defense and appropriations committees.

Subtitle F: Other Matters - (Sec. 351) Authorizes the Secretary, for the five-year period beginning on the date of enactment of this Act, to use the DOD reimbursement rate for military airlift services provided by a DOD component to any federal government element outside DOD, but only if the Secretary determines that the provision of such services will promote the improved use of airlift capacity without any negative effect on national security. Requires an annual report from the Secretary to the defense committees detailing the use of such authority.

(Sec. 352) States that it is the policy of the United States that the design and fielding of all future ground combat and camouflage utility uniforms may uniquely reflect the identity of the individual military services, as long as such uniforms: (1) provide members an equivalent level of performance, functionality, and protection commensurate with assigned combat missions; (2) minimize risk to the individual operating in the joint battlespace; and (3) provide interoperability with other components of individual **war** fighter systems, including body armor and other protective systems. Directs the CG to: (1) assess such uniforms currently in use by DOD; and (2) report assessment results to the defense and appropriations committees. Requires the military department secretaries to establish joint criteria for future ground combat uniforms within 270 days after the CG's report.

(Sec. 353) Authorizes the Secretary of the: (1) Army to conduct a 12-month condition-based maintenance demonstration program on selected vehicle systems that include on-board diagnostic systems; and (2) Navy to conduct a 12-month demonstration program on selected systems or components of surface combatant ships that include integral diagnostic systems. Requires each such Secretary to report to the defense and appropriations committees assessing whether their respective department could reduce maintenance costs and improve overall readiness by implementing condition-based maintenance for the current and future tactical wheeled vehicle fleets and Navy surface combatants.

(Sec. 354) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Spence Act) to extend the Arsenal Support Program Initiative through FY2011.

Title IV: Military Personnel Authorizations - Subtitle A: Active Forces - (Sec. 401) Sets forth authorized end strengths for active-duty forces as of the end of FY2010.

(Sec. 402) Revises the permanent active-duty minimum end strength levels for the Army, Navy, Marine Corps, and Air Force.

(Sec. 403) Authorizes the Secretary, for each of FY2011-FY2012, to establish the active-duty end strength for the Army up to the FY2010 baseline plus 30,000, in order to support operational missions or achieve reorganizational objectives.

Subtitle B: Reserve Forces - (Sec. 411) Sets forth authorized end strengths as of the end of FY2010 for members of the Selected Reserve and reserve personnel on active duty in support of the reserves.

(Sec. 413) Sets forth minimum end strengths for FY2010 for Army and Air Force dual status military technicians.

(Sec. 414) Provides a FY2010 limitation on the number of non-dual status Army and Air Force military technicians.

(Sec. 415) Sets forth the maximum number of reserve personnel authorized to be on active duty for operational support during FY2010.

(Sec. 416) Requires a report from the Secretary of the Army to the defense and appropriations committees assessing the creation of a Trainees, Transients, Holdees, and Students Account within the Army National Guard.

(Sec. 417) Requires a report from the Secretary to the defense committees on duties and requirements of National Guard non-dual status technicians.

(Sec. 418) Authorizes the Secretary to increase by up to 2% the end strengths of the Selected Reserve of a reserve component upon a determination by the Secretary of the military department concerned (Secretary concerned) that such action would enhance manning and readiness in essential units or in critical specialties or ratings.

Subtitle C: Authorization of Appropriations - (Sec. 421) Authorizes appropriations for FY2010 for military personnel.

(Sec. 422) Amends the Hunter Act to repeal a one-time delay in military retirement payments in 2013.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy - (Sec. 501) Requires an officer serving as Legal Counsel to the Chairman of the JCS to be appointed in the regular grade of brigadier general or rear admiral (lower half). (Current law requires such grade while serving in such position).

(Sec. 502) Directs the Secretary to report to the defense committees assessing federal provisions that exclude commissioned officers on active duty in general and flag officer grades from authorized end strength limits, as well as related assessments. Revises federal active-duty general and flag officer distributions and authorized end strengths to conform with changes made under the Hunter Act.

(Sec. 503) Conforms federal joint professional military education reporting requirements to the joint programs and policies reporting requirements implemented by DOD under the John Warner National Defense Authorization Act for Fiscal Year 2007 (Warner Act).

(Sec. 504) Extends through FY2013 the period during which military personnel may accumulate up to 75 (normally 60) days of leave at the end of a fiscal year.

(Sec. 505) Excludes active-duty service after the date of enactment of this Act, while pursuing a degree under the Navy's Seaman to Admiral program, from the computation of years of service as an officer for voluntary retirement purposes, but counts such service in the computation of years of active-duty officer service for all other purposes (including involuntary separation or retirement due to disability).

(Sec. 506) Establishes an independent panel to review Navy judge advocate requirements, and report review results to the defense committees.

Subtitle B: General Service Authorities - (Sec. 511) Directs the Secretary concerned to ensure that each member of the reserves who, after deployment to an area in which imminent danger pay is authorized, is determined to require evaluation for a physical or mental disability which could result in separation or retirement for disability, or placement on the temporary disability retired or inactive status list is retained on active duty during the disability evaluation process until either: (1) cleared for continuation on active duty; or (2) separated, retired, or placed on the temporary disability retired list or inactive status list. Terminates such requirement five years after the enactment of this Act.

(Sec. 512) Provides that if a member of the Armed Forces (member) who has been deployed overseas in support of a contingency operation during the previous 24 months is diagnosed as experiencing post-traumatic stress disorder (PTSD) or traumatic brain injury or otherwise asserts such a condition, then the Secretary concerned may not authorize the administrative separation of the member under conditions other than honorable until after the member receives a medical examination to evaluate such diagnosis. Requires the review of previous discharges and dismissals involving such diagnoses, according such cases a priority in order to achieve expedited resolution. Directs the Secretary to report to the defense committees on detailed procedures and policies used by the military department secretaries to implement this section. Requires the review of previous discharges and dismissals involving such diagnoses, according such cases a priority in order to achieve expedited resolution. Directs the Secretary to report to the defense committees on detailed procedures and policies used by the military department secretaries to implement this section.

(Sec. 514) Directs the Secretary concerned to avoid scheduling mobilization or pre-mobilization training for a reserve unit at a temporary duty location outside normal commuting distance if a suspension of training of at least five days is anticipated to occur during any portion of such training. Allows such Secretary to waive such requirement in the national security interest, requiring notification to the defense and appropriations committees. Requires the Secretary concerned, until December 31, 2014, to notify such committees in the event of a suspension of training of at least five days.

(Sec. 515) Amends the Warner Act to allow data derived from existing sources to be used to evaluate job performance required under a program concerning the use of test preparation guides to improve the qualification test scores of military recruits.

(Sec. 516) Requires the Secretary to report to the defense committees on the active participation by members in prohibited activities as defined by DOD Directive 1325.6, as well as DOD policies to prevent such individuals from enlisting in the Armed Forces.

Subtitle C: Education and Training - (Sec. 521) Authorizes the Secretary of each military department to detail officers as students at accredited schools of psychology in the United States for training leading to a degree of Doctor of Philosophy in clinical psychology. Prohibits more than 25 officers from each military department from commencing such training in a fiscal year. Requires such an officer to serve on active duty for two years for each year of such training.

(Sec. 522) Increases from 17 to 22 the number of cadets at each of the military colleges who may receive financial assistance under the early commissioning program.

(Sec. 523) Authorizes for appointment as members of the Board of Regents of the USUHS individuals with experience in higher education administration and public policy.

(Sec. 524) Requires the Secretary concerned to allocate a portion of the scholarships offered under the Armed Forces Health Professions Scholarship and Financial Assistance program to assist students to pursue a degree at the masters and doctoral levels in specified disciplines that will contribute to military mental health care programs. Increases by 300 the authorized number of program participants in order to accommodate such additional students.

(Sec. 525) Authorizes the Secretary to establish a School of Nursing, and to enter into agreements with one or more academic institutions to establish an undergraduate nurse training program under which participants earn a nursing degree and then serve as a nurse in the Armed Forces. Directs the Secretary to submit to the defense committees a plan for establishing the School of Nursing within DOD, including a pilot program to increase the number of nurses serving in the Armed Forces. Requires the Secretary to submit to such committees a pilot program implementation report, progress reports, and a final report.

(Sec. 526) Increases from 10 to 20 the number of civilians authorized to attend the professional military education program at the National Defense University.

(Sec. 527) Increases, from one to two, the number of appointments to each of the military service academies that may be made as a result of nominations made by delegates to Congress from the Commonwealth of the Northern Mariana Islands.

(Sec. 528) Authorizes the Secretary of the Air Force to establish a nonprofit corporation to support the athletic program of the Air Force Academy. Provides for an Association Board of Directors.

(Sec. 529) Authorizes the Secretary to carry out a program to establish language training centers for members and civilian DOD personnel at accredited universities, senior military colleges, or other similar institutions of higher education for the development of expertise in critical and strategic languages and regional area studies. Requires the Secretary to: (1) ensure that such training centers are aligned with specified DOD critical and strategic language programs and entities; and (2) report on such program to the defense and appropriations committees.

Subtitle D: Defense Dependents' Education - (Sec. 531) Earmarks specified DOD O&M funds for assistance to local educational agencies (LEAs) for schools with significant enrollments of dependents of members of the Armed Forces and DOD civilian employees, and schools with enrollment changes due to base closures, force structure changes, or force relocations.

(Sec. 532) Earmarks specified DOD O&M funds for impact aid for children with severe disabilities.

(Sec. 533) Amends the NDAA for Fiscal Year 2006 to extend through FY2012 DOD authority to assist LEAs with enrollment changes due to base closures, force structure changes, or force relocations.

(Sec. 534) Authorizes the Secretary to extend eligibility for enrollment in DOD elementary and secondary schools to the dependents of: (1) a member

of a foreign armed force residing on a military installation in the United States or its territories or possessions; and (2) a deceased member of the Armed Forces who died in the line of duty in a combat-related operation.

(Sec. 535) Amends the Defense Dependents' Education Act of 1978 to make permanent the authority of the Secretary to enroll in the defense dependents' education system in Mons, Belgium, a limited number of dependents of foreign military personnel assigned to the Supreme Headquarters Allied Powers, Europe.

(Sec. 536) Amends the Elementary and Secondary Education Act of 1965 to reduce from 6,500 to 5,000 the number of weighted student units for purposes of determining the appropriate amount of impact aid funding.

(Sec. 537) Directs the Secretary to: (1) study options for educational opportunities for dependent children of members of the Armed Forces who do not attend defense dependents' schools; and (2) report study results to the defense and education committees.

(Sec. 538) Directs the CG to: (1) conduct an audit of the utilization by Leas of assistance provided under prior defense authorization Acts for dependent children of military personnel; and (2) report audit results to the defense and appropriations committees.

(Sec. 539) Expresses the sense of the Senate: (1) expressing strong support and commendation for all the states that have successfully enacted the Interstate Compact on Educational Opportunity for Military Children; (2) encouraging the remaining states to enact the Compact; (3) recognizing the importance of Compact components; and (4) expressing strong support for states to develop a State Council to coordinate participation in the Compact of government, Leas, and military installations in their states.

Subtitle E: Missing or Deceased Persons - (Sec. 541) Directs the Secretary to implement a comprehensive program to account for missing persons from specified conflicts from World **War** II through the Persian Gulf **War**. Requires the program to be implemented within the DOD POW/MIA accounting community (a community of several offices, commands, and laboratories doing work related to missing military personnel and casualties). Requires: (1) each unaccounted-for person to be considered a missing person for program purposes; and (2) a personnel file to be maintained for each missing person, with any new information relevant to the status of the person to be added to the file. Directs the Secretary, in implementing the program, to increase significantly DOD capability to account for missing persons so that, beginning with FY2015, at least 200 missing persons are accounted for annually under the program.

(Sec. 542) Requires the Secretary to prescribe a policy guaranteeing media access at ceremonies for the dignified transfer of remains of members who die while located or serving overseas, when approved by the decedent's primary next-of-kin. Requires the policy to include procedures in conducting appropriate ceremonies for such transfers. Authorizes the Secretary to provide round-trip transportation for the primary next-of-kin and family members. Allows the Secretary concerned to provide a casualty assistance officer or family liaison officer to accompany a next-of-kin during such travel.

(Sec. 543) Directs the Secretary to report to Congress on potential effects of expanding the list of persons who may be designated by a member as the person authorized to direct the disposition of remains.

(Sec. 544) Expresses the sense of Congress: (1) reaffirming its support for the recovery and return to the United States of the remains of members killed in battle, and for efforts by the joint POW-MIA Accounting Command to recover the remains of members from all wars; (2) recognizing the courage and sacrifice of members who fought on Tarawa Atoll in World **War** II; (3) acknowledging the dedicated research and efforts to identify, locate, and advocate for the recovery of remains of members from Tarawa; and (4) encouraging DOD to review such research and, as appropriate, conduct new studies, research, and undertake all feasible efforts to recover, identify, and return to the United States remains of members from Tarawa.

Subtitle F: Decorations and Awards - (Sec. 551) Authorizes and requests the President to award the Medal of Honor to former Private First Class Anthony T. Koho'ohanohano for acts of valor during the Korean **War**.

(Sec. 552) Authorizes and requests the Secretary of the Army to award the distinguished service cross to: (1) former Captain Jack T. Stewart for acts of valor during the Vietnam **War**; and (2) former Sergeant First Class William T. Miles, Jr., for acts of valor during the Korean **War**.

Subtitle G: Military Family Readiness Matters - (Sec. 561) Directs the Secretary to establish an Internet website or other online resources to provide information to members and their families about benefits and services available through DOD, including compensation, health care, life insurance, death and survivor benefits, and educational and housing assistance. Requires: (1) the military department secretaries to disseminate information on the availability of such resources; and (2) the Secretary to report to the defense and appropriations committees on the quality and scope of the resources established.

(Sec. 562) Requires: (1) inclusion on the Department of Defense Military Family Readiness Council of one representative from the National Guard and one representative from a reserve component; and (2) Guard representation to rotate between the Army and Air National Guard.

(Sec. 563) Establishes within the Office of the Under Secretary of Defense for Personnel and Readiness the Office of Community Support for Military Families With Special Needs to, among other things: (1) develop and implement a comprehensive policy on support for military families with special (whether medical or educational) needs; (2) establish and oversee a program of information and referral services relating to such special needs; (3) identify and address gaps in services available to such families; and (4) develop, and periodically update, a uniform DOD policy regarding military families with special needs. Outlines related programs to be established and maintained by such Office. Requires an annual report from the Secretary to the defense and appropriations committees on Office activities. Authorizes the Secretary to establish a foundation for the provision of assistance to DOD in providing support to military families with special needs. Directs such foundation to report annually to the Secretary and such committees on its activities. Authorizes appropriations.

(Sec. 564) Directs the Secretary to enter into an agreement with the head of an executive department or agency that has an established internship program to reimburse such department or agency for costs associated with the first year of employment of a spouse of a member serving on active duty who is selected to participate in the internship program. Excludes from such eligibility spouses who are: (1) legally separated from the member; (2) also a member serving on active duty; or (3) a retired member of the Armed Forces. Terminates the agreement at the end of FY2011. Requires the Secretary to report to the defense and appropriations committees on the number of spouses receiving internships under the agreement.

(Sec. 565) Includes members on active duty in a foreign country within coverage under the Family and Medical Leave Act of 1993. Includes as covered servicemembers under such Act veterans receiving medical treatment, recuperation, and therapy for a serious injury or illness and who were members of the Armed Forces at any time during the five years preceding the date on which the veteran undergoes such treatment, recuperation, or therapy. Provides a similar expansion of eligibility for family and medical leave under such Act for federal civil service employees called to active duty because of qualifying exigencies.

(Sec. 566) Amends the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Reagan Act) to require the Defense Task Force on Sexual Assault in the Military Services to submit its required report by December 1, 2009.

(Sec. 567) Directs the Secretary to submit to the defense committees: (1) a revised plan for the implementation of policies aimed at preventing and responding effectively to sexual assaults involving members of the Armed Forces; and (2) a report on progress made in coverage under TRICARE (a DOD managed health care program) for forensic examinations following alleged sexual assault or domestic violence (as required under the Warner Act). Requires information to be collected on whether a military protective order was issued that involved either the victim or alleged perpetrator of a sexual assault, and requires such information to be included in annual reports submitted to Congress on sexual assaults involving members. Directs the Secretary to report to such committees on measures being taken to ensure that, when such an order is issued to protect a member, the member is informed of their right to request a command transfer. Requires a report from the CG to the defense committees reviewing the capacity of each military department to investigate and adjudicate allegations of sexual assault against members in order to determine whether existing DOD policies and plans are adequate or negatively affect the ability of each department to facilitate the prevention, investigation, and adjudication of such allegations under the Uniform Code of Military Justice (UCMJ).

(Sec. 568) Directs the CG to: (1) review and assess DOD progress in implementing certain recommendations to reduce domestic violence within military families; and (2) report review results to the defense and appropriations committees.

(Sec. 569) Directs the CG to report to Congress on: (1) the impact of domestic violence in military families on the children of such families; and (2) progress to ensure that such children receive adequate care and services when exposed to such violence.

(Sec. 570) Requires a report from the Secretary to the defense committees on children of military families involved in international intrafamilial abductions during 2007 through 2009.

(Sec. 571) Directs the Secretary to: (1) assess the impacts of military deployment on dependent children of members; and (2) report assessment results to the defense committees.

(Sec. 572) Requires the Secretary to report to the defense committees on all reported cases since September 2003 involving child custody disputes in which the service of a member, whether regular or reserve, was an issue in the dispute.

(Sec. 573) Directs the CG to report to the defense committees on financial assistance for child care provided by DOD to members (including members of the reserves deployed in connection with a contingency operation).

Subtitle H: Military Voting - Military and Overseas Voter Empowerment Act - (Sec. 576) Authorizes any state to delegate to jurisdictions within the state its responsibilities in carrying out the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) as imposed by this Act.

(Sec. 577) Amends UOCAVA to require states to establish procedures for: (1) absentee military and overseas voters to request and, states to send, federal election voter registration applications and absentee ballot applications by mail and electronically; (2) transmittal of blank absentee ballots by mail and electronically to absentee military voters and overseas voters; (3) protecting the security and integrity of the voter registration and absentee ballot process; and (4) ensuring that absentee military and overseas voters have time to vote, unless the state receives a hardship exemption waiver if it is unable to meet timeliness requirements.

(Sec. 580) Directs the presidential designee (established under UOCAVA) to establish procedures for: (1) collecting marked absentee ballots of absentee overseas military voters in regularly scheduled federal general elections; and (2) delivering them to the appropriate state election officials. Authorizes appropriations.

Requires the chief state election official, in coordination with local election jurisdictions, to develop a free access tracking system by which an absent military or overseas voter may determine whether his or her absentee ballot has been received by the appropriate state election official. Requires the protection of voter privacy and the secrecy of absentee ballots.

(Sec. 581) Authorizes the use of federal write-in absentee ballots in general, special, primary, and runoff elections for federal office, and promotion and expansion of the use of such ballots as a back-up measure.

(Sec. 582) Prohibits refusal to accept otherwise valid voter registration and absentee ballot applications, marked absentee ballots, and federal write-in absentee ballots for failure to meet certain requirements such as notarization and restrictions on paper or envelope type.

(Sec. 583) Directs the presidential designee to: (1) develop online portals of information to inform absent military voters regarding voter registration procedures and absentee ballot procedures for federal elections; and (2) establish a program to notify absent military voters of voter registration information and resources, the availability of the federal postcard application, and the availability of the federal write-in absentee ballot on the Global Network. Authorizes appropriations.

Requires military department Secretaries to: (1) designate offices on installations under their jurisdiction to provide absent military voters and their families with absentee voting information and assistance; and (2) provide outreach to such voters on the availability of such information and assistance.

(Sec. 584) Requires the presidential designee to develop standards for: (1) states to report data on the number of absentee ballots transmitted and received; and (2) storing the data reported.

(Sec. 585) Repeals provisions relating to the use of a single voter registration and absentee ballot application for the next two regularly-scheduled elections, except for the prohibition of refusal of applications on grounds of early submission provisions.

(Sec. 586) Directs the presidential designee to report: (1) to the appropriations, defense, and administration committees on the status of implementation of voting procedures required under this Subtitle, and on the effectiveness of the DOD Voting Assistance Officer Program; and (2) annually to such committees and the President on the effectiveness of the Federal Voting Assistance Program carried out under section 583.

(Sec. 587) Requires the Attorney General to report annually to Congress on civil enforcement actions under UOCAVA.

(Sec. 588) Amends the Help America Vote Act of 2002 to require: (1) a state to use a requirements payment made using certain funds only to meet UOCAVA requirements imposed as a result of amendments made under this Subtitle; and (2) the state plan to describe how the state will meet such new requirements. Authorizes appropriations.

(Sec. 589) Authorizes the presidential designee to establish one or more pilot programs to test the feasibility of new election technology for the benefit of absent military and overseas voters claiming UOCAVA rights. Directs the presidential designee to report to Congress on the progress and outcomes of any such pilot program. Authorizes appropriations.

Subtitle I: Other Matters - (Sec. 591) Revises generally restrictions on performances by military musical units and musicians to compete in competitions with civilian bands and musicians, as well as the authority of military musical units and musicians to support official events funded, in whole or in part, by appropriated or nonappropriated funds. Authorizes military musical units and musicians to provide music for official military events,

performances that foster cooperative relationships with other nations, and events sponsored by or for a military welfare society.

(Sec. 592) Authorizes the Secretary of the Navy to make grants to support the Navy Sea Cadet Corps, a federally chartered corporation.

(Sec. 593) Reduces the matching fund requirement for states participating in the National Guard Youth Challenge Program from 75% to 60% of program costs, beginning October 1, 2009.

(Sec. 594) Amends the Hunter Act to add certain reserve officer representatives on the Military Leadership Diversity Commission.

(Sec. 595) Amends the NDAA for Fiscal Year 2008 to direct the Office for Reintegration Programs (part of the Yellow Ribbon Reintegration Program under such Act) to establish a program to provide National Guard and reserve members and their families, and assist local communities, with training in suicide prevention and community healing and response to suicide. Terminates the program at the end of FY2012.

(Sec. 596) Directs the Secretary to: (1) conduct a comprehensive review and assessment of DOD programs and activities for the prevention, diagnosis, and treatment of substance abuse disorders in members, as well as DOD policies relating to the disposition of substance abuse offenders in the Armed Forces; (2) report findings and recommendations to the defense committees; and (3) submit to the defense and appropriations committees a plan for the improvement and enhancement of such programs, activities, and policies. Requires such plan to include a comprehensive DOD statement of policy, mechanisms to ensure the availability of services and treatment as well as the prevention and reduction of substance abuse disorders, and specific instructions on the prevention, diagnosis, and treatment of substance abuse in members. Requires confidentiality for members with respect to treatment. Directs the: (1) Secretary to provide for an independent study on substance use disorders programs for members by the Institute of Medicine of the National Academy of Sciences or other independent entity; and (2) entity chosen to report its results to the Secretary and the defense and appropriations committees.

(Sec. 597) Directs the Secretary to report to the defense and appropriations committees on the various reintegration programs being administered in support of National Guard and reserve members and their families. Requires additional elements in annual reports concerning the Yellow Ribbon Reintegration Program, including a list of accounts from which Program funds were derived.

(Sec. 598) Directs the Secretary to report to Congress on progress with respect to the completion of the Defense Incident-Based Reporting System and the Defense Sexual Assault Incident Database.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances - (Sec. 601) Waives any FY2010 pay increases tied to increases in the General Schedule of Compensation for government employees. Increases by 3.4%, effective January 1, 2010, the rates of basic pay for military personnel.

(Sec. 602) Increases the maximum monthly subsistence allowance payable to low-income members with dependents. Requires the Secretary to submit to the defense and appropriations committees a plan for actions to eliminate the need for low-income members and their dependents to rely on the supplemental nutrition assistance program under the Food and Nutrition Act of 2008.

(Sec. 603) Authorizes the Secretary concerned to pay a special monthly compensation allowance to members with a catastrophic injury or illness incurred or aggravated in the line of duty if, in the absence of such assistance, the member would require hospitalization or other institutional care. Requires physician certification that the member requires assistance from another person to perform personal functions of everyday living. Provides for determination of the appropriate amount of such compensation. Requires the Secretary, and the Secretary of Homeland Security with respect to the Coast Guard, to report to Congress on the provision of such compensation.

(Sec. 604) Authorizes the Secretary concerned to pay a member or former member up to \$200 for each day of administrative absence that the member would have earned between January 19, 2007, and the date of that department's implementation of the Post-Deployment/Mobilization Respite Absence program had the program been in effect during such period. Prohibits such payments to any former members released under other than honorable conditions. Terminates such authority one year after the enactment of this Act.

(Sec. 605) Directs the Secretary to report to the defense and appropriations committees findings and recommendations on housing standards used to calculate the monthly rates of basic allowance for housing.

(Sec. 606) Directs the CG to: (1) conduct a study comparing pay and benefits provided by law to members of the Armed Forces to pay and benefits provided by the private sector to comparable private-sector employees in order to assess how such differences affect recruiting and retention of members; and (2) report study results to the defense and appropriations committees.

Subtitle B: Bonuses and Special and Incentive Pays - (Sec. 611) Extends through 2010 specified authorities currently scheduled to expire at the end of 2009 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 617) Makes technical corrections and conforming amendments to reconcile conflicting provisions regarding the continued payment of bonuses and similar benefits for certain members.

(Sec. 618) Allows the monthly payment of hostile fire, imminent danger, hazardous duty, assignment or special duty, and skill incentive pay to be prorated to reflect the actual time that members performed qualifying service during that month.

(Sec. 619) Authorizes the Secretary to pay assignment or special duty pay in excess of the authorized amount to members (particularly those who achieve proficiency in a language prescribed by the Secretary) who agree to serve on active duty in Afghanistan for at least three years. Requires the Secretary to report annually to Congress on the use of such authority. Terminates such authority at the end of 2012.

(Sec. 620) Authorizes the Secretary concerned to pay monthly special pay of up to \$500 to any member (including reserve members) who, beginning on October 1, 2009, and ending on June 30, 2011, serves on active duty while the member's enlistment or period of obligated service is extended, or their retirement is suspended, due to the exercise of the President's stop-loss authority (the authority to extend servicemembers' service period, or suspend their retirement, in time of **war** or national emergency).

(Sec. 621) Amends the NDAA for Fiscal Year 2006 to extend through 2012 the authority of the Secretary of the Army to develop and implement unique recruitment incentive programs.

(Sec. 622) Directs the Secretary of the Air Force to report to the defense and appropriations committees on Air Force efforts to attract and retain qualified individuals in the operation, maintenance, handling, and security of nuclear weapons.

Subtitle C: Travel and Transportation Allowances - (Sec. 631) Authorizes the Secretary concerned to provide travel and transportation allowances to eligible relatives of members who die while on active duty for attendance at a memorial service at a location other than the location of the burial ceremony for which travel and transportation allowances are provided. Limits such allowance to one memorial service.

(Sec. 632) Authorizes the provision of a travel and transportation allowance to up to three designated individuals (current law allows such allowance for up to three family members) to cover up to three round trips during each 60-day period to visit seriously wounded, ill, or injured servicemembers during the duration of their inpatient care. Allows members to change a designation at any time. Includes serious mental disorders as a covered serious illness.

(Sec. 633) Authorizes a travel and transportation allowance for a qualified non-medical attendant for members determined to be seriously or very seriously wounded, ill, or injured. Requires the attendant to be so designated by the member and determined to be qualified to contribute to the member's health and welfare. Authorizes such allowance for travel from the home of the attendant to the location at which the member is receiving treatment, as well as to locations to which the member may be transferred or referred for further treatment.

(Sec. 634) Authorizes the Secretary to provide reimbursement for travel expenses of members on active duty, and their dependents, to a specialty care provider under exceptional circumstances as determined by the Secretary.

(Sec. 635) Directs the Secretary to submit to the defense and appropriations committees a review of, and recommendations concerning, weight allowances provided for the transportation of baggage and household goods during permanent changes of stations of certain noncommissioned officers.

Subtitle D: Disability, Retired Pay, and Survivor Benefits - (Sec. 641) Requires the Secretary concerned to provide certain transitional assistance (including information on the availability of medical care and the location of the warrior transition unit located nearest to a member's permanent residence) to a member of the reserves who is injured while on active duty before the member is demobilized or separated from such duty.

(Sec. 642) Provides for the recomputation of retired pay and adjustment of the retired grade of reserve retirees recalled to an active status in the Selected Reserve for at least two years. Authorizes the Secretary concerned to reduce the two-year service requirement for a member so recalled to serve as an adjutant or assistant adjutant general in the National Guard if the member serves for at least one year but fails to serve two years due to legal requirements of the state, district, or territory in which the member is serving.

(Sec. 643) Allows members who serve in an active reserve status in the Selected Reserve for at least two years after attaining eligibility for active-duty (regular) retirement to elect a non-regular retirement for which they are qualified in lieu of the active-duty retirement. Authorizes the Secretary concerned to reduce the two-year service requirement for a member so recalled to serve as an adjutant or assistant adjutant general in the National Guard if the member serves for at least one year but fails to serve two years due to legal requirements of the state, district, or territory in which the member is serving. Considers a member retirement-eligible upon meeting all qualification requirements, without regard to whether the member actually retired or received retired or retainer pay.

(Sec. 644) Directs the Secretary to report to Congress on DOD's redetermination process used to update the eligibility of permanently incapacitated dependents of retired and deceased members for benefits provided through DOD.

(Sec. 645) Treats the service of any member of the Alaska Territorial Guard during World War II honorably discharged as active service for purposes of the computation of military retired pay.

Subtitle E: Commissary and Nonappropriated Fund Instrumentality Benefits and Operations - (Sec. 651) Prohibits the Secretary from allowing a DOD entity to offer or provide personal information services using DOD resources, personnel, or equipment, or to compete for contracts to provide such services, if users will be charged a fee for such services. Provides an exception if the Secretary determines that: (1) a private sector vendor is not available to provide such services at specific locations; (2) the interests of the user population would best be served by allowing the government to provide the services; or (3) the provision of such services by a DOD entity is in the best interest of the government or military users in general.

(Sec. 652) Directs the CG to report to the defense committees evaluating the impact of reimposing the requirement that all alcoholic beverages intended for resale on military installations on Guam be purchased from local sources.

Subtitle F: Other Matters - (Sec. 661) Reduces from 20% to 15% the amount that may be involuntarily deducted from a member's pay to collect erroneous overpayments. Directs the Secretary concerned to provide a reasonable opportunity for a member to request a delay in the imposition of the repayment requirement, and to consider any hardship to the member or former member caused by collection efforts. Delays such collection for up to 180 days in the case of members injured or wounded in the line of duty or in a combat operation or designated combat zone.

Sec. 662) Expresses the sense of Congress that: (1) all U.S. commercial carriers should lend support to members traveling on leave or liberty at their own expense; and (2) each such carrier should seek to provide reduced air fares, eliminate or waive certain transportation fees, and offer flexible terms on behalf of such members.

(Sec. 663) Expresses the sense of Congress that the Secretary with respect to military personnel, the Secretary of Homeland Security with respect to the Coast Guard, the Secretary of Health and Human Services with respect to commissioned officers of the Public Health Service, and the Secretary of Commerce with respect to commissioned officers of the National Oceanic and Atmospheric Administration should establish procedures to implement flexible spending arrangements for health care and dependent care on a pre-tax basis for such personnel. Requires such officials, in establishing such procedures, to consider the life events unique to such personnel, including changes in duty stations and deployments to overseas contingency operations.

(Sec. 664) Expresses the sense of Congress that: (1) members and their families and military retirees deserve ongoing recognition and support for their service and sacrifices; and (2) Congress will continue to be vigilant in identifying appropriate direct spending offsets that can be used to address shortcomings within those military programs that incur mandatory spending obligations.

Title VII: Health Care Provisions - Subtitle A: Improvements to Health Benefits - (Sec. 701) Prohibits the Secretary concerned from converting any military medical or dental position to a civilian medical or dental position on or after October 1, 2007 (thereby removing the September 30, 2012, termination date on such prohibition).

(Sec. 702) Extends eligibility for active-duty TRICARE coverage to reserve members who are issued or covered by a delayed-effective-date active-duty order in support of a contingency operation from 90 to 180 days before the date on which the active-duty period is to commence.

(Sec. 703) Conforms the dental care for reserve members serving on active duty for more than 30 days in support of a contingency operation to that provided to regular personnel serving on active duty for more than 30 days.

(Sec. 704) Expands survivor eligibility under the TRICARE dental program to conform to survivor eligibility under other TRICARE programs.

(Sec. 705) Extends TRICARE Standard coverage for certain reserve members who are qualified for non-regular retirement but are not yet 60 years old, as well as their dependents. Terminates such coverage upon attaining such age. Requires members to pay a monthly premium for such coverage.

(Sec. 706) Exempts TRICARE beneficiaries under 65 years old from the requirement to enroll in Medicare Part B for the retroactive months of

entitlement to Medicare Part A in order to maintain TRICARE coverage.

(Sec. 707) Directs the Secretary to establish procedures for identifying and notifying certain individuals who are no longer eligible for benefits under TRICARE of their options for enrollment under title XVIII (Medicare) of the Social Security Act.

(Sec. 708) Directs the Secretary to issue guidance for the provision of a person-to-person mental health assessment for each member deployed in connection with a contingency operation within specified periods before and following deployment. Excludes from assessment requirements members determined not to have been subjected or exposed to operational risk factors during such deployment. Terminates such assessments after an individual's release or discharge. Requires the Secretary to share assessment information with the Secretary of Veterans Affairs (VA) to ensure the continuity of mental health care and treatment of members during their transition from DOD health care coverage to VA health care coverage. Requires reports from the Secretary to Congress describing the guidance, as well as its implementation by the military departments.

(Sec. 709) Extends through FY2010 a limitation on charges under TRICARE Standard for inpatient care at a non-DOD facility.

Subtitle B: Health Care Administration - (Sec. 711) Requires the Secretary to: (1) develop and implement a comprehensive policy on pain management by the military health care system; (2) periodically update such policy; and (3) report annually, through 2018, to the defense committees on such policy.

(Sec. 712) Directs the Secretary to: (1) report to the defense and appropriations committees on the implementation of DOD policy guidance regarding deployment-limiting psychiatric conditions and medications; and (2) establish and implement a policy for the use of psychotropic medications for deployed members.

(Sec. 713) Authorizes the Secretary to establish cooperative health care agreements between military installations and local or regional health care systems. Requires the Secretary to report annually to the defense and appropriations committees on each agreement.

(Sec. 714) Directs each military department secretary to increase by a specified amount the number of active-duty mental health care personnel authorized for that department. Requires the Secretary of Defense to: (1) report to the defense and appropriations committees on the appropriate number of such personnel required to meet the mental health care needs of members; (2) develop and implement a plan to significantly increase the number of such personnel by the end of FY2013; and (3) report to such committees on the feasibility and advisability of establishing one or more military mental health specialties for officer or enlisted members in order to better meet the mental health care needs of members and their families.

(Sec. 715) Requires the Secretary to: (1) conduct a study on the management of medications for physically and psychologically wounded members; and (2) report study results to the defense committees.

(Sec. 716) Limits the obligation of certain available funding under specified Defense Health Program Accounts until 30 days after the Deputy Secretary of Defense reports to the defense and appropriations committees on changes to the governance and execution of health information management and information technology programs in support of clinical medical care in the DOD health care system. Requires the CG to submit to such committees an assessment of such report.

Subtitle C: Other Matters - (Sec. 721) Requires the Secretary to: (1) report to the defense and appropriations committees on the health care needs of dependents of members; (2) undertake actions to enhance the capability of the military health care system and improve the TRICARE program; (3) enhance the current level of quality health care provided by DOD and the military departments without adverse impact to cost, access, or care; and (4) submit an initial and periodic reports to such committees on progress made in achieving the goals of this section.

(Sec. 722) Directs the Secretary to: (1) conduct a comprehensive review of the mental health care and counseling services available to dependent children of members; (2) report review results to the defense committees; and (3) develop and implement a comprehensive plan for improvements in access to quality mental health care and counseling services for military children. Directs the Secretary of the Army to: (1) carry out a pilot program on the mental health care needs of military children and adolescents; and (2) submit an interim and final pilot program report to the defense and appropriations committees.

(Sec. 723) Requires the Secretary to: (1) provide for a clinical trial to assess the efficacy of cognitive rehabilitative therapy for members and former members who have been diagnosed with a traumatic brain injury incurred in the line of duty in Operations Iraqi Freedom or Enduring Freedom and are referred for such therapy; and (2) provide an initial and final assessment report to the defense and appropriations committees. Provides funding.

(Sec. 724) Directs the: (1) Secretary to establish the Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces; and (2) Task Force to annually report its care, management, and transition assessment results to the Secretary. Requires the Secretary to: (1) transmit the Task Force report to the defense committees; and (2) submit to such committees a plan to implement the recommendations of the Task Force. Terminates the Task Force five years after the enactment of this Act.

(Sec. 725) Requires the Secretary to: (1) provide for chiropractic treatment clinical trials conducted by the National Institutes of Health (NIH) or other independent academic institution; and (2) submit to the defense and appropriations committees monthly reports and a final report on such trials.

(Sec. 726) Directs the Secretary to provide for a study on the treatment of PTSD, to be conducted by the Institute of Medicine of the National Academy of Sciences or other independent entity. Requires: (1) the entity conducting the study to report results to the Secretary, the VA Secretary, and Congress; and (2) the Secretaries to submit to such committees a response to the report, including recommendations on the treatment of PTSD. Directs the: (1) conducting entity to periodically update its reports; and (2) Secretaries to respond to such updates.

(Sec. 727) Directs the Secretary to report to the defense committees on the implementation of requirements relating to the relationship between the TRICARE program and employer-sponsored group health plans.

(Sec. 728) Directs the Secretary to report to the defense and appropriations committees on stipends paid to members of the reserves for health care for dependents determined to possess special health care needs.

Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Acquisition Policy and Management - (Sec. 801) Authorizes the Secretary, in the case of a product or service to be acquired in support of military or stability operations in Afghanistan, to conduct a procurement in which: (1) competition is limited to products or services from one or more countries along a major supply route to Afghanistan; and (2) a preference is provided for products or services that are from one or more of such countries. Requires the Secretary, in conducting such a procurement, to determine that: (1) the product or service is to be used in the country that is the source of such product or service; (2) the product or service is to be used in the course of efforts to ship goods to Afghanistan in support of military or stability operations there or by military forces, police, or other security personnel there; (3) it is in the US national security interest to limit procurement competition or provide a procurement preference; and (4) limiting such competition or providing such preference will not adversely affect military or stability operations in Afghanistan or the U.S. industrial base. Terminates such authority three years after the enactment of this Act. Requires a report from the Secretary to the defense and appropriations committees on the use of such authority.

(Sec. 802) Directs the Under Secretary to: (1) direct the Defense Science Board to conduct an independent assessment of improvements in the procurement and oversight of services by DOD; and (2) report assessment results to the defense and appropriations committees.

(Sec. 803) Directs the Secretary to include in annual defense budget materials specified information with respect to DOD procurement of contract services. Requires the CG to report to the defense committees on the inventory of contracts for services submitted by the Secretary in each of 2010 through 2012.

(Sec. 804) Requires the Secretary to: (1) develop and implement a new acquisition process for information technology systems; and (2) report to the defense committees on the process.

(Sec. 805) Directs the Secretary to: (1) issue comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems; and (2) require each major weapon system to be supported by a product support manager.

(Sec. 806) Amends the NDAA for Fiscal Year 2008 to provide that a contract entered into by a non-defense agency that is an element of the intelligence community for the performance of a joint DOD and non-defense agency program shall not be considered a procurement of property or services for DOD through a non-defense agency, for purposes of federal limitations on such procurements by DOD.

(Sec. 807) Sets forth DOD policy with respect to the safety of facilities, infrastructure, and equipment used in current or future military operations. Requires the Secretary to: (1) ensure that each contract or task or delivery order entered into for the construction, installation, repair, maintenance, or operation of facilities for use by DOD military or civilian personnel complies with such policy; and (2) provide exceptions and limitations as necessary for the requirements of military operations and the best interests of DOD.

Subtitle B: Amendments to General Contracting Authorities, Procedures, and Limitations - (Sec. 811) Requires the Federal Acquisition Regulation (FAR) to be revised to provide that the head of a federal agency may not award a sole-source contract for an amount exceeding \$20 million unless: (1) the contracting officer justifies in writing the use of a sole-source contract; (2) such justification is approved by an official designated to approve contract awards for amounts comparable to that contract; and (3) the justification and related information are made public. Limits the application of such requirements to sole-source contracts that are currently exempt from generally applicable justification and approval requirements.

(Sec. 812) Directs the Secretary to revise the DOD Supplement to the FAR to require that any limitations on the reimbursement of costs and the payment of fees incurred before the definitization of an undefinitized contractual action of DOD shall be applicable to all categories of such contractual actions, including undefinitized task and delivery orders.

(Sec. 813) Amends the NDAA for Fiscal Year 2008 to revise the reporting of information relating to DOD contracts in Iraq and Afghanistan to: (1) make such report requirements applicable to grants and cooperative agreements; (2) increase from 14 to 30 days the duration of a contract for which such reporting is required; and (3) align the contract threshold after which contractors must report their employment of Iraqi nationals with the simplified acquisition threshold (generally \$100,000).

(Sec. 814) Revises notification requirements for awards of single source task or delivery orders exceeding \$100 million to: (1) require notification to the defense and appropriations committees within 30 days; and (2) require such notification also to the intelligence committees in the case of a task or delivery order contract awarded with respect to DOD intelligence activities.

(Sec. 815) Amends the Federal Acquisition Streamlining Act of 1994 to require regulations regarding prime contract suspension and debarment procedures to also apply to subcontracts at any tier other than subcontracts for commercially available off-the-shelf items.

(Sec. 816) Amends the Clinger-Cohen Act to extend through 2011 DOD authority to use simplified acquisition procedures for commercial items with a value of less than \$5.5 million.

(Sec. 817) Authorizes the Secretary to designate a program that qualifies as both a MDAP and a major automated information system (MAIS) program as only a MDAP or a MAIS.

(Sec. 818) Requires the Secretary to review and determine: (1) whether any firms listed in the small arms production industrial base should be eliminated or modified, and whether any additional firms should be included; and (2) whether any of the small arms listed as part of such industrial base should be eliminated or modified, and whether any additional small arms should be included. Directs the Secretary to report to the defense and appropriations committees on such review.

(Sec. 819) Allows contracts awarded for DOD advanced component development or prototype units to contain an option for: (1) the provision of advanced component development and prototype of technology developed under the contract; or (2) the delivery of initial or additional prototype items if the item or prototype is created as a result of work performed under the contract. Requires delivery of a minimal amount of initial or additional prototype items to allow for the timely solicitation and award of a follow-on development or production contract for those items. Makes the contract option applicable for 12 months. Limits the dollar value of work to be performed under such an option. Terminates option authority at the end of FY2014. Requires a report from the Secretary to the defense and appropriations committees on the exercise of such authority.

(Sec. 820) Requires DOD contracting officers to make public the justification for the bundling of contracts at least 30 days before issuing the contract solicitation and to include in the justification the benefits expected from the bundling.

Subtitle C: Contractor Matters - (Sec. 821) Allows government support contractors access to prime contractor technical data for the sole purpose of furnishing advice or technical assistance to the government in support of the government's management and oversight of a program or effort. Requires such support contractor, in order to receive such data, to make a series of contract commitments, including a nondisclosure agreement, to ensure that such access is not abused.

(Sec. 822) Amends the NDAA for Fiscal Year 2008 to extend by one year a reporting deadline of the Commission on Wartime Contracting in Iraq and Afghanistan.

(Sec. 823) Directs the Secretary to ensure that DOD contracts using award fees: (1) take into consideration incidents in which a contractor is determined through a criminal, civil, or administrative proceeding to have caused serious bodily injury or death to civilian or military personnel through gross negligence or reckless disregard for safety; and (2) authorize the Secretary to reduce or deny such fees, or recover fees previously paid, on the basis of such incidents.

Subtitle D: Acquisition Workforce Matters - (Sec. 831) Adds "critical need" as a basis for the expedited hiring of defense acquisition workforce positions. Extends such authority through FY2015.

(Sec. 832) Authorizes the Secretary to transfer expired, unobligated DOD procurement, RDT&E, and O&M funds to the Department of Defense Acquisition Workforce Development Fund. Outlines requirements and limitations on such transfers, including maximum amounts for FY2010-FY2015.

(Sec. 833) Directs the Panel on Contracting Integrity (established under the Warner Act) to: (1) review policies relating to post-employment restrictions applicable to DOD personnel to determine whether such policies adequately protect the public interest without unreasonably limiting future employment options for such personnel; (2) complete the review within one year after enactment of this Act; and (3) report review results to the defense committees. Requires the National Academy of Public Administration to assess such review, and report assessment results to such committees.

(Sec. 834) Requires the CG to review and report to Congress on the Acquisition Workforce Development Strategic Plan required under the Hunter Act.

Subtitle E: Other Matters - (Sec. 841) Revises a current report requirement with respect to major automated information system programs to replace references to "initial operational capability" and "full operational capability" with the term "full deployment decision" in order to conform such terminology with updated acquisition regulations.

(Sec. 842) Increases from \$50 million to \$85 million the threshold with respect to the authority of the President to correct the industrial resource shortfall of high-purity beryllium metal.

(Sec. 843) Requires a report from the CG to the defense committees on rare earth materials in the DOD supply chain.

(Sec. 844) Directs the CG to: (1) conduct a study on the structure and management of major subcontracts under contracts for the acquisition of selected major weapon systems; and (2) report study results to the defense committees.

(Sec. 845) Requires the CG to: (1) conduct a study of DOD procurements that use solicitations in which evaluation factors other than cost or price, when combined, are more important than cost or price; and (2) report study results to the defense committees.

(Sec. 846) Amends the NDAA for Fiscal Year 2004 to repeal an annual report requirement relating to the military system essential item breakout list.

(Sec. 847) Amends the Small Business Act to authorize the Secretary and the Secretary of each military department to carry out DOD's Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs through FY2010.

(Sec. 848) Amends the above Act to extend through FY2010 the SBIR commercialization pilot program.

Title IX: Department of Defense Organization and Management - Subtitle A: Department of Defense Management - (Sec. 901) Authorizes the Secretary to permit eligible private-sector employees to receive instruction at the Defense Cyber Investigations Training Academy operating within the Defense Cyber Crime Center. Makes eligible for such instruction employees engaged in providing to DOD or other federal departments or agencies significant and substantial defense-related systems, products, or services, or whose work product is relevant to national security policy or strategy. Requires an appropriate standard of conduct (equal to federal civilian employees) from such employees while so enrolled.

(Sec. 902) Requires a report from the Secretary to the defense and appropriations committees on the organizational structure of the Office of the Assistant Secretary of Defense for Health Affairs and the TRICARE Management Activity.

(Sec. 903) Expresses the sense of Congress that the Director of Operational Energy Plans and Programs should report directly to the Secretary on issues related to operational energy, and be included as a fully participating member of the Advisory Working Group of the Deputy Secretary of Defense.

(Sec. 904) Increases from \$10 million to \$20 million the amount authorized to be used annually from the Combatant Commander Initiative Fund to purchase items with a unit cost in excess of \$250,000 (currently, \$15,000). Requires coordination with the relevant chief of mission when the Fund is used for humanitarian or civic assistance purposes.

(Sec. 905) Repeals the position of Deputy Under Secretary of Defense for Technology Security Policy within the Office of the Under Secretary of Defense for Policy. Requires 30 days' advance notification to the defense committees prior to making a significant change in the reporting structure for the Defense Technology Security Administration.

(Sec. 906) Allows for five Deputy Under Secretaries of Defense (there are currently 28), each of whom would serve as a first assistant to an Under Secretary of Defense, and each of whom would be subject to Senate confirmation. Designates the five Deputy Under Secretaries as the Principal Deputy Under Secretary of: (1) Defense for Acquisition, Technology, and Logistics; (2) Defense for Policy; (3) Defense for Personnel and Readiness; (4) Defense (Comptroller); and (5) Defense for Intelligence. Delays until January 1, 2011, the requirement that such five Deputy Under Secretaries be the only Deputy Under Secretaries. Requires a report from the Secretary to the defense committees setting forth a plan for such realignment within the allotted time.

Authorizes two new Assistant Secretaries of Defense, subject to Senate confirmation (to fill positions currently filled by Deputy Under Secretaries). Designates the new Assistant Secretaries as the Assistant Secretary of Defense for: (1) Acquisition; and (2) Logistics and Materiel Readiness.

Provides compensation levels for the positions established under this section. Allows the individuals currently serving as Principal Deputy Under Secretary of Defense (Comptroller) and Principal Deputy Under Secretary of Defense for Intelligence to continue to serve in such positions for up to four years after the enactment of this Act without the required Senate confirmation.

Subtitle B: Space Activities - (Sec. 911) Requires the Secretary (current law) and the Director of National Intelligence (DNI) to jointly develop and submit to the appropriations committees a biennial space science and technology strategy. Directs the CG to review and assess the first such strategy and report results to such committees.

(Sec. 912) Makes permanent a current pilot program to determine the feasibility and desirability of providing to non-U.S. government entities certain space surveillance data support. Authorizes the Secretary to provide space situational awareness information and services to, and obtain such information and services from, such entities. Directs the Secretary to notify the defense and appropriations committees if any commercial or foreign entity has declined or is reluctant to provide such information or data to the Secretary due to concerns over its potential disclosure.

(Sec. 913) Directs the President to develop a strategy for the management and funding of the National Polar-Orbiting Operational Environmental Satellite System Program by DOD, the Department of Commerce, and NASA. Prohibits the obligation or expenditure of more than: (1) 50% of the funds authorized for such Program under this Act until such strategy is submitted to the defense, appropriations, and commerce committees; and (2) 75% of such funds until a plan to implement the strategy is submitted to such committees. Expresses the sense of the Senate with respect to the continuity, requirements, and management of the Program.

Subtitle C: Intelligence-Related Matters - (Sec. 921) Authorizes the Defense Intelligence Agency (DIA) to use proceeds from counterintelligence operations to offset reasonable and necessary expenses incurred in such operations. (Under current law, only the military departments have such authority.)

(Sec. 922) Directs the Secretary to: (1) assess foreign ballistic missile intelligence gaps and shortfalls; (2) develop a plan to ensure that appropriate

intelligence centers have sufficient analytical capabilities to address such gaps and shortfalls; and (3) report on such assessment and plan to the defense, appropriations, and intelligence committees.

Subtitle D: Other Matters - (Sec. 931) Requires the Under Secretary to submit to the defense and appropriations committees a strategy for organizing the research and development bodies of DOD to develop leap-ahead cyber operations capabilities.

(Sec. 932) Directs the Secretary to establish a Defense Integrated Military Human Resources System Development and Transition Council to advise the Secretary and the military department Secretaries on the modernization of the integrated pay and personnel system for each department and the collection of data generated by each such system into the enterprise information warehouse. Terminates the Council at the end of FY2013. Requires the Secretary to report to the defense and appropriations committees on actions taken under this section.

(Sec. 933) Requires the: (1) commander of the special operations command to report to the Secretary on the command's organization, manning, and management; and (2) Secretary to forward such report, with comments and recommendations, to the defense and appropriations committees.

(Sec. 934) Directs the Secretary to report to the defense and appropriations committees assessing the challenges to retention and professional development of DOD cyber operations personnel.

(Sec. 935) Directs the Secretaries of Defense and Transportation (DOT) to jointly: (1) develop a plan for providing expanded access to the national airspace for unmanned aircraft systems of DOD; and (2) submit such plan to the defense, appropriations, transportation, and homeland security committees.

Title X: General Provisions - Subtitle A: Financial Matters - (Sec. 1001) Authorizes the Secretary, in the national interest, to transfer up to \$4 billion of the amounts made available to DOD in this Act between any such authorizations for that fiscal year, with limitations. Requires congressional notification of each transfer.

(Sec. 1002) Provides that requirements of the Quadrennial Defense Review should not be construed to affect the delivery of budget materials and congressional reporting requirements.

(Sec. 1003) Directs DOD's Chief Management Officer to develop and maintain a Financial Improvement and Audit Readiness Plan under which DOD financial statements are validated as ready for audit by the end of FY2017. Provides interim audit readiness objectives, including for each military department. Requires semiannual reports from the Under Secretary of Defense (Comptroller) to the defense and appropriations committees on the status of Plan implementation (with certain additional issues to be addressed in the first of such reports).

Subtitle B: Counter-Drug Activities - (Sec. 1011) Amends the Reagan Act to extend through FY2010 DOD authority to support a unified counter-drug and counterterrorism campaign in Colombia.

(Sec. 1012) Amends the NDAA for Fiscal Year 2004 to extend through FY2010 the authority of a DOD joint task force to provide support to law enforcement agencies conducting counterterrorism activities. Requires an annual report in 2009 and 2010 on the effects of such support on counter-drug and counterterrorism activities and objectives.

(Sec. 1013) Amends the Spence Act to extend through 2010 a report on expenditures to support foreign counter-drug activities.

(Sec. 1014) Amends the NDAA for Fiscal Year 1998 to extend through FY2010 authorized DOD support for counter-drug activities of certain foreign governments.

(Sec. 1015) Prohibits amounts available to DOD for drug interdiction and counter-drug activities from being used for the construction, expansion, repair, or O&M of any existing or proposed border coordination centers in Afghanistan and Pakistan. Provides specific limitations on the establishment of an additional center in Afghanistan. Authorizes the Secretary to waive the prohibition when vital to U.S. national security interests.

(Sec. 1016) Requires a report from the CG to the defense and appropriations committees on the performance evaluation system used to assess the effectiveness of assistance provided to foreign countries to help achieve DOD counternarcotics objectives.

Subtitle C: Naval Vessels and Shipyards - (Sec. 1021) Expresses the sense of Congress that: (1) the Navy should meet its requirements for a 313-ship fleet until such time as modifications are warranted and the Secretary of the Navy provides Congress with a justification of such modifications; (2) the Navy should take greater care to achieve the full planned service life of existing ships and reduce the incidence of early ship decommissioning; (3) the Navy should exercise greater restraint on the acquisition process for ships in order to achieve on-time, on-cost shipbuilding programs; and (4) Congress should support the Navy when it is acting responsibly to achieve the 313-ship requirement and maintaining an appropriate fleet to meet U.S. national security needs.

(Sec. 1022) Designates the U.S.S. Constitution as "America's Ship of State." Expresses the sense of the Senate that the President, Vice President, executive officials, and Members of Congress should utilize the U.S.S. Constitution for conducting pertinent matters of state. Requires the Secretary of the Navy to determine an appropriate fee or reimbursement for any non-Navy entities using the U.S.S. Constitution for Ship of State purposes.

(Sec. 1023) Authorizes a reduction to 10 of the minimum number of operational Navy aircraft carriers during the period between the inactivation of the U.S.S. Enterprise (currently scheduled for FY2013) and the commissioning of the U.S.S. Gerald R. Ford. Requires the: (1) JCS Chairman to assess the level of increased risk that could result due to such temporary reduction; and (2) Secretary to report assessment results to the defense and appropriations committees.

(Sec. 1024) Expresses the sense of Congress that: (1) the NR-1 (research submarine) is a unique and irreplaceable part of the nation's history, and as much of the vessel as possible should be preserved at the Submarine Force Museum and Library in Groton, Connecticut; and (2) the Secretary of the Navy should ensure that as much of such vessel as possible is made available for transfer to that Museum and Library.

Subtitle D: Miscellaneous Requirements, Authorities, and Limitations - (Sec. 1031) Prohibits DOD funds from being obligated or expended for publicity or propaganda purposes within the United States not otherwise specifically authorized by law.

(Sec. 1032) Requires the Deputy Secretary of Defense and the Deputy Secretary of Transportation (current law requires the Secretary of Defense) to prepare the biennial global positioning system report. Requires such report to be submitted to the transportation committees (in addition to the defense committees).

(Sec. 1033) Amends the Hunter Act to direct the Secretary and the DNI to report annually to the defense, appropriations, and intelligence committees on determinations made with respect to meeting bandwidth requirements for MDAPs and major system acquisition programs during the preceding fiscal year.

(Sec. 1034) Amends the NDAA for Fiscal Year 2008 to require two additional assessments from an advisory panel established by the Secretary to

assess DOD capabilities to support U.S. civil authorities in the event of a chemical, biological, nuclear, or high-yield explosive incident.

(Sec. 1035) Requires the DNI and the Secretary to jointly submit to the intelligence and defense committees a revised charter for the National Reconnaissance Office (NRO).

(Sec. 1036) Directs the Secretary to develop and submit to Congress a national strategic plan for improving over a five-year period the U.S. nuclear forensic and attribution capabilities and the methods, capabilities, and capacity for nuclear materials forensics and attribution.

(Sec. 1037) Authorizes the Secretary, under certain conditions, to make certain wage-scale increase payments to Portuguese nationals employed by DOD in Portugal. Authorizes appropriations.

(Sec. 1038) Prohibits detainees or other individuals in the custody or control of DOD in connection with hostilities from being interrogated by contractor personnel. Authorizes the Secretary to waive such prohibition for 60 days when vital to U.S. national security interests (requiring congressional notification). Provides authorized functions, with conditions, of contractor personnel in such circumstances, including trainers of and advisors to interrogators.

(Sec. 1039) Requires the head of a military service or department that has custody or control of the Theater Internment Facility at Bagram Air Base, Afghanistan, or of any individual detained at such facility, to notify the International Committee of the Red Cross as soon as possible of such a detention. Requires any official exercising such custody or control to ensure prompt Red Cross access to any such detainee, but allows for temporary denial of access due to imperative military necessity consistent with the Geneva Convention Relative to the Treatment of Prisoners of War. Specifies the scope of Red Cross access allowed to such detainees, including to their rooms, interrogation facilities, health care facilities, and recreation areas.

(Sec. 1040) Provides that, absent a court order requiring such statements, no military or intelligence agency or department of the United States shall read to a foreign national who is captured or detained outside the United States as an enemy belligerent the statement required by *Miranda v. Arizona* or otherwise inform such prisoner of any right to counsel or to remain silent consistent with *Miranda*. Makes such prohibition inapplicable to the Department of Justice (DOJ). Requires a report from the Secretary to the defense and appropriations committees on how the notification to individuals detained by the United States in Afghanistan of their legal rights under *Miranda* may affect Operation Enduring Freedom and interrogations and intelligence-gathering activities in Afghanistan.

(Sec. 1041) Prohibits the Secretary, from October 1, 2009, through December 31, 2010, from using any funds to release into the United States any non-U.S. individuals detained at the Naval Station Guantanamo Bay, Cuba. Prohibits the Secretary, during the same period, from using such funds to transfer any such individuals to the United States or its territories or possessions until 45 days after the President submits to the defense and appropriations committees a plan for the disposition of such detainees. Requires the plan to include, at a minimum: (1) an assessment of risks posed by such an individual; (2) measures to be taken to mitigate such risks; and (3) the costs associated with executing the plan.

(Sec. 1042) Amends the Inspector General Act of 1978 to authorize the DOD Inspector General to subpoena the attendance and testimony of witnesses necessary to carry out a DOD audit or investigation. Requires such Inspector General to notify the Attorney General seven days before issuing such a subpoena.

(Sec. 1043) Prohibits an article of military equipment that is an end item of a major weapon system from being furnished to a private entity for RDT&E, if such RDT&E significantly modifies the equipment, until the senior acquisition official of that military department makes specific certifications to the defense and appropriations committees with respect to the necessity of such modification. Prohibits the furnishing of any such item to a private entity for purposes of RDT&E unless the senior official certifies to such committees that the item is not essential to U.S. defense.

Authorizes the Secretary of the Navy to transfer to Piasecki Aircraft Corporation Navy aircraft N40VT and associated components and test equipment. Specifies transfer conditions.

Subtitle E: Studies and Reports - (Sec. 1051) Directs the: (1) CG to report to the defense and appropriations committees and the Secretary on the degree to which the Secretary's 2009 quadrennial defense review complies with statutory requirements; and (2) Secretary, if the CG determines that such review fails to address required items, to report to such committees addressing such items.

(Sec. 1052) Directs the Secretary, at the same time as delivery of the 2009 quadrennial defense review, to report to the defense and appropriations committees on the force structure findings of such review, as well as changes from the previous quadrennial review to minimum requirements for major military capabilities.

(Sec. 1053) Directs the Secretary to report annually through 2015 to the defense and appropriations committees on DOD's electronic warfare strategy.

(Sec. 1054) Requires the President to: (1) designate an executive agency to commission a study on the design and implementation of an interagency system for the career development and support of national security professionals; and (2) report study results to Congress.

(Sec. 1055) Directs the DNI to report biennially to the defense, appropriations, and intelligence committees on the nuclear weapons and related programs of countries that are not parties to the Treaty on Non-Proliferation of Nuclear Weapons (commonly known as the Nuclear Nonproliferation Treaty), as well as the nuclear weapons aspirations of other non-state entities that the DNI considers appropriate. Requires: (1) the first such report to be submitted by the beginning of FY2011; and (2) the DNI to notify such committees if the report will not be submitted by such date.

(Sec. 1056) Requires the CG to review and report to the defense committees on DOD obligations and expenditures in the final quarter of each of FY2006-FY2009, as compared to such obligations and expenditures in the first three quarters of such fiscal years, to determine if DOD spending policies contribute to hastened year-end spending and poor use or waste of taxpayer dollars.

(Sec. 1057) Directs the DNI to report to Congress on the advisability of providing federal retirement benefits to U.S. citizens for service prior to 1977 as employees of Air America or any associated company while such company was owned or controlled by the federal government and operated or managed by the Central Intelligence Agency (CIA).

(Sec. 1058) Directs the Secretary to submit to the defense committees a comprehensive plan to simplify defense travel procedures.

(Sec. 1059) Requires the Secretary, working through specified officials, to report to the defense and appropriations committees describing current and planned efforts to support and enhance the defense modeling and simulation technological and industrial base, including in academia, industry, and government.

(Sec. 1060) Directs the Commander of the U.S. Special Operations Command, jointly with the commanders of the combatant commands and the chiefs of the services, to report to the Secretary and the Chairman of the JCS on the availability of enabling capabilities to support special operations forces requirements. Requires the Secretary to forward such report, with comments and recommendations, to the defense and appropriations committees.

(Sec. 1061) Requires the appointment of eight additional members to an independent panel appointed by the Secretary to assess the quadrennial

defense review, and provides additional panel duties, including the assessment of possible military force structures. Directs the Secretary, after the panel submits its final report with respect to the 2009 quadrennial defense review, to submit to the defense and appropriations committees any comments on such report. Terminates the panel 45 days after its final report.

(Sec. 1062) Directs the Secretary to report to the defense and appropriations committees on the extent to which competitive or merit-based procedures were used in procuring each earmark listed in the joint explanatory statement accompanying the Department of Defense Appropriations Act, 2008. Directs the DOD Inspector General to conduct an audit of contracts, grants, or other agreements pursuant to congressional earmarks of DOD funds to determine whether or not earmark recipients are complying with federal requirements on the use of appropriated funds to influence congressional action on any legislation or appropriation matter pending before Congress.

(Sec. 1063) Requires a report from the Secretary to the defense and appropriations on the plan for basing forces outside of the United States. Directs the Secretary to notify Congress at least 30 days before the permanent relocation of a unit stationed outside the United States.

Subtitle F: Other Matters - (Sec. 1071) Extends through FY2010 DOD authority to offer and make rewards for assistance in combating terrorism through government personnel of allied forces.

(Sec. 1072) Requires the appropriate chief management officer for a defense business system modernization to determine whether or not appropriate business process reengineering efforts have been undertaken before DOD approves a new business system modernization program. Directs such officer, for each defense business system modernization approved by the Defense Business Systems Management Committee before the date of enactment of this Act having a total cost in excess of \$100 million, to review the modernization to determine whether appropriate reengineering efforts have been undertaken, and, upon a negative determination, to develop a plan to undertake such efforts.

(Sec. 1074) Amends the NDAA for Fiscal Year 2008 to extend until December 21, 2009, the termination date for the Congressional Commission on the Strategic Posture of the United States.

(Sec. 1075) Prohibits the Secretary of the Air Force from retiring any additional legacy fighter aircraft, as announced in the Combat Air Forces restructuring plan, until 30 days after reporting to the defense committees with respect to force structure and capability gaps resulting from such retirement, and on ways to address such gaps. Provides an exception for the five fighter aircraft already scheduled for retirement in FY2010.

(Sec. 1076) Expresses the sense of Congress that: (1) the Navy should meet its requirement of 10 carrier air wings comprised of not less than 44 strike-fighter aircraft; and (2) Congress and the Secretary of the Navy should take all appropriate action to achieve such requirement until modifications thereto are warranted and such Secretary provides Congress with a justification of such modifications.

(Sec. 1077) Requires the VA Secretary to: (1) commence a three-year study to assess the benefits, feasibility, and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities, including PTSD; (2) partner under such study with nonprofit organizations that would not charge veteran participants for the dogs, services, or lodging provided; and (3) report study findings to Congress. Directs the National Academy of Sciences, upon completion of the study, to report to Congress on its results.

(Sec. 1078) Directs the Secretary to: (1) review and establish a plan to sustain the solid rocket motor industrial base; and (2) submit the plan to the defense and appropriations committees.

(Sec. 1079) Expresses the sense of Congress that claims of American victims of torture and hostage-taking by Iraq during the reign of Saddam Hussein should be resolved by a prompt and fair settlement between the governments of Iraq and the United States.

(Sec. 1080) Requires the Secretary to: (1) ensure the videotaping or other electronic recording of each strategic intelligence interrogation of a person in the custody or control of DOD or under detention in a DOD facility; (2) provide for the appropriate classification of such tape or recording; (3) develop and adopt uniform taping guidelines; and (4) submit such guidelines to the defense committees. Provides an exception from the videotaping requirement in the case of: (1) members engaged in direct combat operations; and (2) tactical questioning. Authorizes the Secretary to waive the videotaping requirements for 30 days when determined vital to U.S. national security, requiring waiver notification to the defense and intelligence committees within five days thereafter. Allows for waiver extensions in appropriate cases.

(Sec. 1081) Amends the NDAA for Fiscal Year 2008 to require the Secretary of the Air Force to conduct a pilot program on commercial fee-for-service air refueling support for the Air Force, unless the Secretary of Defense notifies the defense and appropriations committees that pursuing the pilot program is not in the national interest.

(Sec. 1082) Authorizes the Secretary of the Air Force, beginning with the FY2011 program year, to enter into one or more multiyear contracts for conducting the above pilot program. Prohibits the amount of any such contract from exceeding \$999,999,999.

(Sec. 1083) Directs the Secretary to release to the public, upon request, the names of instructors and students at the Western Hemisphere Institute for Security Cooperation for FY2009-FY2010.

(Sec. 1084) Expresses the sense of Congress that the Western Hemisphere Institute for Security Cooperation: (1) offers quality professional military bilingual instruction that promotes democracy, subordination to civilian authority, and respect for human rights; (2) is uniquely positioned to support the modernization of Latin America security forces; (3) is building partner capacity which enhances regional and global security while encouraging respect for human rights and promoting democratic principles; (4) is an invaluable education and training facility; and (5) is an essential tool to educate future generations of Latin American leaders and improve U.S. relationships with partner nations working to promote democracy, prosperity, and stability in the Western Hemisphere.

Title XI: Civilian Personnel Matters - Subtitle A: Personnel - (Sec. 1101) Amends the David L. Boren National Security Education Act of 1991 to authorize the Secretary of Defense, State, or Homeland Security, or the head of any other federal agency having national security responsibilities, to appoint to positions in their respective offices individuals who have successfully completed the national security education program (authorized under such Act).

(Sec. 1102) Authorizes the Secretary to appoint into DOD excepted service positions individuals who have successfully completed the Science, Mathematics, and Research for Transformation (SMART) Defense Scholarship Program.

(Sec. 1103) Authorizes the Secretary to appoint into DOD information technology positions individuals who have successfully completed the Defense Information Assurance Scholarship Program.

(Sec. 1104) Amends the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 to extend through FY2014 the experimental personnel management program for DOD scientific and technical personnel. Increases maximum pay levels for such employees (including bonuses and incentive payments). Revises an annual report requirement.

(Sec. 1105) Designates specified DOD research centers as DOD science and technology reinvention laboratories, and requires the Secretary to convert

employees at such facilities into a DOD personnel demonstration program originally established under the NDAA for Fiscal Year 1995.

(Sec. 1106) Amends the Hunter Act to extend through 2010 DOD authority to waive annual premium pay and aggregate pay limits for civilian employees working in certain overseas locations.

(Sec. 1107) Amends the Emergency Supplemental Appropriations Act for Defense, the Global **War** on Terror, and Hurricane Recovery, 2006 to extend to DOD civilians working in Pakistan the same employee benefits currently provided to DOD civilians working in Iraq and Afghanistan.

(Sec. 1108) Directs the Secretary to annually submit to the defense and appropriations committees a strategic workforce plan for the DOD civilian employee workforce. Makes the Under Secretary of Defense for Personnel and Readiness responsible for developing and implementing such plan. Requires each plan to specifically address the shaping and improvement of: (1) the senior management, functional, and technical workforce of DOD; and (2) the defense acquisition workforce, both military and civilian. Directs the: (1) Secretary to require each military department Secretary to report to the Secretary on such matters; (2) CG to report to the defense and appropriations committees on each submitted plan; and (3) CG to submit a one-time report assessing the efficacy of DOD training for acquisition and audit personnel.

(Sec. 1109) Amends the Hunter Act to eliminate certain DOD personnel hiring limitations with respect to: (1) the performance of inherently governmental functions or DOD functions; (2) the ability to maintain sufficient organic expertise and technical capability; and (3) work that, because of its critical nature, should be performed only by DOD civilian employees or members of the Armed Forces. Consolidates into one annual report certain related reports required under prior defense authorization Acts. Requires additional information in the consolidated report, including: (1) the replacement of contractor personnel performing inherently governmental functions with DOD civilian or military personnel performing such functions; and (2) the continued review of contractor personnel performing inherently governmental functions for their possible replacement.

(Sec. 1110) Authorizes the Secretary to enter into agreements for the exchange between DOD and private sector organizations of information technology personnel. Allows such assignments for periods of three months to one year, with authorized extensions for one additional year. Terminates the exchange program at the end of FY2013. Limits to 10 the total number of employees authorized to participate in such assignments. Requires reports, during FY2010-FY2015, from the Secretary to the defense and appropriations committees, on activities carried out under the exchange program.

(Sec. 1111) Makes DOD funds for the purchase of contract services to meet a requirement anticipated to continue for five years or more available to provide compensation for DOD civilian employees to meet the same requirement. Allows such funds use for FY2010-FY2019. Requires an annual report, during such period, from the Secretary to the defense and appropriations committees on the exercise of such authority.

(Sec. 1112) Directs the Secretary to establish a program of leadership recruitment and development for DOD civilian employees, to be known as the Department of Defense Civilian Leadership Program. Limits to 5,000 the number of Program participants in a fiscal year, and to three years the maximum period of participation. Outlines participant selection requirements.

(Sec. 1113) Repeals the authority of the National Security Personnel System (NSPS). Directs the Secretary, by January 1, 2012, to convert NSPS positions to positions that last applied to such employees or positions before the NSPS was implemented. Directs the Secretary to establish and implement regulations providing performance management and workforce incentives for employees currently covered under the NSPS. Authorizes the Secretary to establish the Department of Defense Civilian Workforce Incentive Fund for such purposes. Directs the Secretary to promulgate regulations providing fair, credible, and transparent methods for making appointments to positions in the competitive service. Outlines criteria for the establishment of a new personnel management system for such employees. Directs the Secretary to develop a training program for supervisors within the new personnel management system. Requires reports from the Secretary to Congress on the conversion, as well as plans for the new personnel management system and appointment procedures. Authorizes the Secretary, if determined in the best interests of DOD, to develop for implementation additional personnel flexibilities (to be submitted to Congress for approval). Directs the CG, during 2012 through 2012, to review employee satisfaction with the conversion processes outlined under this section.

(Sec. 1114) Suspends through 2010 pay authority for intelligence community employees and positions under the Defense Civilian Intelligence Personnel System (DCIPS), with an exception for employees of the National Geospatial-Intelligence Agency. Requires a report from the Secretary to the oversight committees on actions taken or proposed in response to Government Accountability Office (GAO) recommendations regarding DCIPS. Directs the Secretary, DNI, and OMB Director to jointly report to such committees on such actions taken or proposed.

Subtitle B: Provisions Relating to Reemployment of Annuitants - (Sec. 1121) Authorizes the President to extend to employees retired from non-DOD government positions and reemployed in DOD positions the benefit (currently provided only to reemployed DOD retirees) of an unreduced retirement annuity during such reemployment.

(Sec. 1122) Allows a federal agency head to waive the application of Civil Service Retirement System (CSRS) and Federal Employee Retirement System (FERS) provisions restricting annuities and pay upon reemployment with respect to an annuitant employed as a limited time appointee, if the agency head determines that such employment is necessary to: (1) fulfill functions critical to the mission of the agency; (2) assist in the implementation or oversight of the American Recovery and Reinvestment Act of 2009 or the Troubled Asset Relief Program under Title I of the Emergency Economic Stabilization Act of 2008; (3) assist in the development, management, or oversight of agency procurement actions; (4) assist the agency's inspector general; (5) promote appropriate employee training or mentoring programs; (6) assist in the recruitment or retention of employees; or (7) respond to an emergency involving a direct threat to life or property or other unusual circumstances. Prohibits waiving such provisions with respect to an annuitant for more than: (1) 520 hours of service performed during the six months following the individual's annuity commencement date; (2) 1040 hours of service performed during any 12-month period; or (3) a total of 3120 hours of service performed by that annuitant. Limits the total number of annuitants to whom a waiver may apply to not more than 2.5% of the total number of full-time agency employees, and requires an agency head to submit to Congress and the Office of Personnel Management (OPM) a justification if the number of annuitants to whom a waiver applies exceeds 1% of the total number of employees. Terminates the agency head's waiver authority five years after the enactment of this Subtitle.

(Sec. 1123) Directs the CG to report to the homeland security and oversight committees on the use of authority provided under the previous section.

Title XII: Matters Relating to Foreign Nations - Subtitle A: Assistance and Training - (Sec. 1201) Amends the NDAA for Fiscal Year 2006 to extend through FY2010 DOD authority to transfer funds to support State Department programs of foreign security and stabilization assistance.

(Sec. 1202) Amends the Reagan Act to increase from \$35 million to \$40 million the amount authorized for DOD support of special operations to combat terrorism. Revises report requirements under such Act.

(Sec. 1203) Amends the NDAA for Fiscal Year 2008 to extend through 2013 a report on foreign assistance-related programs carried out by DOD.

(Sec. 1204) Directs the President to report to the defense, appropriations, and foreign relations committees on authorities of DOD and certain other federal departments and agencies to build the capacity of foreign military forces, as well as related matters.

(Sec. 1205) Extends DOD authority to provide certain services and support to coalition forces to coalition forces assigned to the headquarters of the

combatant command for joint warfighting experimentation and joint forces training.

(Sec. 1206) Amends the NDAA for Fiscal Year 2006 to limit to \$75 million the amount of funds that may be used to build the capacity of foreign military forces to participate in or support military stability operations in which U.S. Armed Forces participate.

(Sec. 1207) Authorizes the Secretary to enter into non-reciprocal international defense personnel exchange agreements for the exchange of military and civilian personnel with friendly foreign governments. Directs the Secretary to report to the defense and foreign relations committees on the exercise of such authority. Terminates the authority at the end of FY2012.

(Sec. 1208) Requires a report from the Secretary to the defense and appropriations committees assessing alternatives to the temporary DOD authority to use acquisition and cross-servicing agreements to lend military equipment to military forces participating in combined operations with the United States in Iraq or Afghanistan or as part of United Nations (UN) or other international peacekeeping operations.

(Sec. 1209) Directs the Secretary to report to the defense and foreign relations committees on the role of foreign military sales in meeting the requirements of the military and security forces of Iraq for restoring and maintaining peace and security there. Expresses the sense of Congress that the Secretary should seek to increase the number of positions in professional military education courses that are made available annually to personnel of the security forces of Iraq.

(Sec. 1210) Requires the Secretary to: (1) prescribe regulations regarding the use of DOD funds to pay costs incurred by the National Guard in conducting activities under the State Partnership Program; (2) submit such regulations to the defense and foreign relations committees; and (3) report to such committees describing the civilian engagement activities conducted under the Program.

Subtitle B: Matters Relating to Iraq, Afghanistan, and Pakistan - (Sec. 1221) Prohibits the use of funds from this Act to: (1) establish any military installation or base for providing for the permanent stationing of U.S. Armed Forces in Iraq; or (2) exercise control of the oil resources of Iraq.

(Sec. 1222) Amends the NDAA for Fiscal Year 2006 to: (1) reauthorize through FY2010 the Commanders' Emergency Response Program (Program) (urgent humanitarian assistance in Iraq and Afghanistan); (2) provide a FY2010 funding level; and (3) extend into 2010 required quarterly Program reports. Authorizes the Secretary to transfer up to \$50 million of such funds to support the Afghanistan National Solidarity Program if the Secretary determines that such funds would enhance counterinsurgency or stability operations in Afghanistan. Requires notification of any such transfer to the defense and appropriations committees. Authorizes the Secretary to use Program funds to support reintegration into Afghan society of individuals who have renounced violence against the government of Afghanistan. Requires quarterly reports from the Secretary to the defense, appropriations, and foreign relations committees on the use of the latter authority. Terminates such authority at the end of FY2010. Requires the Secretary to conduct a thorough Program review and report review results to the defense and appropriations committees.

(Sec. 1223) Amends the NDAA for Fiscal Year 2008 to extend through FY2010 the authority to use DOD O&M funds to reimburse key cooperating nations for logistical and military support provided in connection with U.S. military operations in Operations Iraqi Freedom or Enduring Freedom. Outlines types of support for which such reimbursement may be provided. Limits reimbursement amounts. Directs the Secretary to report quarterly to the defense and appropriations committees on the use of such authority. Extends through FY2011 the requirement of congressional notification of reimbursements to Pakistan for support provided.

(Sec. 1224) Requires funds transferred from the Secretary of State to DOD for the Pakistan Counterinsurgency Fund to be merged with and available for such Fund's purposes, which are to provide: (1) assistance to the security forces of Pakistan to build and maintain their counterinsurgency capability; and (2) humanitarian assistance to Pakistan as part of civil-military training exercises for such security forces. Directs the Secretary, concurrent with the initial use of such funds, to submit to the defense, appropriations, and foreign relations committees an assessment of whether the government of Pakistan is making concerted efforts to confront the threat posed by al Qaeda, the Taliban, and other military extremists. Outlines Fund use and transfer authority requirements. Requires quarterly reports from the Secretary to such committees on any obligations or transfers from the Fund. Terminates Fund use authority at the end of FY2010.

(Sec. 1225) Directs the Secretary to carry out a program to provide for the registration and end-use monitoring of defense articles and services transferred to Afghanistan and Pakistan, and to prohibit the retransfer of such articles and services without U.S. consent. Prohibits the transfer of any such articles or services until the program is established. Outlines registration and end-use monitoring requirements. Directs the Secretary to periodically review the articles and services subject to such registration and monitoring to determine their continued suitability to such requirements. Allows the Secretary to exempt an article or service from such requirements beginning 30 days after notification thereof to the defense and foreign relations committees.

(Sec. 1226) Requires: (1) reports from the CG to the defense and appropriations committees containing assessments of the extent to which the campaign plans for Iraq and Afghanistan each adhere to military doctrine (as outlined in DOD's Joint Operation Planning document); and (2) report updates whenever either campaign plan is substantially updated or altered (with an exception). Terminates on: (1) December 31, 2011, the reports requirement on Iraq; and (2) September 30, 2012, the reports requirement on Afghanistan.

(Sec. 1227) Requires quarterly reports from the Secretary to the defense, appropriations, foreign relations, and intelligence committees on the responsible redeployment of U.S. forces from Iraq in accordance with the policy announced by the President on February 27, 2009, and the Agreement Between the United States of America and the Republic of Iraq on the Withdrawal of United States Forces From Iraq and the Organization of Their Activities During Their Temporary Presence in Iraq.

(Sec. 1228) Directs the Secretary to report to the defense and appropriations committees on the Afghan Public Protection Program and other similar programs for community-based security forces in Afghanistan.

(Sec. 1229) Amends the Hunter Act to authorize the inclusion in a related report requirement under the NDAA for Fiscal Year 2008 updates of a Hunter Act report concerning the command and control structure for military forces operating in Afghanistan.

(Sec. 1230) Directs the Secretary to report to Congress on the feasibility and desirability of establishing procedures and guidelines for the provision of monetary assistance to civilian foreign nationals for losses, injuries, or death incident to combat activities of the U.S. Armed Forces.

(Sec. 1231) Requires the Secretary to: (1) assess possible alternatives to reimbursements to Pakistan for logistical, military, or other support provided to or in connection with U.S. military operations; and (2) report assessment results to the defense, appropriations, and foreign relations committees.

(Sec. 1232) Directs the Secretary to report semiannually to Congress on progress toward long-term security and stability in Pakistan.

(Sec. 1233) Amends the NDAA for Fiscal Year 2006 to repeal required quarterly updates from the CG to Congress on the costs of Operations Iraqi Freedom and Enduring Freedom.

(Sec. 1234) Authorizes the Secretary to transfer defense articles, and to provide defense services in connection with such transfer, to military and

security forces of Iraq and Afghanistan to support their efforts to restore and maintain peace and security in those countries. Limits to \$750 million the value of all articles transferred and services provided. Prohibits the Secretary from exercising such authority until: (1) 30 days after submitting to the defense, appropriations, and foreign relations committees a plan for the disposition of equipment and other property of DOD in Iraq or Kuwait; and (2) 15 days after notifying such committees of such proposed transfers. Requires quarterly reports from the Secretary to such committees on the exercise of the transfer authority. Terminates the transfer authority at the end of FY2010.

(Sec. 1235) Authorizes the Secretary to contract with a FFRDC to provide analysis of force levels and types of force needed to secure the southern and eastern regions of Afghanistan. Provides funding.

(Sec. 1236) Requires the addition of specified information concerning agreements with North Atlantic Treaty Organization (NATO) ISAF (International Security Assistance Force) countries in the report on progress toward security and stability in Afghanistan required under the NDAA for Fiscal Year 2008. Extends such report requirement through FY2011.

(Sec. 1237) Prohibits funds from this Act from being obligated or expended to establish any military installation or base for the purpose of providing for the permanent stationing of U.S. Armed Forces in Afghanistan.

Subtitle C: Other Matters - (Sec. 1241) Directs the President to report to Congress on U.S. engagement with Iran. Requires such report to address: (1) diplomacy; (2) support for terrorism; (3) nuclear activities; (4) missile activities; (5) Iranian support to the narcotics network in Afghanistan; and (6) U.S. sanctions against Iran.

(Sec. 1242) Success in Countering Al Qaeda Reporting Requirements Act of 2009 - Directs the President to submit annually to Congress through FY2012 a review of the counterterrorism strategy of the United States, including an assessment of U.S. counterterrorism efforts in fighting Al Qaeda and its affiliates.

(Sec. 1243) Amends the Warner Act to: (1) require a report concerning U.S. contributions to the UN to be submitted through 2011 (under current law, such report ends at the end of 2010) and to be submitted by the OMB Director (under current law, submitted by the President); and (2) require the OMB Director to post a public version of each such report on a publicly-available Internet website.

(Sec. 1244) Earmarks specified Army O&M funds for support of North Atlantic Treaty Organization (NATO) operations, specifically for the NATO Special Operations Coordination Center. Requires the Secretary to certify to the defense committees that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within DOD.

(Sec. 1245) Directs the Secretary to report annually through 2014 to Congress on the current and future military strategy of Iran, including an assessment of the capabilities of their conventional and unconventional forces.

(Sec. 1246) Amends the NDAA for Fiscal Year 2000 to require additional information in an annual report concerning military and security developments involving the People's Republic of China (PRC), including U.S. engagement and cooperation with China on security matters, military-to-military contacts, and U.S. strategy for engagement and cooperation in the future.

(Sec. 1247) Directs the Secretary to report to the defense, appropriations, and foreign relations committees on the impacts of drawdown authorities on DOD. Terminates the report requirement at the end of 2013.

(Sec. 1248) Requires the Secretaries of Defense and State to jointly: (1) assess the national security risks of removing satellites and related components from the United States Munitions List; and (2) report assessment results to the defense, appropriations, and foreign relations committees.

(Sec. 1249) Expresses the sense of Congress that the United States and Poland should seek to implement the terms of the Declaration on Strategic Cooperation. Directs the Secretary to report to the defense and appropriations committees on the status of cooperation on the deployment of a U.S. Army Patriot air and missile defense battery in Poland.

(Sec. 1250) Requires a report from the Secretary to the defense, appropriations, and foreign relations committees on potential foreign military sales of the F-22A fighter aircraft.

(Sec. 1251) Requires the President to report to the defense, appropriations, and foreign relations committees on the plan to enhance the safety, security, and reliability of the U.S. nuclear weapons stockpile, modernize the nuclear weapons complex, and maintain the delivery platforms for nuclear weapons. Expresses the sense of Congress that: (1) the President maintain the position that the follow-on treaty to the START Treaty not include any limitations on the ballistic missile defense systems, space capabilities, or advanced conventional weapons systems of the United States; (2) the safety, security, and reliability of the nuclear weapons stockpile, modernization of the nuclear weapons complex, and maintenance of nuclear delivery systems are key to enabling further reductions in U.S. nuclear forces; and (3) the President should submit budget requests for FY2011 and thereafter that are adequate to sustain the needed capabilities to support the long-term maintenance of the U.S. nuclear stockpile.

(Sec. 1252) Directs the Secretary of State to work with other member states of the UN and local and international nongovernmental organizations to produce a publicly-available map of mineral-rich zones and areas under the control of armed groups in the Congo and to provide to the defense and foreign relations committees an explanatory note (with updates) describing the sources of information on which the map is based.

(Sec. 1253) Expresses the sense of Congress that: (1) Israel is one of the strongest allies of the United States; (2) the United States remains vigorously committed to supporting Israel's welfare, security, and survival; (3) Israel and the United States face common enemies; and (4) the United States should continue to provide critical security assistance needed to address existential threats.

(Sec. 1254) Expresses the sense of Congress that: (1) the government of Iran should seize the offer to engage in direct diplomacy with the United States, suspend all nuclear enrichment-related and reprocessing activities, and come into full compliance with the Nuclear Nonproliferation Treaty; and (2) the President should consider the imposition of additional sanctions on Iran if Iran fails to enter into good-faith talks toward compliance with applicable UN Security Council resolutions and such Council has failed to adopt significant and meaningful additional sanctions against Iran.

(Sec. 1255) Directs the President to report to Congress examining the conduct of the government of North Korea since June 26, 2008, to determine whether North Korea meets the statutory criteria for listing as a state sponsor of terrorism. Expresses the sense of Congress that: (1) the United States should vigorously enforce UN resolutions and other sanctions with respect to North Korea, urge all UN-member states to fully implement such resolutions and sanctions, and explore the imposition of additional sanctions against North Korea in furtherance of U.S. national security; (2) the conduct of North Korea constitutes a threat to the northeast Asian region and to international peace and security; and (3) if the United States determines that North Korea has provided terrorist assistance or engaged in state-sponsored acts of terrorism, the Secretary of State should immediately list North Korea as a state sponsor of terrorism (for purposes of the implementation of additional sanctions).

(Sec. 1256) Requires the Secretary to submit to the defense and appropriations committees potential options for BMD cooperation among or between the United States, NATO, and the Russian Federation.

Subtitle D: VOICE Act - Victims of Iranian Censorship Act or VOICE Act - (Sec. 1262) Authorizes appropriations for the: (1) International Broadcasting Operations Fund to expand Farsi language programming and to disseminate accurate and independent information to the Iranian people through radio, television, Internet, cellular telephone, short message service, and other communications; and (2) Broadcasting Capital Improvements Fund to expand transmissions of Farsi language programs to Iran.

(Sec. 1263) Establishes in the Treasury the Iranian Electronic Education, Exchange, and Media Fund to support the development of technologies that will aid the Iranian people in exchanging information and exercising freedom of speech, expression, and assembly. Authorizes appropriations to the Fund.

(Sec. 1264) Directs the President to report annually to Congress on the use of funds authorized under this Subtitle.

(Sec. 1265) Requires the President to report to Congress on non-Iranian companies that have provided hardware, software, or other forms of assistance to the government of Iran that has furthered its efforts to filter online political content, disrupt cellphone and Internet communications, and monitor the online activities of Iranian citizens.

(Sec. 1266) Authorizes appropriations to the Secretary of State to document, collect, and disseminate information about human rights in Iran, including abuses since the Iranian presidential election on June 12, 2009.

Title XIII: Cooperative Threat Reduction - (Sec. 1301) Specifies the cooperative threat reduction (CTR) programs to be funded through O&M funds provided under this Act. Makes funds appropriated for such purpose available for three fiscal years. Allocates such funds among specified CTR programs. Prohibits such funds from being used for purposes other than those specified until 15 days after the Secretary reports to Congress on the new purposes. Provides limited authority to vary allocated amounts in the national interest, after congressional notification.

(Sec. 1303) Authorizes the Secretary to enter into agreements with entities under which they contribute funds for activities conducted under the CTR program. Directs the Secretary to submit to the defense and appropriations committees: (1) the value and purpose of contributions made; (2) the identity of the entity making the contribution; and (3) annual reports on the contributions. Requires: (1) the return of amounts not used within three years; and (2) annual reports from the Secretary to the defense, appropriations, and foreign relations committees on the receipt and use of contributed funds. Terminates such authority at the end of 2015.

(Sec. 1304) Directs the Secretary to: (1) develop and implement metrics to measure the effectiveness of the CTR program to address threats arising from the proliferation of chemical, nuclear, and biological weapons and related materials, technologies, and expertise; (2) report to the defense, appropriations, and foreign relations committees on such metrics; (3) arrange with the National Academy of Sciences (NAS) to review the metrics and identify possible additional or alternative metrics, if necessary (requiring an NAS review report to the above committees); and (4) report to such committees on the NAS review. Provides funding.

(Sec. 1305) Prohibits the use of more than 10% of CTR funds in a fiscal year for urgent threat reduction activities until the Secretary notifies the defense, appropriations, and foreign relations committees that such activities are urgently needed to address threats arising from the proliferation of chemical, nuclear, or biological weapons or weapons-related materials, technologies, and expertise.

(Sec. 1306) Directs the Secretary to ensure that the Defense and Military Contacts Program (part of the CTR program): (1) is used to advance the CTR program mission; (2) is focused and expanded to support specific relationship-building opportunities; (3) is directly administered as part of the CTR program; and (4) includes the unified combatant commands that operate in areas in which CTR activities are carried out, as well as related diplomatic affairs. Requires information concerning the strategy and activities of the Contacts Program to be included in the annual CTR program report to Congress under the Spence Act.

Title XIV: Other Authorizations - Subtitle A: Military Programs - (Sec. 1401) Authorizes appropriations to DOD for FY2010 for: (1) Defense Working Capital Funds; (2) the National Defense Sealift Fund; (3) chemical agents and munitions destruction; (4) drug interdiction and counter-drug activities; (5) the Defense Inspector General; and (6) the Defense Health Program.

(Sec. 1407) Provides that the amounts authorized under this Subtitle shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: National Defense Stockpile - (Sec. 1411) Authorizes the National Defense Stockpile (NDS) Manager, during FY2010, to obligate up to \$41.179 million of the funds in the National Defense Stockpile Transaction Fund (Fund) for authorized Fund uses, including the disposal of hazardous materials that are environmentally sensitive. Authorizes the NDS Manager to obligate amounts in excess of such amount 45 days after notifying Congress that extraordinary or emergency conditions necessitate the additional obligations.

(Sec. 1412) Amends the NDAA for Fiscal Year 1998 to extend through FY2011 the authority to dispose of cobalt from the NDS.

(Sec. 1413) Directs the Secretary to report to the defense committees on actions planned in response to recommendations contained in a specified DOD report concerning the reconfiguration of the NDS. Prohibits the Secretary from taking any planned action until 45 days after the submission of such report.

Subtitle C: Armed Forces Retirement Home - (Sec. 1421) Authorizes appropriations for FY2010 for the Armed Forces Retirement Home.

Title XV: Authorization of Additional Appropriations for Overseas Contingency Operations - (Sec. 1502) Authorizes appropriations for DOD for FY2010 to provide additional funds for overseas contingency operations, specifically for: (1) procurement; (2) the Joint Improvised Explosive Device Defeat Fund; (3) the Mine Resistant Ambush Protected Vehicle Fund; (4) RDT&E; (5) O&M; (6) military personnel; (7) Defense Working Capital Funds; (8) the Defense Health Program; (9) drug interdiction and counterdrug activities; and (10) the Defense Inspector General.

(Sec. 1510) Makes funds available for FY2010 for the Afghanistan Security Forces Fund and the Iraq Security Forces Fund subject to fund use, transfer, and related limitations prescribed under the NDAA for Fiscal Year 2008.

(Sec. 1517) Provides that the amounts authorized under this title shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

(Sec. 1518) Applies to funds authorized under this title provisions of the Hunter Act prohibiting the use of funds for the acquisition, development, or improvement of facilities in Iraq for use by the Iraqi government, its political subdivisions, or its armed forces.

(Sec. 1519) Treats amounts authorized by this title as in addition to amounts otherwise authorized by this Act.

(Sec. 1520) Authorizes the Secretary, in the national interest, to transfer up to \$4 billion of the amounts made available to DOD in this title between any such authorizations for that fiscal year.

Title XVII [sic]: Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Project - (Sec. 1701) Authorizes the Secretaries of Defense and the VA to execute an agreement for the joint DOD-VA use of: (1) a new Navy ambulatory care center, parking structure, and supporting structures and facilities in North Chicago, Illinois, and Great Lakes, Illinois; and (2) medical personal property and equipment relating to such center, structure, and facilities. Requires the agreement within 180 days after the enactment of this Act. Directs such Secretaries to submit to the defense and veterans committees: (1) a copy of the proposed agreement; (2) a report on the exercise of authorities at the facility; and (3) a report on possible additional locations for similar agreements. Requires the CG to annually assess the implementation and effectiveness of the agreement, and report assessment results to such committees.

(Sec. 1702) Authorizes the Secretary to transfer to the VA Secretary jurisdiction, custody, and control over such center, structures, and facilities. Requires reversion to the Secretary of property transferred if considered excess or in the event of lack of facilities integration.

(Sec. 1703) Authorizes the Secretary and the Secretary of the Navy to transfer to the VA functions necessary for Center operation.

(Sec. 1704) Establishes in the Treasury the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund to fund the agreement. Requires a joint annual report from the Secretaries on Fund use and the adequacy of shares contributed to the Fund by each Secretary. Terminates this section at the end of FY2015.

(Sec. 1705) Deems the facility a military facility for purposes of eligibility of members of the Armed Forces to receive care and services there. Requires the agreement to include an integrated priority list for access to health care at the facility, with first priority to members on active duty.

(Sec. 1706) Extends through FY2015 a joint DOD-VA program to identify, implement, and evaluate creative health care coordination and sharing initiatives at the facility, intraregional, and nationwide levels.

Title XVIII: Military Commissions - Military Commissions Act of 2009 - (Sec. 1802) Amends the Uniform Code of Military Justice (UCMJ) to conform procedures for offenses triable by military commissions to procedures governing trials by military courts-martial (as necessitated by the Supreme Court's ruling in *Hamdan v. Rumsfeld*, 548 U.S. 557.) Includes among such changes: (1) replacing the term "unlawful enemy combatant" with "unprivileged enemy belligerent;" (2) making subject to military commissions any alien unprivileged enemy belligerent who engaged in or supported hostilities against the United States or its coalition partners; (3) requiring the Secretary to prescribe regulations for the appointment and performance of defense counsel in capital cases before military commissions; (4) requiring that statements obtained by the use of torture or cruel, inhuman, or degrading treatment, whether or not under color of law, be inadmissible in a trial by a military commission; (5) specifically requiring procedures and rules of evidence applicable to trials by general courts-martial to apply in trials by military commissions, except when necessitated by the unique circumstances of the conduct of military and intelligence operations during hostilities or other practical need; (6) the accused's right to the suppression of evidence that is not reliable or probative; (7) specific limitations on the use of hearsay evidence not otherwise admissible under rules of evidence applicable in trials by general courts-martial; (8) specific procedures for the treatment and protection of classified information; (9) appeal rights with respect to classified information; and (10) adding contempt and perjury and obstruction of justice as triable offenses.

(Sec. 1805) Directs the Secretary to report to the defense committees: (1) setting forth revised rules for military commissions as amended by this section; and (2) annually on any trials conducted by military commissions during the preceding year.

(Sec. 1807) Expresses the sense of Congress that: (1) the fairness and effectiveness of the military commission system will depend to a significant degree on the adequacy of defense counsel and associated resources for individuals accused, particularly in capital cases; and (2) defense counsel in such cases should be fully resourced to perform such duties.

Title XIX: Federal Employee Benefits - Subtitle A: General Provisions - (Sec. 1901) Provides, with respect to federal employees under FERS, credit for unused sick leave for annuity computation purposes. Makes such credit 50% of such leave between the date of enactment of this Act and December 31, 2013, and 100% thereafter.

(Sec. 1902) Extends to federal employees who separated before March 1, 1991, (under current law, October 1, 1990) eligibility to receive an actuarially-reduced annuity under CSRS.

(Sec. 1903) Revises the computation of certain annuities based on part-time service performed before April 7, 1986.

(Sec. 1904) Allows federal employees under FERS to deposit retirement refunds received, with interest.

(Sec. 1905) Provides limited federal retirement credit for service in the District of Columbia (D.C.) of certain employees who transferred to federal government service after the D.C. service, but prohibits any D.C. service from being included in the federal annuity computation. Outlines the types of D.C. service that will qualify for the federal retirement credit. Requires certification of performance of such service.

Subtitle B: Non-Foreign Area Retirement Equity Assurance - Non-Foreign Area Retirement Equity Assurance Act of 2009 or Non-Foreign AREA Act of 2009 - (Sec. 1912) Revises federal employee locality-based comparability payment provisions to include U.S. territories and possessions, including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands, within a pay locality. Sets forth maximum rates of pay for Senior Executive Service (SES) personnel in such areas.

Revises the calculation of allowances based on living costs and conditions of environment for the the pay of employees stationed outside the continental United States or in Alaska to apply it only to areas designated as of December 31, 2009. Provides a formula for the adjustment of such rate using a transition schedule for calendar years 2010 and thereafter.

(Sec. 1913) Requires adjustment of special rates of pay determined necessary to obtain or retain the services of persons specified by statute in a cost-of-living area in accordance with regulations prescribed by the OPM Director under this Act.

(Sec. 1914) Provides a phased transition schedule for the amount of such special rates during the transition period of January 1, 2010, to January 1, 2012, allowing the full amount thereafter.

(Sec. 1915) Expresses the sense of Congress with respect to the correction of pay disparities for federal positions located in Alaska, Hawaii, or a U.S. territory, and sets forth savings provisions.

(Sec. 1916) Applies the non-foreign area pay adjustment provisions of this Subtitle to certain other federal employees, including employees of the Transportation Security Administration (TSA) of the Department of Homeland Security (DHS) and postal employees.

(Sec. 1917) Allows an employee subject to this Act's transition schedule who retires from service during the period from January 1, 2010, through December 31, 2012, to elect to have any COLA paid during that period considered as basic pay for purposes of annuity computation. Provides for appropriate contributions into the Civil Service Retirement and Disability Retirement Fund.

Division B: Military Construction Authorizations - Military Construction Authorization Act for Fiscal Year 2010 - (Sec. 2002) Terminates all

authorizations contained in Titles XXI through XXVII and Title XXIX of this Act on October 1, 2012, or the date of enactment of an Act authorizing funds for military construction for FY2013, whichever is later, with an exception.

(Sec. 2003) Provides that amounts authorized in this Division shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

(Sec. 2004) Reduces by \$529.091 million the amount authorized under this Division. Requires a report from the Secretary to the defense and appropriations committees describing how the reduction is applied.

Title XXI [sic]: Army - (Sec. 2101) Authorizes the Secretary of the Army to acquire real property and carry out military construction projects in specified amounts at specified installations and locations. Authorizes such Secretary to construct or acquire family housing units, carry out architectural engineering services and construction design activities, and improve existing military family housing in specified amounts. Authorizes appropriations to the Army for fiscal years after 2009 for military construction, land acquisition, and military family housing functions of the Army. Limits the total cost of construction projects authorized by this title.

(Sec. 2105) Provides additional authority for the Secretary of the Army with respect to the construction of a military chapel for Fort Bragg, North Carolina, under the Military Construction Authorization Act (MCAA) for Fiscal Year 2009.

(Sec. 2106) Amends the MCAA for Fiscal Year 2006 to extend an authorized project in Hawaii.

Title XXII: Navy - (Sec. 2201) Provides, with respect to the Navy, authorizations paralleling those provided for the Army under the previous title.

(Sec. 2205) Amends the MCAA for Fiscal Year 2006 to increase the amount authorized for a project at the Naval Submarine Base, Bangor, Washington. Extends the authority to carry out such project until October 1, 2012, or the date of enactment of an Act authorizing funds for military construction for FY2013, whichever is later.

Title XXIII: Air Force - (Sec. 2301) Provides, with respect to the Air Force, authorizations paralleling those provided for the Army under Title XXI.

(Sec. 2305) Terminates the authority to carry out two Air Force projects authorized under the MCAA for Fiscal Year 2009.

(Sec. 2306) Extends certain prior-year military construction projects.

(Sec. 2308) Authorizes the Executive Director of Walking Shield, Inc. to submit to the Secretary of the Air Force, on behalf of any Indian tribe located in Idaho, Nevada, North Dakota, Oregon, South Dakota, Montana, or Minnesota, a request for conveyance of any relocatable military housing unit located at Grand Forks, Minot, Malmstrom, Ellsworth, or Mountain Home Air Force Base. Authorizes the Secretary of the Air Force, upon such a request, to convey to the appropriate Indian tribe any such housing unit.

Title XXIV: Defense Agencies - Subtitle A: Defense Agency Authorizations - (Sec. 2401) Authorizes the Secretary to acquire real property and carry out other-than-military construction projects in specified amounts at specified installations and locations. Authorizes the Secretary to construct or acquire family housing units and to carry out energy conservation projects in specified amounts. Authorizes appropriations for fiscal years after 2009 for military construction, land acquisition, and military family housing functions of DOD (other than the military departments). Limits the total cost of construction projects authorized by this title.

(Sec. 2405) Amends the MCAA for Fiscal Year 2009 to: (1) terminate the authority for certain construction projects for the Missile Defense Agency; and (2) increase the amount authorized for a project in Souda Bay, Greece.

(Sec. 2406) Amends the MCAA for Fiscal Year 2008 to increase the amount authorized for a project at the Point Loma Annex, California.

(Sec. 2407) Extends a prior-year military construction project.

Subtitle B: Chemical Demilitarization Authorizations - (Sec. 2411) Authorizes appropriations for fiscal years after 2009 for military construction and land acquisition for chemical demilitarization for the construction of: (1) phase 11 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado; and (2) phase 10 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky.

Title XXV: North Atlantic Treaty Organization Security Investment Program - (Sec. 2501) Authorizes the Secretary to make contributions for the North Atlantic Treaty Organization (NATO) Security Investment Program and authorizes appropriations for fiscal years after 2009 for such Program.

Title XXVI: Guard and Reserve Forces Facilities - (Sec. 2601) Authorizes the Secretary concerned to acquire real property and carry out military construction projects for the National Guard and reserves.

(Sec. 2606) Authorizes appropriations for fiscal years after 2009 for National Guard and reserve forces for acquisition, architectural and engineering services, and construction of facilities.

(Sec. 2607) Extends certain prior-year National Guard and reserve military construction projects.

Title XXVII: Base Closure and Realignment Activities - Subtitle A: Authorizations - (Sec. 2701) Authorizes appropriations for fiscal years after 2009 for military base closure and realignment activities authorized under the Defense Base Closure and Realignment Act of 1990 and funded through the Department of Defense Base Closure Account 1990.

(Sec. 2702) Authorizes the Secretary to carry out base closure and realignment activities authorized under the above Act and funded through the Department of Defense Base Closure Account 2005. Authorizes appropriations for fiscal years after 2009 for such purpose.

(Sec. 2703) Authorizes appropriations for fiscal years after 2009 for military base closure and realignment activities authorized under the Defense Base Closure and Realignment Act of 1990 and funded through the Department of Defense Base Closure Account 2005.

Subtitle B: Other Matters - (Sec. 2711) Authorizes the Secretary of the Army to use base closure and realignment funds authorized under this title to construct an Army Reserve center and maintenance facility in the vicinity of Newtown, Connecticut.

(Sec. 2712) Authorizes the Secretary of the Army to use prior-year funding authorized for construction of an Armed Forces Reserve Center at Pease Air National Guard Base, New Hampshire, to instead construct such a Center in the vicinity of such Base at a location determined to be in the best interest of national security and the public interest.

(Sec. 2713) Expresses the sense of Congress that, in implementing recommendations of the Defense Base Closure and Realignment Commission, the Secretary should ensure that the joint basing of military installations at any of the recommended locations does not adversely affect the operational readiness of applicable military units and the ability of the commanders thereof to perform their mission.

(Sec. 2714) Directs the Secretary to develop and implement a comprehensive master plan to provide world-class military medical facilities and an integrated system of health care delivery for the National Capital Region that addresses specified needs, missions, and performance expectations for members of the Armed Forces and their families. Requires the Secretary to submit to the defense and appropriations committees: (1) the master plan developed, together with a related assessment and certifications; and (2) a milestone schedule and cost estimates for the master plan. Expresses the sense of Congress that all available efforts need to be pursued to alleviate anticipated significant traffic increases in the vicinity of the National Naval Medical Center.

(Sec. 2715) Amends the Defense Base Closure and Realignment Act of 1990 to replace provisions requiring the Secretary to seek fair market value in the conveyance of properties disposed under the 2005 round of base realignments and closures with discretionary authority to account for the economic conditions of the local affected economy and the estimated costs of redevelopment when determining the appropriate amount of consideration for such properties. Requires the Secretary to report to Congress on the status of current and anticipated economic development conveyances involving surplus real and personal property at closed or realigned military installations (and related information).

Title XXVIII: Military Construction General Provisions - Subtitle A: Military Construction Program and Military Family Housing Changes -

(Sec. 2801) Eliminates a fiscal year funding limit with respect to exercise-related unspecified minor military construction projects outside the United States. Authorizes the Secretary to use funds provided under the Hunter Act for the revitalization and recapitalization of national defense laboratories.

(Sec. 2802) Requires congressional notification of facility repair projects in excess of 75% of the estimated facility replacement cost using O&M funds to include a comparison of repair versus replacement as well as a description of the construction incorporated into the repair.

(Sec. 2803) Prohibits the scope of work for a military construction project or for the construction, improvement, or acquisition of a military family housing project from being increased beyond the amount specifically authorized by Congress.

(Sec. 2804) Authorizes the Secretary concerned to enter into an agreement to convey real property, and any improvements, to any person who agrees, in exchange for the real property, to carry out a land acquisition to limit encroachment around DOD installations and ranges. Requires deposit of the proceeds of the property conveyed into the Foreign Currency Fluctuations, Construction, Defense account. Repeals an annual report requirement concerning such conveyances. Terminates the conveyance authority at the end of FY2013.

(Sec. 2805) Requires the acquisition of reserve facilities to be authorized by law. (Under current law, such acquisition is authorized when the Secretary determines it to be necessary.)

(Sec. 2806) Amends the MCAA for Fiscal Year 2004 to extend through FY2010 the use of defense-wide O&M funds for construction projects at locations within the U.S. Central Command area of responsibility. Allows an additional \$10 million under such authority if the Secretary determines that such funds are required to complete contract closeouts.

(Sec. 2807) Requires: (1) the Secretary of the Army to expand the First Sergeants Barracks Initiative to include all Army installations in order to improve the quality of life and living environments of single soldiers; and (2) a progress report from such Secretary to the defense and appropriations committees.

(Sec. 2808) Directs the: (1) Secretary to report to the defense committees on privatization initiatives for military unaccompanied housing; and (2) CG to report to such committees evaluating the Secretary's report.

(Sec. 2809) Directs the Secretary to report to the defense and appropriations committees identifying, for each of FY2005-FY2009, the total payments made to each state for the acquisition, construction, expansion, rehabilitation, or conversion of reserve facilities.

Subtitle B: Real Property and Facilities Administration - (Sec. 2821) Requires, prior to the conveyance of a utility to a private organization for the contract performance of utility services, a determination by the Secretary concerned that such conveyance will realize a cost saving (over performance by DOD personnel) of 10% over the contract period. Prohibits a utility privatization review for five years after completion of a public-private competition.

(Sec. 2822) Directs the Secretary to report to the defense, appropriations, and foreign relations committees on the status of: (1) overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and (2) development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations. Requires a report from the Secretary to such committees on how each such status will be affected by each quadrennial defense review assessment.

(Sec. 2823) Amends the Armed Forces Retirement Home Act of 1991 to allow the Secretary to acquire real property valued at more than \$750,000 for inclusion in Retirement Home facilities only if the acquisition is specifically authorized by law. Requires the Secretary to dispose of excess Retirement Home property in accordance with excess property disposal requirements for federal departments and agencies. Authorizes the Secretary to lease non-excess Retirement Home property whenever the Home's Chief Operating Officer considers it advantageous. Provides lease requirements, as well as in-kind consideration accepted under such leases. Directs the Chief Operating Officer to notify Congress of: (1) the competitive procedures used to select lessees; or (2) in the case of a public benefit lease, a description of the public benefit.

(Sec. 2824) Authorizes the Secretary of the Army to accept contributions from public and private entities for the environmental cleanup of the former Almaden Air Force Station, California.

(Sec. 2825) Directs the Secretary of the Army, in selecting installations at which brigade combat teams will be stationed, to consider the availability and proximity of training spaces for the units and the capacity of the installations to support the units.

(Sec. 2826) Requires a report from the Secretary to the defense and appropriations committees on current authorities for federal assistance to support communities adversely impacted by expansion on military installations.

Subtitle C: Provisions Related to Guam Realignment - (Sec. 2831) Requires the Deputy Secretary of Defense to be responsible for coordinating DOD activities in connection with the realignment of military installations and relocation of military personnel on **Guam**. Requires a report from the Secretary to the defense and appropriations committees concerning the charter that establishes the **Guam** Executive Council.

(Sec. 2832) Directs the Secretary to report to the defense and appropriations committees on the intended use of special purpose entities to assist with the **Guam** realignment and relocation. Prohibits the Secretary from authorizing the use of such entities until 30 days after the report is submitted. Applies U.S. unified facilities criteria to all projects supported by the Support for United States Relocation to **Guam** Account, as established under the MCAA for Fiscal Year 2009. Requires a report from the Secretary to the defense and appropriations committees on options to comply with such criteria in the acquisition of military housing on **Guam** in connection with realignment and relocation. Expresses the sense of Congress that utility improvements on **Guam** should incorporate military and civilian utilities into a unified grid.

(Sec. 2833) Amends the MCAA for Fiscal Year 2009 to require: (1) military construction contracts on **Guam** related to the realignment and relocation to

comply with federal construction contract requirements; (2) the Secretary of Labor to exclude from **Guam** wage rate determinations any wage surveys on employees who hold work visas issued under the Immigration and Nationality Act; (3) a required weekly employment statement to identify each employee working on the project who holds such a visa; (4) the Secretary of Labor to make and issue a wage rate determination for projects on **Guam** annually until 90% of the realignment and relocation funds have been expended; and (5) a required annual report to include an assessment of the living standards of the construction workforce employed to carry out projects on **Guam**.

(Sec. 2834) Amends the above Act to prohibit work on a **Guam** realignment or relocation contract from being performed by a person holding an immigration visa unless the application for such visa has been approved through the issuance of a temporary labor certification by the governor of **Guam**. Outlines certification requirements. Requires the contractor under a realignment or relocation contract to solicit construction workers in the United States and its territories in accordance with a recruitment plan approved by the Secretary of Labor. Requires reports from the Secretaries of Defense and Labor to the defense, appropriations, and labor committees with respect to **Guam** realignment and relocation labor agreements and the recruitment of workers under such contracts.

(Sec. 2835) Establishes the Interagency Coordination Group of Inspector Generals for **Guam** Realignment to provide independent and objective oversight of accounting and related information relating to DOD programs and operations for military construction activities on **Guam**. Requires an annual report from the Coordination Group to the defense and appropriations committees and the Secretaries of Defense and the Interior on its activities and on programs and operations funded from amounts made available for military construction on **Guam**. Requires each such report to be made available on a publicly-available Internet website, with an authorized waiver by the President for national security reasons. Terminates the Coordination Group upon the expenditure of 90% of the funds available for **Guam** realignment (requiring a final report prior to such termination).

(Sec. 2836) Prohibits the Secretary from accepting, or authorizing any other DOD official to accept, a replacement facility in Okinawa for air operations conducted at the Marine Corps Air Station, Futenma, Okinawa, unless the Secretary certifies to the defense and appropriations committees that the replacement facility and its planned operating procedures are consistent with naval aviation safety requirements.

(Sec. 2837) Directs the Secretary to report to the defense and appropriations committees on training and readiness requirements for Marine Corps Pacific, the field command of the Marine Corps within the U.S. Pacific Command. Expresses the sense of Congress that an evaluation of such requirements: (1) should be conducted and completed as soon as possible; (2) should include an analysis that reviews capabilities required to support a Marine Air-Ground Task Force; and (3) should not impact implementation of a recently-signed international agreement concerning the relocation of certain Marine expeditionary force personnel and their dependents from Okinawa to **Guam**.

Subtitle D: Energy Security - (Sec. 2841) Directs the Secretary to adopt an open protocol energy monitoring and utility control system specification for use throughout DOD in connection with a military construction project, military family housing activity, or other building activity. Allows the Secretary concerned, upon notification to the defense and appropriations committees, to waive such requirement if such Secretary determines that its inclusion in a construction project is not cost effective over the project's life cycle. Directs the Secretary to report to the defense and appropriations committees on items associated with the adoption of an energy monitoring and utility control system specification.

(Sec. 2842) Revises the DOD definition of "renewable energy source" to include non-electric energies such as solar and wind power.

(Sec. 2843) Authorizes the Secretary, the military department Secretaries, the heads of the defense agencies, and the heads of other DOD instrumentalities to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods conducted by any of the following: (1) an electric utility; (2) an independent system operator; (3) a state agency; or (4) a third-party entity implementing such a program on behalf of any such utility, operator, or agency. Provides for the deposit and use of financial incentives received from any such party.

(Sec. 2844) Directs the Secretary concerned or the head of a defense agency, in leasing or procuring motor vehicles, to provide a preference for vehicles using electric or hybrid propulsion systems if such vehicles meet DOD requirements and are commercially available at a reasonable cost. Provides an exception with respect to tactical vehicles designed for use in combat.

(Sec. 2845) Directs the Secretary to: (1) study the feasibility of developing nuclear power plants on military installations; and (2) report study results to the defense committees.

(Sec. 2846) Directs the CG to report to Congress describing all renewable energy initiatives that are currently producing energy or are under development on military installations.

Subtitle E: Land Conveyances - (Sec. 2851) Authorizes the Secretary of the Army to convey to the Chilkoot Indian Association specified real property at the former Haines Fuel Terminal in Haines, Alaska, to permit the Association to develop a deep sea port and for other industrial and commercial development purposes.

(Sec. 2852) Releases to the state of Arkansas a U.S. reversionary interest in and to the surface estate of Camp Joseph T. Robinson, Arkansas.

(Sec. 2853) Amends the Port Chicago National Memorial Act of 1992 to direct the Secretary of the Army to transfer to the Secretary of the Interior specified real property at the Port Chicago Naval Magazine, California, in order to administer the Port Chicago Naval Magazine National Memorial. Requires the Secretary of the Interior to provide as much public access to the Memorial as possible without interfering with military needs. Expresses the sense of Congress that the Secretaries should develop a process by which future repairs and modifications to mutually used infrastructure at the Memorial can be carried out in as timely and cost-effective a manner as possible.

(Sec. 2854) Authorizes the Secretary of the Navy to convey to the city of Ferndale, California, real property comprising the Ferndale Housing project (which previously supported the now-closed Centerville Beach Naval Facility), for low- and moderate-income housing for seniors, families, or both.

(Sec. 2855) Authorizes the Secretary of the Navy to convey to either the Hawaii Community Development Authority or the Department of Hawaii Homelands six parcels of real property, as well as any other property identified for closure through the base closure process, at the former Naval Station, Barbers Point, Hawaii.

(Sec. 2856) Authorizes the Secretary of the Navy to convey to any person or entity leasing or licensing real property located at the Camp Catlin and Ohana Nui areas, Hawaii, the property so leased or licensed for the purpose of continuing current functions there.

(Sec. 2857) Amends the MCAA for Fiscal Year 2005 to authorize the Secretary of the Air Force to convey an additional parcel of land at the former Griffiss Air Force Base, New York.

(Sec. 2858) Authorizes the Secretary of the Army to convey to the Chambersburg Area School District, Pennsylvania, the Army Reserve Center in Chambersburg for educational and educational support activities.

(Sec. 2859) Amends the Military Construction Act for Fiscal Year 1998 to change the designated recipient with respect to a land conveyance by the

Secretary of the Air Force involving specified property at Ellsworth Air Force Base, South Dakota, to the South Dakota Ellsworth Development Authority.

(Sec. 2860) Authorizes the Secretary of the Air Force to convey to an eligible entity specified real property on Lackland Air Force Base, Texas, in exchange for real property adjacent to such installation, for the purpose of relocating and re consolidating Air Force tenants located on the former Kelly Air Force Base, Texas, onto the main portion of Lackland Air Force Base.

(Sec. 2861) Authorizes the Secretary of the Navy to convey to Virginia Beach, Virginia, parcels of property at the Naval Air Station Oceana, Virginia, to permit the city to expand services to support the Marine Animal Care Center.

(Sec. 2862) Amends the MCAA for Fiscal Year 2002 to require (under current law, authorizes) the Secretary of the Army to complete a land exchange and consolidation at Fort Lewis, Washington.

(Sec. 2863) Authorizes the Secretary of the Air Force to convey to the county of Laramie, Wyoming, specified real property at the F.E. Warren Air Force Base in Cheyenne, Wyoming, to preserve the property for health care facilities.

Subtitle F: Other Matters - (Sec. 2871) Amends the NDAA for Fiscal Year 2008 to authorize the Secretary to permit the John Burnam Monument Foundation, Inc. (under current law, authorizes the National War Dogs Monument, Inc.) to establish and maintain a national monument to honor U.S. Armed Forces working dog teams.

(Sec. 2872) Authorizes the Secretary of the Interior to: (1) conduct a study of the National D-Day Memorial Area in Bedford, Virginia, to evaluate its inclusion in the National Park System; and (2) report study results to the natural resources committees.

(Sec. 2873) Prohibits FY2010 military construction funding from being obligated to commence construction of a cooperative security location at the German Olano Airbase in Palanquero, Colombia, until 15 days after certification from the Secretary to the defense and appropriations committees that an agreement has been entered into with Colombia that will allow access to and use of the facilities at such Airbase to carry out mutually agreed-upon activities.

(Sec. 2874) Amends the Omnibus Public Land Management Act of 2009 to provide that the designation of the Bridgeport Winter Recreation Area, California, is not intended to restrict or preclude activities conducted by the U.S. Armed Forces at the Marine Corps Mountain Warfare Training Center.

Title XXIX: Overseas Contingency Operations Military Construction Authorizations - (Sec. 2901) Authorizes the Secretary of the Army to acquire real property and carry out military construction projects at specified installations and locations outside the United States in support of overseas contingency operations. Authorizes appropriations for fiscal years after 2009 for military construction, land acquisitions, and military family housing functions of the Army.

(Sec. 2902) Provides, with respect to the Air Force, authorizations paralleling those provided for the Army, above.

(Sec. 2903) Authorizes the Secretary to use specified funds authorized under this title to plan, design, and construct facilities on the U.S. Embassy Compound in Islamabad, Pakistan, in support of the Office of the Defense Representative-Pakistan (ODRP). Prohibits the obligation of funds for such purpose until 14 days after the Secretary notifies the defense, appropriations, and foreign relations committees of the proposed obligation. Requires an initial report, then four semiannual reports from the Secretary to such committees on the number of personnel and activities of the ODRP.

Division C: Department of Energy National Security Authorizations and Other Authorizations - Title XXXI [sic]: Department of Energy National Security Programs - Subtitle A: National Security Programs Authorizations - (Sec. 3101) Authorizes appropriations for the Department of Energy (DOE) for FY2010 for: (1) activities of the National Nuclear Security Administration (NNSA) in carrying out programs necessary for national security, with specified allocations for weapons activities, defense nuclear nonproliferation activities, naval reactors, and the Office of the Administrator for Nuclear Security (Administrator); and (2) environmental restoration and waste management activities and plant projects in carrying out national security programs, with specified allocations for defense environmental cleanup, other defense activities, defense nuclear waste disposal, and energy security and assurance.

(Sec. 3106) Provides that the amounts authorized under this title shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: Program Authorizations, Restrictions, and Limitations - (Sec. 3111) Amends provisions of the Atomic Energy Defense Act concerning the establishment of the stockpile stewardship program (program) to direct the Secretary of Energy (Secretary, for purposes of this title) to establish a stewardship program to ensure the preservation of the core intellectual and technical competencies of the United States in nuclear weapons and to ensure that the nuclear weapons stockpile is safe, secure, and reliable without the use of underground testing. Includes as additional program elements material support for: (1) the use of, and experiments facilitated by, specified advanced experimental facilities of the United States; and (2) the sustainment and modernization of facilities with production and manufacturing capabilities necessary to ensure the safety, security, and reliability of the nuclear weapons stockpile. Repeals a provision authorizing program appropriations for FY1994.

(Sec. 3112) Amends the above Act to include biennially in the stockpile stewardship plan: (1) information needed to determine that the nuclear weapons stockpile is safe and reliable; (2) an update of stewardship criteria used to determine the information needed; (3) the relationship of the science-based tools to the collection of that information; and (4) an update to the criteria used for assessing the effectiveness of each science-based stockpile tool.

(Sec. 3113) Directs the Secretary to: (1) carry out a stockpile management program to provide for the effective management of stockpile weapons, including the extension of the effective life of such weapons; and (2) develop a long-term plan (with annual updates) to extend the effective life of such weapons without nuclear weapons testing. Requires a separate identification of amounts requested for such program within annual defense budgets.

(Sec. 3114) Authorizes the Administrator, in support of required annual nuclear weapons assessments, to establish dual validation teams to provide each national laboratory responsible for weapons design with independent evaluations of the condition of each warhead for which such laboratory has lead responsibility. Requires: (1) the Administrator to submit to the defense and appropriations committees a plan to establish the validation teams; and (2) validation team evaluations to be included in related nuclear weapons assessment and certification reports.

(Sec. 3115) Amends the Atomic Energy Defense Act to eliminate the exemption of the stockpile management program from the requirement to request specific funds within the President's annual budget.

(Sec. 3116) Directs the Administrator to include within the nuclear security budget materials submitted for each odd-numbered year a plan and budget assessment for the modernization and refurbishment of the nuclear security complex, including, if necessary, the risks and implications associated with the ability of the complex to support the annual certification of the nuclear stockpile and to maintain its long-term safety, security, and reliability.

(Sec. 3117) Amends the Atomic Energy Defense Act to: (1) repeal a prohibition on funding activities associated with the international cooperative stockpile stewardship program (which no longer exists); (2) increase from \$5 million to \$10 million the minor construction threshold for DOE plant

projects; and (3) extend through FY2011 DOE authority to employ scientific, engineering, and technical personnel performing duties related to safety at nuclear facilities.

(Sec. 3120) Allows up to 10% of DOE nonproliferation program funding to be expended for urgent NNSA nonproliferation activities as long as the Secretary, at least 15 days prior to such expenditure, notifies the defense, appropriations, and foreign relations committees of the determination that the threat arising from the proliferation of nuclear or radiological weapons or weapons-related materials, technology, or expertise must be addressed urgently.

(Sec. 3121) Amends the Warner Act to repeal the September 30, 2010, deadline for consolidation of the counterintelligence programs of DOE and the NNSA.

Subtitle C: Reports - (Sec. 3131) Directs the Secretary to contract with the NAS to conduct a study of the quality of research and engineering being conducted at the Lawrence Livermore, Los Alamos, and Sandia National Laboratories. Requires: (1) the NAS to report study results to the Secretary; and (2) the Secretary to submit to Congress the NAS report, together with comments and recommendations.

(Sec. 3132) Requires the Secretary to: (1) prepare a plan to ensure that DOE national laboratories maintain a robust technical capability to monitor, analyze, and evaluate foreign nuclear weapons activities; and (2) report on such plan to the defense, appropriations, and intelligence committees.

(Sec. 3133) Directs the CG to: (1) conduct a study of the stockpile stewardship program established under the Atomic Energy Defense Act to determine if the program was functioning, as of December 2008, as envisioned when established; and (2) report study results to the defense and appropriations committees.

(Sec. 3134) Requires the CG to: (1) conduct phase one, two, and three reviews of projects carried out by DOE's Office of Environmental Management using American Recovery and Reinvestment Funds; and (2) report to the defense and appropriations committees on the results of each review.

Subtitle D: Other Matters - (Sec. 3141) Directs the Administrator and the Under Secretary of Energy for Science to develop and submit to Congress a plan to use and fund, over a ten-year period, four specified DOE facilities. Requires the Secretary to specify in DOE budget requests the source of funds for each facility.

(Sec. 3142) Amends the Energy Employees Occupational Illness Compensation Program Act of 2000 to require the Ombudsman of the Department of Labor, in carrying out duties under the Energy Employees Occupational Illness Compensation program, to work with the individual employed by the National Institute for Occupational Safety and Health to serve as an ombudsman to individuals making claims under subtitle B of the above Act.

(Sec. 3143) Directs the Secretary to include in annual DOE budget justification materials specific identification as a budget line item of amounts required to meet pension obligations for contractor employees at each DOE facility using amounts authorized for DOE.

(Sec. 3144) Expresses the sense of the Senate that: (1) radioisotopes and radiopharmaceuticals, including Mo-99 and its derivatives, are essential components of medical tests that help diagnose and treat life-threatening diseases affecting millions of people each year; and (2) the Secretary should continue and expand a program to meet the need to ensure a source of Mo-99 and its derivatives for use in medical tests to help ensure the health security of the United States and around the world and promote peaceful nuclear industries through the use of low-enriched uranium.

Title XXXII: Defense Nuclear Facilities Safety Board - (Sec. 3201) Authorizes appropriations for FY2010 for the Defense Nuclear Facilities Safety Board.

Title XXXIV [sic]: Naval Petroleum Reserves - (Sec. 3401) Authorizes appropriations to the Secretary of Energy for FY2010 to carry out activities relating to the naval petroleum reserves.

Title XXXV: Maritime Administration - (Sec. 3501) Authorizes appropriations to the Secretary of Transportation (Secretary, for purposes of this Title) for FY2010 for the Maritime Administration (MA) for specified activities, including: (1) operation and training; (2) maintaining a U.S.-flag merchant fleet; (3) the disposal of obsolete vessels in the National Defense Reserve Fleet; and (4) maritime loan guarantees.

(Sec. 3502) Authorizes the MA Administrator to make lump-sum payments to personnel previously employed by nonappropriated fund instrumentalities at the U.S. Merchant Marine Academy (Academy), such payments representing unused leave balances when such employees were either terminated or their positions converted to General Schedule positions under the Hunter Act during the period from September 2008 through March 2009.

(Sec. 3503) Amends the Hunter Act to make permanent the authority to hire adjunct professors at the Academy for periods of not more than one year. Limits the total number of such professors to 25 per trimester. Requires the MA Administrator to notify the defense and transportation committees whenever such authority is used during FY2010-FY2011.

(Sec. 3504) Expresses congressional findings in support of the maritime loan guarantee program (a program facilitating construction of commercial vessels in domestic shipyards).

(Sec. 3505) Requires vessels under operating agreements with the United States to have an emergency preparedness agreement that requires a vessel operating in hazardous carriage to be equipped with appropriate nonlethal defense measures to protect the vessel, crew, and cargo from unauthorized seizure at sea.

(Sec. 3506) Directs the Secretaries of Defense and State to report jointly to the defense, foreign relations, and transportation committees concerning the elimination or reduction of restrictions on the carriage of arms and the use of armed security teams on U.S.-flag commercial vessels for the purpose of self-defense in areas designated as a high risk of piracy.

(Sec. 3507) Makes technical corrections to the state maritime academies student incentive program.

(Sec. 3508) Amends federal transportation law to authorize the Secretary to make cooperative agreements to carry out MA and merchant marine programs.

(Sec. 3509) Amends the National Maritime Heritage Act of 1994 to make 25% of the amount credited to the Vessel Operations Revolving Fund that is attributable to the sale of obsolete vessels in the National Defense Reserve Fleet available: (1) to carry out the National Maritime Heritage Grants Program; or (2) for the preservation and presentation to the public of maritime heritage property of the MA.

(Sec. 3510) Requires midshipman fees collected by the Academy to be credited to the MA's Operation and Training appropriations.

(Sec. 3511) Declares it to be U.S. policy to have a U.S. merchant marine of vessels constructed in the United States.

(Sec. 3512) Directs the Secretary to establish a port infrastructure development program for the improvement of U.S. port facilities. Establishes a Port

Infrastructure Development Fund for such purposes. Outlines Fund transfer limits, with exceptions, including for certain projects under the American Recovery and Reinvestment Act of 2009. Authorizes appropriations.

(Sec. 3513) Codifies current MA authority to convey obsolete vessels to foreign countries for use in creating artificial reefs.

(Sec. 3514) Requires: (1) nonappropriated funds received for Academy master degree programs to be credited to the Operations and Training appropriation; and (2) the Academy Superintendent to maintain a separate accounting of all such fund receipts and expenses.

(Sec. 3515) Directs the Secretary to establish and implement a short sea transportation grant program which will use documented vessels to: (1) offer a waterborne alternative to available landside transportation services; and (2) provide transportation services for passengers or freight that may reduce congestion on landside infrastructure. Gives program priority to projects that present the most financially viable transportation services and require the lowest federal cost share.

(Sec. 3516) Directs the Secretary to expand the Marine View system (the MA's information system) so that the system is able to identify, collect, integrate, secure, protect, store, and securely distribute information throughout the marine transportation system.

Division D: Funding Tables - (Sec. 4001) Provides that, whenever a funding table in this Division specifies a dollar amount for a program, project, or activity, the obligation or expenditure of that amount is hereby authorized, subject to the availability of appropriations. Requires decisions by agency heads to commit, obligate, or expend funds with or to a specific entity on the basis of an authorized dollar amount to be based on authorized, transparent, statutory criteria, or merit-based selection procedures in accordance with federal requirements and other applicable provisions of law. Allows amounts specified in the funding tables in this Division to be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. Prohibits any oral or written communication concerning an amount specified in the funding tables from superseding the requirements of this section.

(Sec. 4101) Provides funding amounts for specified programs, projects, and activities authorized under this Act relating to: (1) procurement and procurement for overseas contingency operations; (2) RDT&E and RDT&E for overseas contingency operations; (3) O&M and O&M for overseas contingency operations; (4) other authorizations, including those for overseas contingency operations; (5) revolving and management funds; (6) Defense Working Capital Funds; (7) the Defense Health Program; (8) drug interdiction and counterdrug activities; (9) the Office of the Inspector General; (10) military construction; (11) 2010 project base closures and realignments; (12) military construction for overseas contingency operations; and (13) DOE national security programs.

Division E: Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act - Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act - (Sec. 4703) Adopts the definition of "hate crime" as set forth in the Violent Crime Control and Law Enforcement Act of 1994 (i.e., a crime in which the defendant intentionally selects a victim or, in the case of a property crime the property that is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person).

(Sec. 4704) Authorizes the Attorney General to: (1) provide state, local, or tribal law enforcement agencies with technical, forensic, prosecutorial, or other assistance in the investigation or prosecution of violent crimes and hate crimes; and (2) award grants to assist such agencies with the extraordinary expenses associated with the investigation and prosecution of hate crimes. Limits grant amounts to \$100,000 per jurisdiction in a one-year period. Requires a report from the Attorney General to Congress on the application of such grants. Authorizes appropriations.

(Sec. 4705) Authorizes the DOJ's Office of Justice Programs to award grants to state, local, or tribal programs designed to combat hate crimes committed by juveniles. Authorizes appropriations.

(Sec. 4706) Authorizes appropriations to DOJ, including the Community Relations Service, for FY2010-FY2012 to prevent and respond to hate crime acts.

(Sec. 4707) Amends the federal criminal code to prohibit willfully causing bodily injury to any person because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of such person. Provides a seven-year statute of limitations with respect to such offenses not resulting in death.

(Sec. 4708) Amends the Hate Crimes Statistics Act to expand data collection and reporting requirements under such Act to include: (1) crimes manifesting prejudice based on gender and gender identity; and (2) hate crimes committed by and against juveniles.

(Sec. 4710) States that nothing in this Division shall be construed to: (1) allow prosecution based solely upon an individual's expression of racial, religious, political, or other beliefs, or an individual's membership in a group advocating or espousing such beliefs; (2) diminish any right under the First Amendment to the U.S. Constitution; or (3) prohibit any constitutionally protected speech or expressive conduct or activities.

(Sec. 4711) Requires all prosecutions conducted under this Division to be undertaken pursuant to guidelines issued by the Attorney General.

(Sec. 4712) Amends the federal criminal code to prohibit willfully attacking a U.S. servicemember or his or her immediate family member, or destroying or damaging the property of such servicemember or family member, or attempting or conspiring to do either on account of the military service of that servicemember or status of that individual as a U.S. servicemember.

(Sec. 4713) Directs the United States Sentencing Commission to report to the judiciary committees on mandatory minimum sentencing provisions under federal law.

MAJOR ACTIONS:

6/2/2009	Introduced in House
6/18/2009	Reported (Amended) by the Committee on Armed Services. H. Rept. 111-166 .
6/23/2009	Supplemental report filed by the Committee on Armed Services, H. Rept. 111-166 , Part II.
6/25/2009	Passed/agreed to in House: On passage Passed by recorded vote: 389 - 22, 1 Present (Roll no. 460).
7/23/2009	Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
10/7/2009	Conference report H. Rept. 111-288 filed.
10/8/2009	Conference report agreed to in House: On agreeing to the conference report Agreed to by recorded vote: 281 - 146 (Roll no. 770).
10/22/2009	Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 68 - 29. Record Vote Number: 327 .
10/22/2009	Cleared for White House.

10/26/2009 Presented to President.
10/28/2009 Signed by President.
10/28/2009 Became Public Law No: 111-084 [[Text](#), [PDF](#)]

ALL ACTIONS:**6/2/2009:**

Referred to the House Committee on Armed Services.

6/5/2009:

Referred to the Subcommittee on Military Personnel.

6/11/2009:

Subcommittee Consideration and Mark-up Session Held.

6/11/2009:

Forwarded by Subcommittee to Full Committee by Voice Vote .

6/5/2009:

Referred to the Subcommittee on Seapower and Expeditionary Forces.

6/12/2009:

Subcommittee Consideration and Mark-up Session Held.

6/12/2009:

Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .

6/5/2009:

Referred to the Subcommittee on Readiness.

6/12/2009:

Subcommittee Consideration and Mark-up Session Held.

6/12/2009:

Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .

6/5/2009:

Referred to the Subcommittee on Strategic Forces.

6/11/2009:

Subcommittee Consideration and Mark-up Session Held.

6/11/2009:

Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .

6/5/2009:

Referred to the Subcommittee on Air and Land Forces.

6/12/2009:

Subcommittee Consideration and Mark-up Session Held.

6/12/2009:

Forwarded by Subcommittee to Full Committee by Voice Vote .

6/5/2009:

Referred to the Subcommittee on Terrorism, Unconventional Threats and Capabilities.

6/11/2009:

Subcommittee Consideration and Mark-up Session Held.

6/11/2009:

Forwarded by Subcommittee to Full Committee by Voice Vote .

6/16/2009:

Committee Consideration and Mark-up Session Held.

6/16/2009:

Ordered to be Reported (Amended) by the Yeas and Nays: 61 - 0.

6/18/2009 10:07pm:

Reported (Amended) by the Committee on Armed Services. H. Rept. [111-166](#).

6/18/2009 10:08pm:

Placed on the Union Calendar, Calendar No. 84.

6/23/2009 1:12pm:

Mr. Skelton asked unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill [H.R. 2647](#).

Agreed to without objection.

6/23/2009 1:42pm:

Supplemental report filed by the Committee on Armed Services, H. Rept. [111-166](#), Part II.

6/23/2009 11:49pm:

Rules Committee Resolution [H. Res. 572](#) Reported to House. Rule provides for consideration of [H.R. 2647](#) with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.

6/24/2009 10:38pm:

Rule [H. Res. 572](#) passed House.

6/24/2009 10:41pm:

Considered under the provisions of rule [H. Res. 572](#). (consideration: CR [H7215-7221](#), [H7234-7235](#), [H7236-7246](#))

6/24/2009 10:41pm:

Rule provides for consideration of [H.R. 2647](#) with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.

6/24/2009 10:41pm:

House resolved itself into the Committee of the Whole House on the state of the Union pursuant to [H. Res. 572](#) and Rule XVIII.

6/24/2009 10:41pm:

The Speaker designated the Honorable Jason Altmire to act as Chairman of the Committee.

6/24/2009 10:42pm:
GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on [H.R. 2647](#).

6/24/2009 11:35pm:
ORDER OF PROCEDURE - Pursuant to section 4 of [H. Res. 572](#) and as the Chairman of the Committee on Armed Services, Mr. Skelton asked unanimous consent that, during further consideration of [H.R. 2647](#) in the Committee of the Whole and following consideration of amendment No. 1 printed in House Report 111-182, further consideration of a list of amendments supplied to the desk take place in the order specified on said list. Agreed to without objection.

6/24/2009 11:36pm:
GENERAL DEBATE - The Committee of the Whole continued with general debate on [H.R. 2647](#).

6/24/2009 11:55pm:
Mr. Skelton moved that the Committee rise.

6/24/2009 11:56pm:
On motion that the Committee rise Agreed to by voice vote.

6/24/2009 11:56pm:
Committee of the Whole House on the state of the Union rises leaving [H.R. 2647](#) as unfinished business.

6/25/2009 10:33am:
Considered as unfinished business. (consideration: CR [H7257-7353](#), [H7354-7389](#))

6/25/2009 10:33am:
Mr. Skelton asked unanimous consent that during further consideration of [H.R. 2647](#) pursuant to [H.Res. 572](#), debate on amendments 3 and 9 be extended to 20 minutes each, and that amendment 2 be modified. Agreed to without objection.

6/25/2009 10:35am:
The House resolved into Committee of the Whole House on the state of the Union for further consideration.

6/25/2009 10:37am:
[H.AMDT.261](#) Amendment (A001) offered by Mr. Skelton. (consideration: CR [H7336-7338](#); text: CR [H7336-7337](#))
Manager's amendment makes sundry technical and conforming changes to the bill; extends the deadline from 30 days to 90 days after the date of enactment for the report on Miranda warning required by SEC 1036; and puts disaggregate NAVY/Marine Corps Procurement in SEC 1505 in line with similar disaggregation for ARMY (SEC 1502) and Air Force (SEC 1506) Procurement.

6/25/2009 10:38am:
DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Skelton amendment number 1.

6/25/2009 10:45am:
[H.AMDT.261](#) On agreeing to the Skelton amendment (A001) Agreed to by voice vote.

6/25/2009 10:46am:
[H.AMDT.262](#) Amendment (A002) offered by Mr. McGovern. (consideration: CR [H7338-7340](#), [H7382-7383](#); text: CR [H7338](#))
Amendment sought to require the Defense Secretary to report to Congress, not later than December 31, 2009, on a U.S. exit strategy for U.S. military forces in Afghanistan participating in Operation Enduring Freedom.

6/25/2009 10:46am:
Debate - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 20 minutes of debate on the McGovern amendment number 3.

6/25/2009 11:10am:
POSTPONED PROCEEDINGS - At the conclusion of debate on the McGovern amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes prevailed. Mr. McGovern demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 11:10am:
[H.AMDT.263](#) Amendment (A003) offered by Mr. McGovern. (consideration: CR [H7340-7342](#), [H7383-7384](#); text: CR [H7340-7341](#))
Amendment requires public disclosure of students and instructors at the Western Hemisphere Institute for Security Cooperation.

6/25/2009 11:10am:
DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the McGovern amendment number 4.

6/25/2009 11:23am:
POSTPONED PROCEEDINGS - At the conclusion of debate on the McGovern amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. McKeon demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 11:24am:
[H.AMDT.264](#) Amendments (A004) offered by Mr. Skelton. (consideration: CR [H7342-7350](#); text as en bloc: CR [H7342-7346](#))
An amendment comprised of the following amendments offered en bloc: amendments numbered 5, 6, 8, 12, 13, 16, 17, 18, 19, 21, 22, 26, 29, 45, 61, 63, and 64 printed in House Report 111-182.

6/25/2009 11:24am:
DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 1.

6/25/2009 11:46am:
[H.AMDT.264](#) On agreeing to the Skelton amendments (A004) Agreed to by voice vote.

6/25/2009 11:47am:
[H.AMDT.265](#) Amendment (A005) offered by Mr. McKeon. (consideration: CR [H7350-7351](#))
Amendment, as modified, expresses the sense of Congress that the Honorable John M. McHugh has served the House of Representatives and the American people selflessly and with distinction and that he deserves the gratitude of Congress and the Nation.

6/25/2009 11:47am:
[H.AMDT.265](#) McKeon amendment (A005) modified by unanimous consent. (text as modified: CR [H7350-7351](#))

6/25/2009 11:47am:
DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the McKeon amendment, as modified.

6/25/2009 11:54am:
[H.AMDT.265](#) On agreeing to the McKeon amendment (A005) as modified Agreed to by voice vote.

6/25/2009 11:54am:
[H.AMDT.266](#) Amendment (A006) offered by Mr. Franks (AZ). (consideration: CR [H7351-7353](#), [H7384](#); text: CR [H7351-7352](#))
Amendment sought to provide that it is U.S. policy to continue missile defense testing and sought to increase funding for the Missile Defense Agency by \$1.2 billion with offsetting reductions coming from defense environmental cleanup.

6/25/2009 11:54am:
DEBATE - Pursuant to the provisions of [H.Res.572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Franks (AZ)

amendment.

6/25/2009 12:06pm:

DEBATE - The Committee of the Whole continued with further debate on the Franks (AZ) amendment.

6/25/2009 12:23pm:

POSTPONED PROCEEDINGS - At the conclusion of debate on the Franks (AZ) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Franks (AZ) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 12:24pm:

[H.AMDT.267](#) Amendment (A007) offered by Mr. Akin. (consideration: CR [H7356-7358](#), [H7384-7385](#); text: CR [H7356](#))

Amendment sought to require the Defense Secretary to submit to Congress a report on any non-disclosure agreements signed by DoD employees regarding their official duties (except those relating to security clearances). The report would describe topics covered by the agreements, the number of employees required to sign such agreements, the duration of agreements, the types of persons covered, and reasons for requiring such agreements. Finally, the criteria for determining such information would not be disclosed.

6/25/2009 12:24pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Akin amendment.

6/25/2009 12:34pm:

POSTPONED PROCEEDINGS - At the conclusion of debate on the Akin amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Akin demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 12:35pm:

[H.AMDT.268](#) Amendments (A008) offered by Mr. Skelton. (consideration: CR [H7358-7865](#); text as en bloc: CR [H7358-7362](#))

An amendment comprised of the following amendments offered en bloc: amendments numbered 10, 11, 23, 28, 30, 31, 32, 35, 36, 37, 38, 40, 41, 42, 47, 48, 49, 50, 53, 56, and 58 printed in House Report 111-182.

6/25/2009 12:35pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 2.

6/25/2009 12:52pm:

[H.AMDT.268](#) On agreeing to the Skelton amendments (A008) Agreed to by voice vote.

6/25/2009 12:55pm:

[H.AMDT.269](#) Amendment (A009) offered by Mr. Cummings. (consideration: CR [H7365-7366](#); text: CR [H7365](#))

Amendment requires the Secretary to provide embarked military personnel on board U.S.-flagged vessels carrying United States Government cargoes in regions at high risk of piracy.

6/25/2009 12:55pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Cummings amendment.

6/25/2009 1:03pm:

[H.AMDT.269](#) On agreeing to the Cummings amendment (A009) Agreed to by voice vote.

6/25/2009 1:04pm:

[H.AMDT.270](#) Amendment (A010) offered by Mr. Holt. (consideration: CR [H7366-7368](#), [H7385-7386](#); text: CR [H7366-7367](#))

Amendment requires the videotaping of all military interrogations, with appropriate security classifications.

6/25/2009 1:04pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Holt (NJ) amendment.

6/25/2009 1:16pm:

POSTPONED PROCEEDINGS - At the conclusion of debate on the Holt amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Holt demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 1:17pm:

[H.AMDT.271](#) Amendment (A011) offered by Mrs. Maloney. (consideration: CR [H7368-7369](#); text: CR [H7368-7369](#))

Amendment establishes an Overseas Voting Advisory Board that will conduct studies and issue reports and have hearings on the abilities of, and obstacles to, overseas voting, the successes and failures of the Federal Voting Assistance Program (FVAP) under the Department of Defense, and any administration efforts to increase overseas voter participation.

6/25/2009 1:17pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Maloney (NY) amendment.

6/25/2009 1:23pm:

[H.AMDT.271](#) On agreeing to the Maloney amendment (A011) Agreed to by voice vote.

6/25/2009 1:24pm:

[H.AMDT.272](#) Amendments (A012) offered by Mr. Skelton. (consideration: CR [H7369-7372](#); text as en bloc: CR [H7369-7375](#))

An amendment comprised of the following amendments offered en bloc: amendments numbered 43, 44, 7, 25, 27, 33, 46, 51, 52, and 54 printed in House Report 111-182.

6/25/2009 1:24pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 3.

6/25/2009 1:43pm:

[H.AMDT.272](#) On agreeing to the Skelton amendments (A012) Agreed to by voice vote.

6/25/2009 1:44pm:

[H.AMDT.273](#) Amendments (A013) offered by Mr. Skelton. (consideration: CR [H7375-7381](#); text as en bloc: CR [H7375-7378](#))

An amendment comprised of the following amendments offered en bloc: amendments numbered 55, 57, 59, 62, 66, 67, 68, 69, 65, and 60 printed in House Report 111-182.

6/25/2009 1:44pm:

DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 4.

6/25/2009 1:58pm:

[H.AMDT.273](#) On agreeing to the Skelton amendments (A013) Agreed to by voice vote.

6/25/2009 1:59pm:

[H.AMDT.274](#) Amendment (A014) offered by Mr. Connolly (VA). (consideration: CR [H7381-7382](#), [H7386](#); text: CR [H7381](#))

Amendment clarifies that section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140) does not preclude Federal agencies from purchasing fuel that is not predominantly derived from tar-sands or other high-carbon sources.

6/25/2009 1:59pm:
DEBATE - Pursuant to the provisions of [H.Res. 572](#), the Committee of the Whole proceeded with 10 minutes of debate on the Connolly (VA) amendment.

6/25/2009 2:09pm:
POSTPONED PROCEEDINGS - At the conclusion of debate on the Connolly amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Connolly demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.

6/25/2009 2:47pm:
[H.AMDT.262](#) On agreeing to the McGovern amendment (A002) Failed by recorded vote: 138 - 278 ([Roll no. 453](#)).

6/25/2009 2:52pm:
[H.AMDT.263](#) On agreeing to the McGovern amendment (A003) Agreed to by recorded vote: 224 - 190 ([Roll no. 454](#)).

6/25/2009 2:56pm:
[H.AMDT.266](#) On agreeing to the Franks (AZ) amendment (A006) Failed by recorded vote: 171 - 244 ([Roll no. 455](#)).

6/25/2009 2:59pm:
[H.AMDT.267](#) On agreeing to the Akin amendment Failed by recorded vote: 186 - 226 ([Roll no. 456](#)).

6/25/2009 3:05pm:
[H.AMDT.270](#) On agreeing to the Holt amendment (A010) Agreed to by recorded vote: 224 - 193 ([Roll no. 457](#)).

6/25/2009 3:09pm:
[H.AMDT.274](#) On agreeing to the Connolly (VA) amendment (A014) Agreed to by recorded vote: 416 - 0 ([Roll no. 458](#)).

6/25/2009 3:10pm:
The House rose from the Committee of the Whole House on the state of the Union to report [H.R. 2647](#).

6/25/2009 3:11pm:
The previous question was ordered pursuant to the rule. (consideration: CR [H7387](#))

6/25/2009 3:11pm:
The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR [H7258-7336](#))

6/25/2009 3:11pm:
Mr. Forbes moved to recommit with instructions to Armed Services. (consideration: CR [H7387](#); text: CR [H7387](#))

6/25/2009 3:12pm:
DEBATE - The House proceeded with 10 minutes of debate on the Forbes motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment pertaining to a new section on Availability of Funds for Missile Defense and Certain Vehicles and Aircraft.

6/25/2009 3:24pm:
The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR [H7388](#))

6/25/2009 3:43pm:
On motion to recommit with instructions Failed by recorded vote: 170 - 244 ([Roll no. 459](#)). (consideration: CR [H7388-7389](#))

6/25/2009 3:50pm:
On passage Passed by recorded vote: 389 - 22, 1 Present ([Roll no. 460](#)).

6/25/2009 3:50pm:
Motion to reconsider laid on the table Agreed to without objection.

6/25/2009 3:50pm:
Pursuant to the provisions of [H.Res. 572](#), the text of [H.R. 2990](#), as passed by the House, was appended to the end of the engrossment of [H.R. 2647](#) as new matter.

6/25/2009 3:50pm:
The title of the measure was amended. Agreed to without objection.

6/25/2009 3:51pm:
The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of [H.R. 2647](#).

7/6/2009:
Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 96.

7/23/2009:
Measure laid before Senate by unanimous consent. (consideration: CR [S8024](#), [S8024](#))

7/23/2009:
Senate struck all after the Enacting Clause and substituted the language of [S.1390](#) amended. (consideration: CR [S8024](#))

7/23/2009:
Passed Senate with an amendment by Unanimous Consent. (text: CR 7/29/2009 [S8287-8499](#))

7/23/2009:
Senate insists on its amendment, asks for a conference, appoints conferees Levin; Kennedy; Byrd; Lieberman; Reed; Akaka; Nelson FL; Nelson NE; Bayh; Webb; McCaskill; Udall CO; Hagan; Begich; Burr; McCain; Inhofe; Sessions; Chambliss; Graham; Thune; Martinez; Wicker; Burr; Vitter; Collins. (consideration: CR [S8024](#))

7/28/2009:
Message on Senate action sent to the House.

9/29/2009:
Senate appointed conferee(s) Kirk in lieu of Kennedy by unanimous consent. (consideration: CR [S9940](#))

9/29/2009:
Senate appointed conferee(s) LeMieux in lieu of Martinez. (consideration: CR [S9940](#))

9/30/2009:
Message on Senate action sent to the House.

10/6/2009 5:32pm:
Mr. Skelton moved that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR [H10477-10486](#), [H10488-10489](#))

10/6/2009 5:33pm:
On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to by voice vote.

10/6/2009 5:34pm:
Mr. Forbes moved that the House instruct conferees. (consideration: CR [H10477-10478](#), [H10484](#), [H10485-10486](#))

10/6/2009 5:34pm:
DEBATE - The House proceeded with one hour of debate on the Forbes motion to instruct conferees on [H.R. 2647](#). The instructions contained in the motion seek to require the managers on the part of the House to not recede to the Senate on division E of the Senate amendment (regarding the Matthew Shephard Hate Crimes Prevention Act).

10/6/2009 6:36pm:

POSTPONED PROCEEDINGS - At the conclusion of debate on the motion to instruct conferees, the Chair put the question on adoption of the motion and by voice vote announced that the yeas had prevailed. Mr. Forbes demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the motion until later in the legislative day.

10/6/2009 6:38pm:

Mr. Skelton moved that the House close portions of the conference. (consideration: CR [H10484-10485](#))

10/6/2009 7:10pm:

On motion that the House instruct conferees Failed by the Yeas and Nays: 178 - 234 ([Roll no. 754](#)).

10/6/2009 7:10pm:

Motion to reconsider laid on the table Agreed to without objection.

10/6/2009 7:31pm:

The Speaker appointed conferees - from the Committee on Armed Services for consideration of the House bill and the Senate amendment, and modifications committed to conference: Skelton, Spratt, Ortiz, Taylor, Abercrombie, Reyes, Snyder, Smith (WA), Sanchez, Loretta, McIntyre, Brady (PA), Andrews, Davis (CA), Langevin, Larsen (WA), Cooper, Marshall, Bordallo, McKeon, Bartlett, Thornberry, Jones, Akin, Forbes, Miller (FL), Wilson (SC), LoBiondo, Bishop (UT), Turner, and Wittman.

10/6/2009 7:31pm:

The Speaker appointed conferees - from the Permanent Select Committee on Intelligence for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Hastings (FL), Schiff, and Hoekstra.

10/6/2009 7:31pm:

The Speaker appointed conferees - from the Committee on Education and Labor for consideration of secs. 243, 551-553, 585, 2833 and 2834 of the House bill and secs. 531-534 and 3136 of the Senate amendment, and modifications committed to conference: Woolsey, Altmire, and Biggert.

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of secs. 247, 315 and 601 of the House bill and secs. 311, 601, 2835 and 3118 of the Senate amendment, and modifications committed to conference: Waxman, Markey (MA), and Barton (TX).

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on Foreign Affairs for consideration of secs. 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213-1215, 1226, 1230A, 1231, 1236, 1239, 1240, Title XIII, secs. 1513, 1516, 1517, and 2903 of the House bill and secs. 1021, 1023, 1201-1203, 1205-1208, 1211-1214, Subtitle D of Title XII, Title XIII and sec. 1517 of the Senate amendment, and modifications committed to conference: Berman, Ackerman, and Ros-Lehtinen.

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on Homeland Security for consideration of sec. 1101 of the House bill, and modifications committed to conference: Thompson (MS), Titus, and Bilirakis.

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on House Administration for consideration of Subtitle H of Title V of the Senate amendment, and modifications committed to conference: Capuano, Gonzalez, and Lungren, Daniel E. of California.

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 583, 584, 1021 and 1604 of the House bill and secs. 821, 911, 1031, 1033, 1056, 1086 and Division E of the Senate amendment, and modifications committed to conference: Nadler (NY), Lofgren, Zoe, and Gohmert.

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on Natural Resources for consideration of secs. 1091 and 2308 of the Senate amendment, and modifications committed to conference: Rahall, Faleomavaega, and Hastings (WA).

10/6/2009 7:32pm:

The Speaker appointed conferees - from the Committee on Oversight and Government Reform for consideration of secs. 321, 322, 326-329, 335, 537, 666, 814, 815, 834, 1101-1107, 1110-1113 and Title II of Division D of the House bill and secs. 323, 323A-323C, 814, 822, 824, 901, 911, 1056, 1086, 1101-1105 and 1162 of the Senate amendment, and modifications committed to conference

10/6/2009 7:33pm:

The Speaker appointed conferees - from the Committee on Science and Technology for consideration of secs. 248, 819, 836, and 911 of the House bill and secs. 801, 814, 833, 834, 912 and Division F of the Senate amendment, and modifications committed to conference: Gordon (TN), Wu, and Smith (NE).

10/6/2009 7:33pm:

The Speaker appointed conferees - from the Committee on Small Business for consideration of sec. 830 of the House bill and secs. 833, 834, 838, 1090 and Division F of the Senate amendment, and modifications committed to conference

10/6/2009 7:33pm:

The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of secs. 315, 601 and 2811 of the House bill and secs. 311, 601, 933, 2835, 3301, 6002, 6007, 6008, 6012 and 6013 of the Senate amendment, and modifications committed to conference: Cummings, Richardson, and Mica.

10/6/2009 7:33pm:

The Speaker appointed conferees - from the Committee on Veterans' Affairs for consideration of secs. 525, 583, 584 and sec. 121 of Division D of the House bill and secs. 573-575, 617, 711, Subtitle E of Title X, secs. 1084 and 1085 of the Senate amendment, and modifications committed to conference: Rodriguez, Donnelly (IN), and Buyer.

10/7/2009 4:02pm:

Conference report H. Rept. [111-288](#) filed. (text of conference report: CR [H10565-11052](#))

10/7/2009 6:34pm:

Rules Committee Resolution [H. Res. 808](#) Reported to House. Rule provides for consideration of the conference report to [H.R. 2647](#) with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommitt with or without instructions. All points of order against the conference report and against its consideration are waived. Considered as read.

10/8/2009 11:53am:

Rule [H. Res. 808](#) passed House.

10/8/2009 12:16pm:

Mr. Skelton brought up conference report H. Rept. [111-288](#) for consideration under the provisions of [H. Res. 808](#). (consideration: CR [H11127-11140](#))

10/8/2009 12:19pm:

DEBATE - The House proceeded with one hour of debate on the conference report to accompany [H.R. 2647](#).

10/8/2009 1:30pm:

The previous question was ordered pursuant to the rule. (consideration: CR [H11140](#))

10/8/2009 2:50pm:

The House proceeded to consider the conference report H.Rept. [111-288](#) as unfinished business. (consideration: CR [H11140-11142](#))

10/8/2009 2:51pm:

Mr. McKeon moved to recommit with instructions to the conference committee. (consideration: CR [H11140-11141](#); text: CR [H11140](#))

10/8/2009 3:17pm:

On motion to recommit with instructions to conference committee Failed by the Yeas and Nays: 208 - 216, 2 Present ([Roll no. 769](#)).

10/8/2009 3:23pm:

On agreeing to the conference report Agreed to by recorded vote: 281 - 146 ([Roll no. 770](#)).

10/8/2009 3:23pm:

Motions to reconsider laid on the table Agreed to without objection.

10/8/2009:

Conference papers: message on House action held at the desk in Senate.

10/20/2009:

Conference report considered in Senate. (consideration: CR [S10567-10568](#))

10/20/2009:

Cloture motion on the conference report to accompany [H.R. 2647](#) presented in Senate. (consideration: CR [S10567-10568](#); text: CR [S10568](#))

10/21/2009:

Conference report considered in Senate. (consideration: CR [S10614-10632](#))

10/22/2009:

Conference report considered in Senate. (consideration: CR [S10663-10670](#), [S10670-10687](#))

10/22/2009:

Cloture on the conference report to accompany [H.R. 2647](#) invoked in Senate by Yea-Nay Vote. 64 - 35. [Record Vote Number: 326](#). (consideration: CR [S10669-10670](#); text: CR [S10669](#))

10/22/2009:

Senate agreed to conference report by Yea-Nay Vote. 68 - 29. [Record Vote Number: 327](#). (consideration: CR [S10686-10687](#))

10/22/2009:

Message on Senate action sent to the House.

10/22/2009:

The title was amended in conference to read as follows: "to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes".

10/22/2009:

Cleared for White House.

10/26/2009:

Presented to President.

10/28/2009:

Signed by President.

10/28/2009:

Became Public Law No: 111-84.

TITLE(S): (*italics indicate a title for a portion of a bill*)

- SHORT TITLE(S) AS INTRODUCED:
National Defense Authorization Act for Fiscal Year 2010
- SHORT TITLE(S) AS REPORTED TO HOUSE:
National Defense Authorization Act for Fiscal Year 2010
Military Construction Authorization Act for Fiscal Year 2010
- SHORT TITLE(S) AS PASSED HOUSE:
National Defense Authorization Act for Fiscal Year 2010
Disabled Military Retiree Relief Act of 2009
Guam World War II Loyalty Recognition Act
Military Construction Authorization Act for Fiscal Year 2010
Non-Foreign AREA Act of 2009
Non-Foreign Area Retirement Equity Assurance Act of 2009
- SHORT TITLE(S) AS PASSED SENATE:
National Defense Authorization Act for Fiscal Year 2010
Captain James A. Lovell Federal Health Care Center Act of 2009
Maritime Administration Authorization Act of 2010
Matthew Shepard Hate Crimes Prevention Act
Military and Overseas Voter Empowerment Act
Military Construction Authorization Act for Fiscal Year 2010
Part-Time Reemployment of Annuitants Act of 2009
SBIR/STTR Reauthorization Act of 2009
Success in Countering Al Qaeda Reporting Requirements Act of 2009
Victims of Iranian Censorship Act
VOICE Act
- SHORT TITLE(S) AS ENACTED:
National Defense Authorization Act for Fiscal Year 2010
Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act
Military and Overseas Voter Empowerment Act
Military Commissions Act of 2009
Military Construction Authorization Act for Fiscal Year 2010
Non-Foreign AREA Act of 2009
Non-Foreign Area Retirement Equity Assurance Act of 2009
Success in Countering Al Qaeda Reporting Requirements Act of 2009
Victims of Iranian Censorship Act
VOICE Act
- OFFICIAL TITLE AS INTRODUCED:

To authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes.

• **OFFICIAL TITLE AS AMENDED BY HOUSE:**

To authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes.

• **OFFICIAL TITLE AS AMENDED BY SENATE:**

The title was amended in conference to read as follows: "to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes".

COSPONSORS(1), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: [by date](#))

[Rep McHugh, John M.](#) [NY-23] - 6/2/2009

COMMITTEE(S):

Committee/Subcommittee:

[House Armed Services](#)

[Subcommittee on Military Personnel](#)

[Subcommittee on Seapower and Expeditionary Forces](#)

[Subcommittee on Readiness](#)

[Subcommittee on Strategic Forces](#)

[Subcommittee on Air and Land Forces](#)

[Subcommittee on Terrorism, Unconventional Threats and Capabilities](#)

Activity:

Referral, Markup, Reporting

Referral, Markup, Reporting

Referral, Markup, Reporting

Referral, Markup, Reporting

Referral, Markup, Reporting

Referral, Markup, Reporting

Referral, Markup, Reporting

RELATED BILL DETAILS: (additional related bills may be identified in Status)

Bill:

[H.RES.572](#)

[H.RES.808](#)

[H.R.270](#)

[H.R.2990](#)

[S.731](#)

[S.1390](#)

[S.1390](#)

[S.1390](#)

Relationship:

Rule related to H.R.2647 in House

Rule related to H.R.2647 in House

Related bill identified by CRS

Related bill as identified by the House Clerk's office

Related bill identified by CRS

Companion bill

Related bill as identified by the House Clerk's office

Text from this bill was inserted in H.R.2647

AMENDMENT(S):

1. [H.AMDT.261](#) to [H.R.2647](#) Manager's amendment makes sundry technical and conforming changes to the bill; extends the deadline from 30 days to 90 days after the date of enactment for the report on Miranda warning required by SEC 1036; and puts disaggregate NAVY/Marine Corps Procurement in SEC 1505 in line with similar disaggregation for ARMY (SEC 1502) and Air Force (SEC 1506) Procurement.

Sponsor: [Rep Skelton, Ike](#) [MO-4] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Skelton amendment (A001) Agreed to by voice vote.

2. [H.AMDT.262](#) to [H.R.2647](#) Amendment sought to require the Defense Secretary to report to Congress, not later than December 31, 2009, on a U.S. exit strategy for U.S. military forces in Afghanistan participating in Operation Enduring Freedom.

Sponsor: [Rep McGovern, James P.](#) [MA-3] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment not agreed to. Status: On agreeing to the McGovern amendment (A002) Failed by recorded vote: 138 - 278 (Roll no. 453).

3. [H.AMDT.263](#) to [H.R.2647](#) Amendment requires public disclosure of students and instructors at the Western Hemisphere Institute for Security Cooperation.

Sponsor: [Rep McGovern, James P.](#) [MA-3] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the McGovern amendment (A003) Agreed to by recorded vote: 224 - 190 (Roll no. 454).

4. [H.AMDT.264](#) to [H.R.2647](#) An amendment comprised of the following amendments offered en bloc: amendments numbered 5, 6, 8, 12, 13, 16, 17, 18, 19, 21, 22, 26, 29, 45, 61, 63, and 64 printed in House Report 111-182.

Sponsor: [Rep Skelton, Ike](#) [MO-4] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Skelton amendments (A004) Agreed to by voice vote.

5. [H.AMDT.265](#) to [H.R.2647](#) Amendment, as modified, expresses the sense of Congress that the Honorable John M. McHugh has served the House of Representatives and the American people selflessly and with distinction and that he deserves the gratitude of Congress and the Nation.

Sponsor: [Rep McKeon, Howard P. "Buck"](#) [CA-25] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the McKeon amendment (A005) as modified Agreed to by voice vote.

6. H.AMDT.266 to H.R.2647 Amendment sought to provide that it is U.S. policy to continue missile defense testing and sought to increase funding for the Missile Defense Agency by \$1.2 billion with offsetting reductions coming from defense environmental cleanup.

Sponsor: [Rep Franks, Trent](#) [AZ-2] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment not agreed to. Status: On agreeing to the Franks (AZ) amendment (A006) Failed by recorded vote: 171 - 244 (Roll no. 455).

7. H.AMDT.267 to H.R.2647 Amendment sought to require the Defense Secretary to submit to Congress a report on any non-disclosure agreements signed by DoD employees regarding their official duties (except those relating to security clearances). The report would describe topics covered by the agreements, the number of employees required to sign such agreements, the duration of agreements, the types of persons covered, and reasons for requiring such agreements. Finally, the criteria for determining such information would not be disclosed.

Sponsor: [Rep Akin, W. Todd](#) [MO-2] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment not agreed to. Status: On agreeing to the Akin amendment Failed by recorded vote: 186 - 226 (Roll no. 456).

8. H.AMDT.268 to H.R.2647 An amendment comprised of the following amendments offered en bloc: amendments numbered 10, 11, 23, 28, 30, 31, 32, 35, 36, 37, 38, 40, 41, 42, 47, 48, 49, 50, 53, 56, and 58 printed in House Report 111-182.

Sponsor: [Rep Skelton, Ike](#) [MO-4] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Skelton amendments (A008) Agreed to by voice vote.

9. H.AMDT.269 to H.R.2647 Amendment requires the Secretary to provide embarked military personnel on board U.S.-flagged vessels carrying United States Government cargoes in regions at high risk of piracy.

Sponsor: [Rep Cummings, Elijah E.](#) [MD-7] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Cummings amendment (A009) Agreed to by voice vote.

10. H.AMDT.270 to H.R.2647 Amendment requires the videotaping of all military interrogations, with appropriate security classifications.

Sponsor: [Rep Holt, Rush D.](#) [NJ-12] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Holt amendment (A010) Agreed to by recorded vote: 224 - 193 (Roll no. 457).

11. H.AMDT.271 to H.R.2647 Amendment establishes an Overseas Voting Advisory Board that will conduct studies and issue reports and have hearings on the abilities of, and obstacles to, overseas voting, the successes and failures of the Federal Voting Assistance Program (FVAP) under the Department of Defense, and any administration efforts to increase overseas voter participation.

Sponsor: [Rep Maloney, Carolyn B.](#) [NY-14] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Maloney amendment (A011) Agreed to by voice vote.

12. H.AMDT.272 to H.R.2647 An amendment comprised of the following amendments offered en bloc: amendments numbered 43, 44, 7, 25, 27, 33, 46, 51, 52, and 54 printed in House Report 111-182.

Sponsor: [Rep Skelton, Ike](#) [MO-4] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Skelton amendments (A012) Agreed to by voice vote.

13. H.AMDT.273 to H.R.2647 An amendment comprised of the following amendments offered en bloc: amendments numbered 55, 57, 59, 62, 66, 67, 68, 69, 65, and 60 printed in House Report 111-182.

Sponsor: [Rep Skelton, Ike](#) [MO-4] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Skelton amendments (A013) Agreed to by voice vote.

14. H.AMDT.274 to H.R.2647 Amendment clarifies that section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140) does not preclude Federal agencies from purchasing fuel that is not predominantly derived from tar-sands or other high-carbon sources.

Sponsor: [Rep Connolly, Gerald E. "Gerry"](#) [VA-11] (introduced 6/25/2009) **Cosponsors** (None)

Latest Major Action: 6/25/2009 House amendment agreed to. Status: On agreeing to the Connolly (VA) amendment (A014) Agreed to by recorded vote: 416 - 0 (Roll no. 458).

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