

Calendar No. 89111TH CONGRESS
1ST SESSION**S. 1390****[Report No. 111-35]**

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, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 2, 2009

Mr. LEVIN from the Committee on Armed Services reported under authority of the order of the Senate of June 25, 2009, the following original bill; which was read twice and placed on the calendar

A BILL

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, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense Au-
3 thorization Act for Fiscal Year 2010”.

4 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**
5 **CONTENTS.**

6 (a) DIVISIONS.—This Act is organized into four divi-
7 sions as follows:

8 (1) Division A—Department of Defense Author-
9 izations.

10 (2) Division B—Military Construction Author-
11 izations.

12 (3) Division C—Department of Energy National
13 Security Authorizations and Other Authorizations.

14 (4) Division D—Funding Tables.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

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Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

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Sec. 113. Procurement programs for future naval surface combatants.

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- Sec. 121. Limitation on retirement of C-5 aircraft.
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- Sec. 251. Repeal of requirement for biennial joint warfighting science and technology plan.

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- Sec. 301. Operation and maintenance funding.

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- Sec. 311. Reimbursement of Environmental Protection Agency for certain costs in connection with the former Nansmond Ordnance Depot Site, Suffolk, Virginia.

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- Sec. 321. Modification of authority for Army industrial facilities to engage in cooperative activities with non-Army entities.
- Sec. 322. Improvement of inventory management practices.
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Sec. 3113. Repeal of Reliable Replacement Warhead program.

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- Sec. 3115. Repeal of prohibition on funding activities associated with international cooperative stockpile stewardship.
- Sec. 3116. Modification of minor construction threshold for plant projects.
- Sec. 3117. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel.
- Sec. 3118. Repeal of sunset date for consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration.

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- Sec. 3132. Review of management and operation of certain national laboratories.
- Sec. 3133. Inclusion in 2010 stockpile stewardship plan of certain information relating to stockpile stewardship criteria.
- Sec. 3134. Comptroller General of the United States review of projects carried out by the Office of Environmental Management of the Department of Energy pursuant to the American Recovery and Reinvestment Act of 2009.
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- Sec. 4201. Research, development, test, and evaluation.
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TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY
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1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

2 For purposes of this Act, the term “congressional de-
3 fense committees” has the meaning given that term in sec-
4 tion 101(a)(16) of title 10, United States Code.

**5 DIVISION A—DEPARTMENT OF
6 DEFENSE AUTHORIZATIONS**

7 TITLE I—PROCUREMENT

**8 Subtitle A—Authorization of
9 Appropriations**

10 SEC. 101. ARMY.

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2010 for procurement for the Army as follows:

13 (1) For aircraft, \$5,144,891,000.

14 (2) For missiles, \$1,375,109,000.

15 (3) For weapons and tracked combat vehicles,
16 \$2,451,952,000.

17 (4) For ammunition, \$2,059,895,000.

18 (5) For other procurement, \$9,617,991,000.

1 **SEC. 102. NAVY AND MARINE CORPS.**

2 (a) NAVY.—Funds are hereby authorized to be appro-
3 priated for fiscal year 2010 for procurement for the Navy
4 as follows:

5 (1) For aircraft, \$18,655,412,000.

6 (2) For weapons, including missiles and tor-
7 pedoes, \$3,515,455,000.

8 (3) For shipbuilding and conversion,
9 \$13,776,867,000.

10 (4) For other procurement, \$5,595,176,000.

11 (b) MARINE CORPS.—Funds are hereby authorized to
12 be appropriated for fiscal year 2010 for procurement for
13 the Marine Corps in the amount of \$1,600,638,000.

14 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds
15 are hereby authorized to be appropriated for fiscal year
16 2010 for procurement of ammunition for the Navy and
17 the Marine Corps in the amount of \$840,675,000.

18 **SEC. 103. AIR FORCE.**

19 Funds are hereby authorized to be appropriated for
20 fiscal year 2010 for procurement for the Air Force as fol-
21 lows:

22 (1) For aircraft, \$13,077,876,000.

23 (2) For missiles, \$6,107,728,000.

24 (3) For ammunition, \$822,462,000.

25 (4) For other procurement, \$17,245,341,000.

1 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2010 for Defense-wide procurement as follows:

4 (1) For Defense-wide procurement,
5 \$4,050,052,000.

6 (2) For the Rapid Acquisition Fund,
7 \$79,300,000.

8 (3) For the Mine Resistant Ambush Protected
9 Vehicle Fund, \$1,200,000,000.

10 **SEC. 105. FUNDING TABLE.**

11 The amounts authorized to be appropriated by sec-
12 tions 101, 102, 103, and 104 shall be available, in accord-
13 ance with the requirements of section 4001, for projects,
14 programs, and activities, and in the amounts, specified in
15 the funding table in section 4101.

16 **Subtitle B—Navy Programs**

17 **SEC. 111. TREATMENT OF LITTORAL COMBAT SHIP PRO-**
18 **GRAM AS A MAJOR DEFENSE ACQUISITION**
19 **PROGRAM.**

20 Effective as of the date of the enactment of this Act,
21 the program for the Littoral Combat Ship shall be treated
22 as a major defense acquisition program for purposes of
23 chapter 144 of title 10, United States Code.

1 **SEC. 112. REPORT ON STRATEGIC PLAN FOR HOME-**
2 **PORTING THE LITTORAL COMBAT SHIP.**

3 (a) REPORT REQUIRED.—Not later than 90 days
4 after the date of the enactment of this Act, the Secretary
5 of the Navy shall submit to the congressional defense com-
6 mittees a report setting forth the strategic plan of the
7 Navy for homeporting the Littoral Combat Ship (LCS) on
8 the East Coast and West Coast of the United States.

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

11 (1) The requirements for homeporting of the
12 Littoral Combat ship of the commanders of the com-
13 batant commands, set forth by geographic area of
14 responsibility (AOR).

15 (2) A description of the manner in which the
16 Navy will meet the requirements identified under
17 paragraph (1).

18 (3) An assessment of the effect of each type of
19 Littoral Combat Ship on each port in which such
20 ship could be homeported.

21 (4) A map, based on the current plan of 55 Lit-
22 toral Combat Ships, identifying where each ship will
23 homeport and how such ports will accommodate both
24 types of Littoral Combat Ships, based on the current
25 program and a 313-ship Navy.

1 (5) An estimate of the costs of infrastructure
2 required for Littoral Combat Ships at each home-
3 port, including—

4 (A) existing infrastructure; and

5 (B) such upgraded infrastructure as may
6 be required.

7 **SEC. 113. PROCUREMENT PROGRAMS FOR FUTURE NAVAL**
8 **SURFACE COMBATANTS.**

9 (a) **LIMITATION ON AVAILABILITY OF FUNDS PEND-**
10 **ING REPORTS ABOUT SURFACE COMBATANT SHIP-**
11 **BUILDING PROGRAMS.**—The Secretary of the Navy may
12 not obligate or expend funds for the construction of, or
13 advanced procurement of materials for, a surface combat-
14 ant to be constructed after fiscal year 2011 until the Sec-
15 retary has submitted to Congress each of the following:

16 (1) An acquisition strategy for such surface
17 combatants that has been approved by the Depart-
18 ment of Defense.

19 (2) The results of reviews by the Joint Require-
20 ments Oversight Council for an Acquisition Category
21 I program that supports the need for an acquisition
22 strategy to procure surface combatants after fiscal
23 year 2011.

24 (3) A verification by an independent review
25 panel convened by the Secretary of Defense that, in

1 evaluating the shipbuilding program concerned, the
2 Secretary of the Navy considered each of the fol-
3 lowing:

4 (A) Modeling and simulation, including
5 war gaming conclusions regarding combat effec-
6 tiveness for the selected ship platforms as com-
7 pared to other reasonable alternative ap-
8 proaches.

9 (B) Assessments of platform operational
10 availability.

11 (C) Life cycle costs from vessel manning
12 levels to accomplish missions.

13 (4) An intelligence analysis reflecting a coordi-
14 nated threat assessment of the Defense Intelligence
15 Agency that provides the basis for deriving the mix
16 of platforms in the shipbuilding program concerned
17 when compared with the surface combatants in the
18 2009 shipbuilding plan.

19 (5) The differences in cost and schedule arising
20 from the need to accommodate new sensors and
21 weapons in future surface combatants to counter the
22 future threats referred to in paragraph (4) when
23 compared with the cost and schedule arising from
24 the need to accommodate sensors and weapons on

1 surface combatants as contemplated by the 2009
2 shipbuilding plan for the vessels concerned.

3 (6) A verification by the commanders of the
4 combatant commands that the shipbuilding program
5 for the vessels concerned would be preferable to the
6 surface combatants included in the 2009 ship-
7 building plan for the vessels concerned in meeting all
8 of their future mission requirements.

9 (7) A joint review by the Navy and the Missile
10 Defense Agency setting forth additional require-
11 ments for investment in Aegis ballistic missile de-
12 fense (BMD) beyond the number of DDG-51 and
13 CG-47 vessels planned to be equipped for this mis-
14 sion area in the budget of the President for fiscal
15 year 2010 (as submitted to Congress pursuant to
16 section 1105 of title 31, United States Code).

17 (b) FUTURE SURFACE COMBATANT ACQUISITION
18 STRATEGY.—Not later than the date upon which Presi-
19 dent submits to Congress the budget for fiscal year 2012
20 (as so submitted), the Secretary of the Navy shall submit
21 to the congressional defense committees a plan to provide
22 for full and open competition on the combat systems for
23 surface combatants proposed in the future-years defense
24 program submitted to Congress under section 221 of title
25 10, United States Code, together with such budget. The

1 plan shall include specifics on the intent of the Navy to
2 satisfy criteria described in subsection (a) and evaluate ap-
3 plicable technologies during the request for proposal and
4 selection process.

5 (c) NAVAL SURFACE FIRE SUPPORT.—Not later than
6 120 days after the enactment of this Act, the Secretary
7 of the Navy shall submit to the congressional defense com-
8 mittees an update to the March 2006 Report to Congress
9 on Naval Surface Fire Support. The update shall identify
10 how the Department of Defense intends to address any
11 shortfalls between required naval surface fire support ca-
12 pability and the plan of the Navy to provide that capa-
13 bility. The update shall include addenda by the Chief of
14 Naval Operations and Commandant of the Marine Corps,
15 as was the case in the 2006 report.

16 (d) TECHNOLOGY ROADMAP FOR FUTURE SURFACE
17 COMBATANTS AND FLEET MODERNIZATION.—

18 (1) IN GENERAL.—Not later than 120 days
19 after the date of the enactment of this Act, the Sec-
20 retary of the Navy shall develop a plan to incor-
21 porate into surface combatants constructed after
22 2011, and into fleet modernization programs, the
23 technologies developed for the DDG–1000 destroyer
24 and the DDG–51 and CG–47 Aegis ships, including
25 the following:

- 1 (A) For the DDG–1000 destroyer—
2 (i) combat system;
3 (ii) multi-function and dual-band ra-
4 dars;
5 (iii) hull, mechanical and electrical
6 systems achieving significant manpower
7 savings; and
8 (iv) integrated electric propulsion
9 technologies.

10 (B) For the DDG–51 and CG–47 Aegis
11 ships—

- 12 (i) combat system, including missile
13 defense capability;
14 (ii) hull, mechanical and electrical sys-
15 tems achieving manpower savings; and
16 (iii) anti-submarine warfare sensor
17 systems designed for operating in open
18 ocean areas.

19 (2) SCOPE OF PLAN.—The plan required by
20 paragraph (1) shall include sufficient detail for sys-
21 tems and subsystems to ensure that the plan—

- 22 (A) avoids redundant development for com-
23 mon functions;

1 (B) reflects implementation of Navy plans
2 for achieving an open architecture for all naval
3 surface combat systems; and

4 (C) fosters full and open competition.

5 (e) DEFINITION.—In this section:

6 (1) The term “2009 shipbuilding plan” means
7 the 30-year shipbuilding plan submitted to Congress
8 pursuant to section 231, title 10, United States
9 Code, together with the budget of the President for
10 fiscal year 2009 (as submitted to Congress pursuant
11 to section 1105 of title 31, United States Code).

12 (2) The term “surface combatant” means a
13 cruiser, a destroyer, or any naval vessel under a pro-
14 gram currently designated as a future surface com-
15 batant program.

16 **SEC. 114. REPORT ON A SERVICE LIFE EXTENSION PRO-**
17 **GRAM FOR OLIVER HAZARD PERRY CLASS**
18 **FRIGATES.**

19 Not later than 90 days after the date of the enact-
20 ment of this Act, the Secretary of the Navy shall submit
21 to the congressional defense committees a report setting
22 forth the following:

23 (1) A detailed analysis of a service life exten-
24 sion program (SLEP) for the Oliver Hazard Perry
25 class frigates (FFGs), including—

- 1 (A) the cost of the program;
2 (B) a schedule for the program; and
3 (C) the shipyards available to carry out the
4 work under the program.

5 (2) A detailed plan of the Navy for achieving a
6 313-ship fleet as contemplated by the 2006 Quad-
7 rennial Defense Review, including a comparison for
8 purposes of that plan of decommissioning Oliver
9 Hazard Perry class frigates as scheduled with ex-
10 tending the service life of such frigates under the
11 service life extension program.

12 (3) The strategic plan of the Navy for the man-
13 ner in which the Littoral Combat Ship (LCS) will
14 fulfill the roles and missions currently performed by
15 the Oliver Hazard Perry class frigates as they are
16 decommissioned.

17 (4) The strategic plan of the Navy for the Lit-
18 toral Combat Ship if the extension of the service life
19 of the Oliver Hazard Perry class frigates alleviates
20 demand arising under the current capabilities gap in
21 the Littoral Combat Ship.

22 (5) A description of the manner in which the
23 Navy has met the needs of the United States South-
24 ern Command over time, including the assets and
25 vessels the Navy has deployed for military-to-mili-

1 tary engagements, UNITAS exercises, and
2 counterdrug operations in support of the Com-
3 mander of the United States Southern Command
4 during the five-year period ending on the date of the
5 report.

6 **Subtitle C—Air Force Matters**

7 **SEC. 121. LIMITATION ON RETIREMENT OF C-5 AIRCRAFT.**

8 (a) LIMITATION.—The Secretary of the Air Force
9 may not proceed with a decision to retire C-5A aircraft
10 from the active inventory of the Air Force in any number
11 that would reduce the total number of such aircraft in the
12 active inventory below 111 until—

13 (1) the Air Force has modified a C-5A aircraft
14 to the configuration referred to as the Reliability
15 Enhancement and Reengining Program (RERP)
16 configuration, as planned under the C-5 System De-
17 velopment and Demonstration program as of May 1,
18 2003; and

19 (2) the Director of Operational Test and Eval-
20 uation of the Department of Defense—

21 (A) conducts an operational evaluation of
22 that aircraft, as so modified; and

23 (B) provides to the Secretary of Defense
24 and the congressional defense committees an
25 operational assessment.

1 (b) OPERATIONAL EVALUATION.—An operational
2 evaluation for purposes of paragraph (2)(A) of subsection
3 (a) is an evaluation, conducted during operational testing
4 and evaluation of the aircraft, as so modified, of the per-
5 formance of the aircraft with respect to reliability, main-
6 tainability, and availability and with respect to critical
7 operational issues.

8 (c) OPERATIONAL ASSESSMENT.—An operational as-
9 sessment for purposes of paragraph (2)(B) of subsection
10 (a) is an operational assessment of the program to modify
11 C-5A aircraft to the configuration referred to in sub-
12 section (a)(1) regarding both overall suitability and defi-
13 ciencies of the program to improve performance of the C-
14 5A aircraft relative to requirements and specifications for
15 reliability, maintainability, and availability of that aircraft
16 as in effect on May 1, 2003.

17 (d) ADDITIONAL LIMITATIONS ON RETIREMENT OF
18 AIRCRAFT.—The Secretary of the Air Force may not re-
19 tire C-5 aircraft from the active inventory as of the date
20 of this Act until the later of the following:

21 (1) The date that is 150 days after the date on
22 which the Director of Operational Test and Evalua-
23 tion submits the report referred to in subsection
24 (a)(2)(B).

1 (2) The date that is 120 days after the date on
2 which the Secretary submits the report required
3 under subsection (e).

4 (3) The date that is 30 days after the date on
5 which the Secretary certifies to the congressional de-
6 fense committees that—

7 (A) the retirement of such aircraft will not
8 increase the operational risk of meeting the Na-
9 tional Defense Strategy; and

10 (B) the retirement of such aircraft will not
11 reduce the total strategic airlift force structure
12 below 324 strategic airlift aircraft.

13 (e) REPORT ON RETIREMENT OF AIRCRAFT.—The
14 Secretary of the Air Force shall submit to the congres-
15 sional defense committees a report setting forth the fol-
16 lowing:

17 (1) The rationale for the retirement of existing
18 C-5 aircraft and a cost/benefit analysis of alter-
19 native strategic airlift force structures, including the
20 force structure that would result from the retirement
21 of such aircraft.

22 (2) An assessment of the costs and benefits of
23 applying the Reliability Enhancement and Re-
24 engining Program (RERP) modification to the en-
25 tire the C-5A aircraft fleet.

1 (3) An assessment of the implications for the
2 Air Force, the Air National Guard, and the Air
3 Force Reserve of operating a mix of C-5A aircraft
4 and C-5M aircraft.

5 (4) An assessment of the costs and benefits of
6 increasing the number of C-5 aircraft in Back-up
7 Aircraft Inventory (BAI) status as a hedge against
8 future requirements of such aircraft.

9 (5) An assessment of the costs, benefits, and
10 implications of transferring C-5 aircraft to United
11 States flag carriers operating in the Civil Reserve
12 Air Fleet (CRAF) program or to coalition partners
13 in lieu of the retirement of such aircraft.

14 (6) Such other matters relating to the retire-
15 ment of C-5 aircraft as the Secretary considers ap-
16 propriate.

17 (f) MAINTENANCE OF AIRCRAFT UPON RETIRE-
18 MENT.—The Secretary of the Air Force shall maintain
19 any C-5 aircraft retired after the date of the enactment
20 of this Act in Type 1000 storage until opportunities for
21 the transfer of such aircraft as described in subsection
22 (e)(5) have been fully exhausted.

1 **SEC. 122. REVISED AVAILABILITY OF CERTAIN FUNDS**
2 **AVAILABLE FOR THE F-22A FIGHTER AIR-**
3 **CRAFT.**

4 (a) REPEAL OF AUTHORITY ON AVAILABILITY OF
5 FISCAL YEAR 2009 FUNDS.—Section 134 of the Duncan
6 Hunter National Defense Authorization Act for Fiscal
7 Year 2009 (Public Law 110–417; 122 Stat. 4378) is re-
8 pealed.

9 (b) AVAILABILITY OF ADVANCE PROCUREMENT
10 FUNDS FOR OTHER F-22A AIRCRAFT MODERNIZATION
11 PRIORITIES.—Subject to the provisions of appropriations
12 Acts and applicable requirements relating to the transfer
13 of funds, the Secretary of the Air Force may transfer
14 amounts authorized to be appropriated for fiscal year
15 2009 by section 103(1) for aircraft procurement for the
16 Air Force and available for advance procurement for the
17 F-22A fighter aircraft within that subaccount or to other
18 subaccounts for aircraft procurement for the Air Force for
19 purposes of providing funds for other modernization prior-
20 ities with respect to the F-22A fighter aircraft.

21 **SEC. 123. REPORT ON POTENTIAL FOREIGN MILITARY**
22 **SALES OF THE F-22A FIGHTER AIRCRAFT.**

23 (a) REPORT REQUIRED.—Not later than 180 days
24 after the date of the enactment of this Act, the Secretary
25 of Defense shall, in coordination with the Secretary of
26 State and in consultation with the Secretary of the Air

1 Force, submit to the congressional defense committees,
2 the Committee on Foreign Relations of the Senate, and
3 the Committee on Foreign Affairs of the House of Rep-
4 resentatives a report on potential foreign military sales of
5 the F-22A fighter aircraft.

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

8 (1) An estimate of the costs to the United
9 States Government, industry, and any foreign mili-
10 tary sales customer of developing an exportable
11 version of the F-22A fighter aircraft.

12 (2) An assessment whether an exportable
13 version of the F-22A fighter aircraft is technically
14 feasible and executable, and, if so, a timeline for
15 achieving an exportable version of the aircraft.

16 (3) An assessment of the potential strategic im-
17 plications of permitting foreign military sales of the
18 F-22A fighter aircraft.

19 (4) An assessment of the impact of foreign mili-
20 tary sales of the F-22A fighter aircraft on the
21 United States aerospace and aviation industry, and
22 the advantages and disadvantages of such sales for
23 sustaining that industry.

1 (5) An identification of any modifications to
2 current law that are required to authorize foreign
3 military sales of the F-22A fighter aircraft.

4 **SEC. 124. NEXT GENERATION BOMBER AIRCRAFT.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Long-range strike is a critical mission in
8 which the United States needs to retain a credible
9 and dominant capability.

10 (2) Long range, penetrating strike systems pro-
11 vide—

12 (A) a hedge against being unable to obtain
13 access to forward bases for political reasons;

14 (B) a capacity to respond quickly to con-
15 tingencies;

16 (C) the ability to base outside the reach of
17 emerging adversary anti-access and area-denial
18 capabilities; and

19 (D) the ability to impose disproportionate
20 defensive costs on prospective adversaries of the
21 United States.

22 (3) The 2006 Quadrennial Defense Review
23 found that there was a requirement for a next gen-
24 eration bomber aircraft and directed the United
25 States Air Force to “develop a new land-based, pen-

1 etrating long range strike capability to be fielded by
2 2018”.

3 (4) On April 6, 2009, Secretary Gates an-
4 nounced that the United States “will not pursue a
5 development program for a follow-on Air Force
6 bomber until we have a better understanding of the
7 need, the requirement and the technology”.

8 (5) On May 7, 2009, President Barack Obama
9 announced the termination of the next generation
10 bomber aircraft program in the document of the Of-
11 fice of Management and Budget entitled “Termi-
12 nations, Reductions, and Savings”, stating that
13 “there is no urgent need to begin an expensive devel-
14 opment program for a new bomber” and that “the
15 future bomber fleet may not be affordable over the
16 next six years”.

17 (6) The United States will need a new long-
18 range strike capability because the conflicts of the
19 future will likely feature heavily defended airspace,
20 due in large part to the proliferation of relatively in-
21 expensive, but sophisticated and deadly, air defense
22 systems.

23 (7) General Michael Maples, the Director of the
24 Defense Intelligence Agency, noted during a March
25 10, 2009, hearing of the Committee on Armed Serv-

1 ices of the Senate on worldwide threats that “Rus-
2 sia, quite frankly, is the developer of most of those
3 [advanced air defense] systems and is exporting
4 those systems both to China and to other countries
5 in the world”.

6 (8) The Final Report of the Congressional
7 Commission on the Strategic Posture of the United
8 States, submitted to Congress on May 6, 2009,
9 states that “[t]he bomber force is valuable particu-
10 larly for extending deterrence in time of crisis, as
11 their deployment is visible and signals U.S. commit-
12 ment. Bombers also impose a significant cost burden
13 on potential adversaries in terms of the need to in-
14 vest in advanced air defenses”.

15 (9) The commanders of the United States Pa-
16 cific Command, the United States Strategic Com-
17 mand, and the United States Joint Forces Com-
18 mand have each testified before the Committee on
19 Armed Services of the Senate in support of the ca-
20 pability that the next generation bomber aircraft
21 would provide.

22 (10) On June 17, 2009, General James Cart-
23 wright, Vice-Chairman of the Joint Chiefs of Staff
24 and chair of the Joint Requirements Oversight
25 Council, stated during a hearing before the Com-

1 mittee on Armed Services of the Senate that “the
2 nation needs a new bomber”.

3 (11) Nearly half of the United States bomber
4 aircraft inventory (47 percent) pre-dates the Cuban
5 Missile Crisis.

6 (12) The only air-breathing strike platforms the
7 United States possesses today with reach and surviv-
8 ability to have a chance of successfully executing
9 missions more than 1,000 nautical miles into enemy
10 territory from the last air-to-air refueling are 16
11 combat ready B-2 bomber aircraft.

12 (13) The B-2 bomber aircraft was designed in
13 the 1980s and achieved initial operational capability
14 over a decade ago.

15 (14) The crash of an operational B-2 bomber
16 aircraft during takeoff at Guam in early 2008 indi-
17 cates that attrition can and does occur even in
18 peacetime.

19 (15) The primary mission requirement of the
20 next generation bomber aircraft is the ability to
21 strike targets anywhere on the globe with whatever
22 weapons the contingency requires.

23 (16) The requisite aerodynamic, structural, and
24 low-observable technologies to develop the next gen-

1 eration bomber aircraft already exist in fifth-genera-
2 tion fighter aircraft.

3 (b) POLICY ON CONTINUED DEVELOPMENT OF NEXT
4 GENERATION BOMBER AIRCRAFT IN FISCAL YEAR
5 2010.—It is the policy of the United States to support
6 a development program for next generation bomber air-
7 craft technologies.

8 **Subtitle D—Joint and Multiservice**
9 **Matters**

10 **SEC. 131. MODIFICATION OF NATURE OF DATA LINK UTI-**
11 **LIZABLE BY TACTICAL UNMANNED AERIAL**
12 **VEHICLES.**

13 Section 141(a)(1) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2006 (Public Law 109–163; 119
15 Stat. 3164) is amended by striking “, until such time as
16 the Tactical Common Data Link is replace by an updated
17 standard for use by those vehicles” and inserting “or a
18 data link that uses waveform capable of transmitting and
19 receiving Internet Protocol communications”.

1 **TITLE II—RESEARCH, DEVELOP-**
2 **MENT, TEST, AND EVALUA-**
3 **TION**

4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—Funds are hereby authorized to
8 be appropriated for fiscal year 2010 for the use of the
9 Department of Defense for research, development, test,
10 and evaluation as follows:

11 (1) For the Army, \$10,863,003,000.

12 (2) For the Navy, \$19,597,696,000.

13 (3) For the Air Force, \$28,693,952,000.

14 (4) For Defense-wide activities,
15 \$20,555,270,000.

16 (5) For Operational Test and Evaluation, De-
17 fense, \$190,770,000.

18 (b) FUNDING TABLE.—The amounts authorized to be
19 appropriated by subsection (a) shall be available, in ac-
20 cordance with the requirements of section 4001, for
21 projects, programs, and activities, and in the amounts,
22 specified in the funding table in section 4201.

1 **Subtitle B—Program Require-**
2 **ments, Restrictions, and Limita-**
3 **tions**

4 **SEC. 211. CONTINUED DEVELOPMENT OF COMPETITIVE**
5 **PROPULSION SYSTEM FOR THE JOINT**
6 **STRIKE FIGHTER PROGRAM.**

7 Of the amounts authorized to be appropriated or oth-
8 erwise made available for fiscal year 2010 for research,
9 development, test, and evaluation for the F-35 Lightning
10 II aircraft program, not more than 90 percent may be ob-
11 ligated until the Secretary of Defense submits to the con-
12 gressional defense committees a written certification that
13 sufficient funds have been obligated for fiscal year 2010
14 for the continued development of a competitive propulsion
15 system for the F-35 Lightning II aircraft to ensure that
16 system development and demonstration continues under
17 the program during fiscal year 2010

18 **SEC. 212. ENHANCEMENT OF DUTIES OF DIRECTOR OF DE-**
19 **PARTMENT OF DEFENSE TEST RESOURCE**
20 **MANAGEMENT CENTER WITH RESPECT TO**
21 **THE MAJOR RANGE AND TEST FACILITY**
22 **BASE.**

23 (a) **AUTHORITY TO REVIEW PROPOSALS FOR SIG-**
24 **NIFICANT CHANGES.**—Section 196(c) of title 10, United
25 States Code, is amended—

1 (1) in paragraph (1), by redesignating subpara-
2 graphs (A) and (B) as clauses (i) and (ii), respec-
3 tively;

4 (2) by redesignating paragraphs (1) through
5 (4) as subparagraphs (A) through (D), respectively;

6 (3) by inserting “(1)” before “The Director”;

7 (4) by redesignating subparagraphs (B), (C),
8 and (D), as so redesignated, as subparagraphs (C),
9 (D), and (E), respectively; and

10 (5) by inserting after subparagraph (A), as so
11 redesignated, the following new subparagraph (B):

12 “(B) To review proposed significant changes to
13 the test and evaluation facilities and resources of the
14 Major Range and Test Facility Base before they are
15 implemented by the Secretaries of the military de-
16 partments or the heads of the Defense Agencies with
17 test and evaluation responsibilities and advise the
18 Secretary of Defense and the Under Secretary of
19 Acquisition, Technology, and Logistics of the impact
20 of such changes on the adequacy of such test and
21 evaluation facilities and resources to meet the test
22 and evaluation requirements of the Department.”.

23 (b) ACCESS TO RECORDS AND DATA.—Such section
24 is further amended by adding at the end the following new
25 paragraph:

1 “(2) The Director shall have access to all records and
2 data of the test and evaluation activities, facilities, and
3 elements of the Major Range and Test Facility Base, in-
4 cluding the records and data of each military department
5 and Defense Agency, that the Director considers necessary
6 in order to carry out the Director’s duties under para-
7 graph (1)(B).”.

8 **SEC. 213. GUIDANCE ON SPECIFICATION OF FUNDING RE-**
9 **QUESTED FOR OPERATION, SUSTAINMENT,**
10 **MODERNIZATION, AND PERSONNEL OF**
11 **MAJOR RANGES AND TEST FACILITIES.**

12 (a) GUIDANCE ON SPECIFICATION OF FUNDING.—
13 The Secretary of Defense shall, acting through the Under
14 Secretary of Defense (Comptroller) and the Director of
15 the Department of Defense Test Resource Management
16 Center, issue guidance on the specification by the military
17 departments and Defense Agencies of amounts to be re-
18 quested in the budget of the President for a fiscal year
19 (as submitted to Congress pursuant to section 1105(a) of
20 title 31, United States Code) for funding for each facility
21 and resource of the Major Range and Test Facility Base
22 in connection with each of the following:

- 23 (1) Operation.
24 (2) Sustainment.
25 (3) Investment and modernization.

1 (4) Government personnel.

2 (5) Contractor personnel.

3 (b) APPLICABILITY.—The guidance issued under sub-
4 section (a) shall apply with respect to budgets of the Presi-
5 dent for fiscal years after fiscal year 2010.

6 (c) MAJOR RANGE AND TEST FACILITY BASE DE-
7 FINED.—In this section, the term “Major Range and Test
8 Facility Base” has the meaning given that term in section
9 196(h) of title 10, United States Code.

10 **SEC. 214. PERMANENT AUTHORITY FOR THE JOINT DE-**
11 **FENSE MANUFACTURING TECHNOLOGY**
12 **PANEL.**

13 Section 2521 of title 10, United States Code, is
14 amended—

15 (1) by redesignating subsection (e) as sub-
16 section (f); and

17 (2) by inserting after subsection (d) the fol-
18 lowing new subsection (e):

19 “(e) JOINT DEFENSE MANUFACTURING TECH-
20 NOLOGY PANEL.—(1) There is in the Department of De-
21 fense the Joint Defense Manufacturing Technology Panel.

22 “(2)(A) The Chair of the Joint Defense Manufac-
23 turing Technology Panel shall be the head of the Panel.
24 The Chair shall be appointed, on a rotating basis, from
25 among the appropriate personnel of the military depart-

1 ments and Defense Agencies with manufacturing tech-
2 nology programs.

3 “(B) The Panel shall be composed of at least one in-
4 dividual from among appropriate personnel of each mili-
5 tary department and Defense Agency with manufacturing
6 technology programs. The Panel may include as ex-officio
7 members such individuals from other government organi-
8 zations, academia, and industry as the Chair considers ap-
9 propriate.

10 “(3) The purposes of the Panel shall be as follows:

11 “(A) To identify and integrate requirements for
12 the program.

13 “(B) To conduct joint planning for the pro-
14 gram.

15 “(C) To develop joint strategies for the pro-
16 gram.

17 “(4) In carrying out the purposes specified in para-
18 graph (3), the Panel shall perform the functions as fol-
19 lows:

20 “(A) Conduct comprehensive reviews and as-
21 sessments of defense-related manufacturing issues
22 being addressed by the manufacturing technology
23 programs and related activities of the Department of
24 Defense.

1 “(B) Execute strategic planning to identify
2 joint planning opportunities for increased coopera-
3 tion in the development and implementation of tech-
4 nological products and the leveraging of funding for
5 such purposes with the private sector and other gov-
6 ernment agencies.

7 “(C) Ensure the integration and coordination of
8 requirements and programs under the program with
9 Office of the Secretary of Defense and other na-
10 tional-level initiatives, including the establishment of
11 information exchange processes with other govern-
12 ment agencies, private industry, academia, and pro-
13 fessional associations.

14 “(D) Conduct such other functions as the
15 Under Secretary of Defense for Acquisition, Tech-
16 nology, and Logistics shall specify.

17 “(5) The Panel shall report to and receive direction
18 from the Director of Defense Research and Engineering
19 on manufacturing technology issues of multi-service con-
20 cern and application.

21 “(6) The administrative expenses of the Panel shall
22 be borne by each military department and Defense Agency
23 with manufacturing technology programs in such manner
24 as the Panel shall provide.”.

1 **SEC. 215. EXTENSION AND ENHANCEMENT OF GLOBAL RE-**
2 **SEARCH WATCH PROGRAM.**

3 (a) LIMITATION ON AVAILABILITY OF CERTAIN
4 FUNDS FOR MILITARY DEPARTMENTS PENDING PROVI-
5 SION OF ASSISTANCE UNDER PROGRAM.—Subsection (d)
6 of section 2365 of title 10, United States Code, is amend-
7 ed by adding at the end the following new paragraph:

8 “(3)(A) Funds available to a military department for
9 a fiscal year for monitoring or analyzing the research ac-
10 tivities and capabilities of foreign nations may not be obli-
11 gated or expended until the Director certifies to the Under
12 Secretary of Defense for Acquisition, Technology, and Lo-
13 gistics that the Secretary of such military department has
14 provided the assistance required under paragraph (2) .

15 “(B) The limitation in subparagraph (A) shall not be
16 construed to alter or effect the availability to a military
17 department of funds for intelligence activities.”.

18 (b) FOUR-YEAR EXTENSION OF PROGRAM.—Sub-
19 section (f) of such section is amended by striking “Sep-
20 tember 30, 2011” and inserting “September 30, 2015”.

21 **SEC. 216. THREE-YEAR EXTENSION OF AUTHORITY FOR**
22 **PRIZES FOR ADVANCED TECHNOLOGY**
23 **ACHIEVEMENTS.**

24 Section 2374a(f) of title 10, United States Code, is
25 amended by striking “September 30, 2010” and inserting
26 “September 30, 2013”.

1 **SEC. 217. MODIFICATION OF REPORT REQUIREMENTS RE-**
2 **GARDING DEFENSE SCIENCE AND TECH-**
3 **NOLOGY PROGRAM.**

4 Section 212 of the National Defense Authorization
5 Act for Fiscal Year 2000 (10 U.S.C. 2501 note) is amend-
6 ed by striking subsection (b), (c), and (d) and inserting
7 the following new subsections:

8 “(b) **FUNDING OBJECTIVE.**—It is the sense of Con-
9 gress that it should be an objective of the Secretary of
10 Defense to increase the budget for the Defense Science
11 and Technology Program, including the science and tech-
12 nology program of each military department, for each fis-
13 cal year after fiscal year 2010 over the budget for that
14 program for the preceding fiscal year by a percent that
15 is at least equal to the rate of inflation, as determined
16 by the Office of Management and Budget.

17 “(c) **ACTIONS FOLLOWING FAILURE TO COMPLY**
18 **WITH OBJECTIVE.**—If the proposed budget of the Depart-
19 ment of Defense for a fiscal year fails to comply with the
20 objective set forth in subsection (b), the Secretary of De-
21 fense shall submit to the congressional defense committees
22 each of the following:

23 “(1) Not later than 60 days after the proposed
24 budget is submitted to Congress, a detailed,
25 prioritized list, including estimates of required fund-
26 ing, of proposals for science and technology projects

1 received by the Department through competitive so-
2 licitations in the fiscal year preceding the fiscal year
3 covered by the proposed budget which were not
4 funded but represent science and technology oppor-
5 tunities that support the research and development
6 programs and goals of the military departments and
7 the Defense Agencies.

8 “(2) Not later than six months after the pro-
9 posed budget is submitted to Congress, an inde-
10 pendent assessment, in both classified and unclassi-
11 fied form (as necessary), of any research, tech-
12 nology, or engineering areas that are of interest to
13 the Department in which the United States may not
14 have global technical leadership within the next 10
15 years.

16 “(d) SUNSET.—The requirements of this section shall
17 terminate on December 31, 2014.”.

18 **SEC. 218. PROGRAMS FOR GROUND COMBAT VEHICLE AND**
19 **SELF PROPELLED HOWITZER CAPABILITIES**
20 **FOR THE ARMY.**

21 (a) PROGRAMS REQUIRED.—

22 (1) IN GENERAL.—The Secretary of Defense
23 shall carry out a separate program to achieve each
24 of the following:

1 (A) The development, test, and fielding of
2 an operationally effective, suitable, survivable,
3 and affordable next generation ground combat
4 vehicle for the Army.

5 (B) The development, test, and fielding of
6 an operationally effective, suitable, survivable,
7 and affordable next generation self-propelled
8 howitzer capability for the Army.

9 (2) COMPLIANCE WITH CERTAIN ACQUISITION
10 REQUIREMENTS.—Each program under paragraph
11 (1) shall comply with the requirements of the Weap-
12 ons Systems Acquisition Reform Act of 2009, and
13 the amendments made by that Act .

14 (b) STRATEGY AND PLAN FOR ACQUISITION.—

15 (1) IN GENERAL.—Not later than March 31,
16 2010, the Secretary shall submit to the congres-
17 sional defense committees a report setting forth a
18 strategy and plan for the acquisition of weapon sys-
19 tems under the programs required by subsection (a).
20 Each strategy and plan shall include measurable
21 goals and objectives for the acquisition of such
22 weapon systems, and shall identify all proposed
23 major development, testing, procurement, and field-
24 ing events toward the achievement of such goals and
25 objectives.

1 (2) ELEMENTS.—In developing each strategy
2 and plan under paragraph (1), the Secretary shall
3 consider the following:

4 (A) A single vehicle or family of vehicles
5 utilizing a common chassis and automotive com-
6 ponents.

7 (B) The incorporation of weapon, vehicle,
8 communications, network, and system of sys-
9 tems common operating environment tech-
10 nologies developed under the Future Combat
11 Systems program.

12 (c) ANNUAL REPORTS.—

13 (1) REPORTS REQUIRED.—The Secretary shall
14 submit to the congressional defense committees, at
15 the same time the President submits to Congress the
16 budget for each of fiscal years 2011 through 2015
17 (as submitted pursuant to section 1105(a) of title
18 31, United States Code), a report on the invest-
19 ments proposed to be made under such budget with
20 respect to each program required by subsection (a).

21 (2) ELEMENTS.—Each report under paragraph
22 (1) shall set forth, for the fiscal year covered by the
23 budget with which such report is submitted—

1 (A) the manner in which amounts re-
2 quested in such budget would be available for
3 each program required by subsection (a); and

4 (B) an assessment of the extent to which
5 utilizing such amount in such manner would
6 improve ground combat capabilities for the
7 Army.

8 **SEC. 219. ASSESSMENT OF TECHNOLOGICAL MATURITY**
9 **AND INTEGRATION RISK OF ARMY MOD-**
10 **ERNIZATION PROGRAMS.**

11 (a) **ASSESSMENT REQUIRED.**—The Director of De-
12 fense Research and Engineering shall, in consultation with
13 the Director of Developmental Test and Evaluation, re-
14 view and assess the technological maturity and integration
15 risk of critical technologies (as jointly identified by the Di-
16 rector and the Secretary of the Army for purposes of this
17 section) of Army modernization programs and appropriate
18 associated programs, including the programs as follows:

19 (1) Manned Ground Vehicle and Ground Com-
20 bat Vehicle.

21 (2) Future Combat Systems network hardware
22 and software.

23 (3) Warfighter Information Network—Tactical,
24 Increment 3.

25 (4) Joint Tactical Radio System.

1 (5) Reconnaissance unmanned aerial vehicles.

2 (6) Future Combat Systems Spin Out tech-
3 nologies.

4 (7) Any other programs jointly identified by the
5 Director and the Secretary for purposes of this sec-
6 tion.

7 (b) REPORT.—Not later than nine months after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port on the technological maturity and integration risk of
11 critical technologies of Army modernization and associated
12 programs covered by the review and assessment required
13 under subsection (a), as determined pursuant to that as-
14 sessment.

15 **SEC. 220. ASSESSMENT OF STRATEGY FOR TECHNOLOGY**
16 **FOR MODERNIZATION OF THE COMBAT VEHI-**
17 **CLE AND TACTICAL WHEELED VEHICLE**
18 **FLEETS.**

19 (a) INDEPENDENT ASSESSMENT OF STRATEGY RE-
20 QUIRED.—

21 (1) IN GENERAL.—Not later than 30 days after
22 the date of the enactment of this Act, the Secretary
23 of Defense shall enter into a contract with an appro-
24 priate entity independent of the United States Gov-
25 ernment to conduct an independent assessment of

1 current, anticipated, and potential research and en-
2 gineering activities for or applicable to the mod-
3 ernization of the combat vehicle fleet and tactical
4 wheeled vehicle fleet of the Department of Defense.

5 (2) ACCESS TO INFORMATION AND RE-
6 SOURCES.—The Secretary shall provide the entity
7 with which the Secretary contracts under paragraph
8 (1) access to such information and resources as are
9 appropriate to conduct the assessment required by
10 that paragraph.

11 (b) REPORT.—

12 (1) IN GENERAL.—The contract required by
13 subsection (a) shall provide that the entity with
14 which the Secretary contracts under that subsection
15 shall submit to the Secretary of Defense and the
16 congressional defense committees a report on the as-
17 sessment required by that subsection not later than
18 December 31, 2010.

19 (2) ELEMENTS.—The report required by para-
20 graph (1) shall include the following:

21 (A) A detailed discussion of the require-
22 ments and capability needs identified or pro-
23 posed for current and prospective combat vehi-
24 cles and tactical wheeled vehicles.

1 (B) An identification of capability gaps for
2 combat vehicles and tactical wheeled vehicles
3 based on lessons learned from recent conflicts
4 and an assessment of emerging threats.

5 (C) An identification of the critical tech-
6 nology elements or integration risks associated
7 with particular categories of combat vehicles
8 and tactical wheeled vehicles, and with par-
9 ticular missions of such vehicles.

10 (D) Recommendations for a plan to de-
11 velop and deploy within the next 10 years crit-
12 ical technology capabilities to address the capa-
13 bility gaps identified pursuant to subparagraph
14 (B), including an identification of high priority
15 science and technology, research & engineering,
16 and prototyping opportunities.

17 (E) Such other matters as the Secretary
18 considers appropriate.

19 **SEC. 221. SYSTEMS ENGINEERING AND PROTOTYPING PRO-**
20 **GRAM.**

21 (a) PROGRAM REQUIRED.—The Secretary of Defense
22 shall, acting through the Under Secretary of Defense for
23 Acquisition, Technology, and Logistics, carry out a pro-
24 gram to encourage and fund systems engineering and

1 prototyping efforts in support of Department of Defense
2 goals and missions.

3 (b) OBJECTIVES.—The objectives of the program re-
4 quired by subsection (a) shall be as follows:

5 (1) To develop system prototypes for systems
6 that provide capabilities supportive of addressing
7 Department of Defense goals, needs, and require-
8 ments.

9 (2) To successfully demonstrate new systems in
10 relevant environments.

11 (3) To encourage the training of systems engi-
12 neers and the development of systems engineering
13 tools and practices.

14 (c) SELECTION OF PROJECTS.—

15 (1) PROGRAM AREAS.—The Under Secretary of
16 Defense for Acquisition, Technology, and Logistics
17 shall, in consultation with the military departments
18 and the Defense Agencies, designate general areas
19 for systems engineering and prototype projects
20 under the program required by subsection (a).

21 (2) SOLICITATION OF PROJECTS.—The Under
22 Secretary shall solicit for the selection of projects
23 under the program within the areas designated
24 under paragraph (1) from among other government
25 entities, federally-funded research and development

1 centers, academia, the private sector, and such other
2 persons, organizations, and entities as the Under
3 Secretary considers appropriate.

4 (3) SELECTION.—The Under Secretary shall se-
5 lect projects for implementation under the program
6 from among responses to the solicitations made
7 under paragraph (2). The Under Secretary shall se-
8 lect such projects on a competitive basis.

9 (d) IMPLEMENTATION OF PROJECTS.—For each
10 project selected under subsection (c)(3), the Under Sec-
11 retary of Defense for Acquisition, Technology, and Logis-
12 tics shall designate a military department or Defense
13 Agency to implement the project as part of the program
14 required by subsection (a).

15 (e) FUNDING OF PROJECTS.—

16 (1) IN GENERAL.—The Under Secretary of De-
17 fense for Acquisition, Technology, and Logistics
18 shall, subject to paragraphs (2) and (3), provide
19 funds for each project selected under subsection
20 (c)(3) in an amount jointly determined by the Under
21 Secretary and the acquisition executive of the mili-
22 tary department or Defense Agency concerned.

23 (2) LIMITATION ON AMOUNT OF FUNDS.—The
24 amount of funds provided to a project under para-

1 graph (1) shall be not greater than the amount
2 equal to 50 percent of the total cost of the project.

3 (3) LIMITATION ON PERIOD OF FUNDING.—A
4 project may not be provided funds under this sub-
5 section for more than three fiscal years.

6 (4) SOURCE OF OTHER FUNDING.—Any funds
7 required for a project under this section that are not
8 provided under this subsection shall be derived from
9 funds available to the military department or De-
10 fense Agency concerned, or another appropriate
11 source other than this subsection.

12 (f) ANNUAL REPORT.—Not later than March 31 each
13 year, the Under Secretary of Defense for Acquisition,
14 Technology, and Logistics shall submit to the congres-
15 sional defense committees a report on the activities carried
16 out under the program required by subsection (a) during
17 the preceding fiscal year.

18 (g) ACQUISITION EXECUTIVE DEFINED.—In this sec-
19 tion, the term “acquisition executive”, with respect to a
20 military department or Defense Agency, means the official
21 designated as the senior procurement executive for the
22 military department or Defense Agency for the purposes
23 of section 16(c) of the Office of Federal Procurement Pol-
24 icy Act (41 U.S.C. 414 (c)).

1 **Subtitle C—Missile Defense**
2 **Programs**

3 **SEC. 241. SENSE OF CONGRESS ON BALLISTIC MISSILE DE-**
4 **FENSE.**

5 It is the sense of Congress that—

6 (1) the United States should develop, test, field,
7 and maintain operationally effective, cost-effective,
8 affordable, reliable, suitable, and survivable ballistic
9 missile defense systems that are capable of defend-
10 ing the United States, its forward-deployed forces,
11 allies, and other friendly nations from the threat of
12 ballistic missile attacks from nations such as North
13 Korea and Iran;

14 (2) the missile defense force structure and in-
15 ventory levels of such missile defense systems should
16 be determined based on an assessment of ballistic
17 missile threats and a determination by senior mili-
18 tary leaders, combatant commanders, and defense
19 officials of the requirements and capabilities needed
20 to address those threats; and

21 (3) the test and evaluation program for such
22 missile defense systems should be rigorous, robust,
23 operationally realistic, and capable of providing a
24 high level of confidence in the capability of such sys-
25 tems (including their continuing effectiveness over

1 the course of their service lives), and adequate re-
2 sources should be available for that test and evalua-
3 tion program (including interceptor missiles and tar-
4 gets for flight tests).

5 **SEC. 242. COMPREHENSIVE PLAN FOR TEST AND EVALUA-**
6 **TION OF THE BALLISTIC MISSILE DEFENSE**
7 **SYSTEM.**

8 (a) PLAN REQUIRED.—

9 (1) IN GENERAL.—The Secretary of Defense
10 shall establish a comprehensive plan for the develop-
11 mental and operational testing and evaluation of the
12 Ballistic Missile Defense System and its various ele-
13 ments.

14 (2) PERIOD OF PLAN.—The plan shall cover the
15 period covered by the future-years defense program
16 that is submitted to Congress under section 221 of
17 title 10, United States Code, at or about the same
18 time as the submittal to Congress of the budget of
19 the President for fiscal year 2011.

20 (3) INPUT.—In establishing the plan, the Sec-
21 retary shall receive input on matters covered by the
22 plan from the following:

23 (A) The Director of the Missile Defense
24 Agency.

1 (B) The Director of Operational Test and
2 Evaluation.

3 (C) The operational test components of the
4 military departments.

5 (b) ELEMENTS.—The plan required by subsection (a)
6 shall include, with regard to developmental and oper-
7 ational testing of the Ballistic Missile Defense System, the
8 following:

9 (1) Test and evaluation objectives.

10 (2) Test and evaluation criteria and metrics.

11 (3) Test and evaluation procedures and method-
12 ology.

13 (4) Data requirements.

14 (5) System and element configuration under
15 test.

16 (6) Approaches to verification, validation, and
17 accreditation of models and simulations.

18 (7) The relative role of models and simulations,
19 ground tests, and flight tests in achieving the objec-
20 tives of the plan.

21 (8) Test infrastructure and resources, including
22 test range limitations and potential range enhance-
23 ments.

24 (9) Test readiness review approaches and meth-
25 odology.

1 (10) Testing for system and element integration
2 and interoperability.

3 (11) Means for achieving operational realism
4 and means of demonstrating operational effective-
5 ness, suitability and survivability.

6 (12) Detailed descriptions of planned tests.

7 (13) A description of the resources required to
8 implement the plan.

9 (c) REPORT.—

10 (1) IN GENERAL.—Not later than March 1,
11 2011, the Secretary shall submit to the congres-
12 sional defense committees a report setting forth and
13 describing the plan required by subsection (a) and
14 each of the elements required in the plan under sub-
15 section (b).

16 (2) ADDITIONAL INFORMATION ON GROUND-
17 BASED MIDCOURSE DEFENSE.—The report required
18 by this subsection shall, in addition to the matters
19 specified in paragraph (1), include a detailed de-
20 scription of the test and evaluation activities per-
21 taining to the Ground-based Midcourse Defense
22 (GMD) element of the Ballistic Missile Defense Sys-
23 tem as follows:

24 (A) Plans for salvo testing.

1 (B) Plans for multiple simultaneous en-
2 gagement testing.

3 (C) Plans for intercept testing using the
4 Cobra Dane radar as the engagement sensor.

5 (D) Plans to test and demonstrate the
6 ability of the system to accomplish its mission
7 over the planned term of its operational service
8 life (also known as “sustainment testing”).

9 (3) FORM.—The report required by this sub-
10 section shall be submitted in unclassified form, but
11 may include a classified annex.

12 **SEC. 243. ASSESSMENT AND PLAN FOR THE GROUND-BASED**
13 **MIDCOURSE DEFENSE ELEMENT OF THE BAL-**
14 **LISTIC MISSILE DEFENSE SYSTEM.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the Ground-based Midcourse Defense
18 (GMD) element of the Ballistic Missile Defense Sys-
19 tem should be an operationally effective, cost-effec-
20 tive, affordable, reliable, suitable, and survivable sys-
21 tem capable of defending the United States from the
22 threat of long-range missile attacks from nations
23 such as North Korea and Iran, and adequate re-
24 sources should be available to create and maintain

1 such a capability (including continuing effectiveness
2 over the course of its service life);

3 (2) the force structure and inventory levels of
4 the Ground-based Midcourse Defense element should
5 be determined based on an assessment of ballistic
6 missile threats from nations such as North Korea
7 and Iran and a determination by senior military
8 leaders, combatant commanders, and defense offi-
9 cials of the requirements and capabilities needed to
10 address those threats; and

11 (3) the test and evaluation program for the
12 Ground-based Midcourse Defense element should be
13 rigorous, robust, operationally realistic, and capable
14 of providing a high degree of confidence in the capa-
15 bility of the system (including testing to demonstrate
16 the continuing effectiveness of the system over the
17 course of its service life), and adequate resources
18 should be available for that test and evaluation pro-
19 gram (including interceptor missiles and targets for
20 flight tests).

21 (b) ASSESSMENT REQUIRED.—

22 (1) IN GENERAL.—As part of the Quadrennial
23 Defense Review and the Ballistic Missile Defense
24 Review, the Secretary of Defense shall conduct an
25 assessment of the following:

1 (A) Ground-based Midcourse Defense ele-
2 ment of the Ballistic Missile Defense System.

3 (B) Future options for the Ground-based
4 Midcourse Defense element.

5 (2) ELEMENTS.—The assessment required by
6 paragraph (1) shall include an assessment of the fol-
7 lowing:

8 (A) The ballistic missile threat against
9 which the Ground-based Midcourse Defense ele-
10 ment is intended to defend.

11 (B) The military requirement for Ground-
12 based Midcourse Defense capabilities against
13 such missile threat.

14 (C) The current capabilities of the Ground-
15 based Midcourse Defense element.

16 (D) The planned capabilities of the
17 Ground-based Midcourse Defense element, if
18 different from the capabilities under subpara-
19 graph (B).

20 (E) The force structure and inventory lev-
21 els necessary for the Ground-based Midcourse
22 Defense element to achieve the planned capa-
23 bilities of that element, including an analysis of
24 the costs and the potential advantages and dis-

1 advantages of deploying 44 operational Ground-
2 based Interceptor missiles.

3 (F) The infrastructure necessary to
4 achieve such capabilities, including the number
5 and location of operational silos.

6 (G) The number of Ground-based Inter-
7 ceptor missiles necessary for operational assets,
8 test assets (including developmental and oper-
9 ational test assets and aging and surveillance
10 test assets), and spare missiles.

11 (3) REPORT.—At or about the same time the
12 budget of the President for fiscal year 2011 is sub-
13 mitted to Congress pursuant to section 1105 of title
14 31, United States Code, the Secretary shall submit
15 to the congressional defense committees a report set-
16 ting forth the results of the assessment required by
17 paragraph (1). The report shall be in unclassified
18 form, but may include a classified annex.

19 (c) PLAN REQUIRED.—

20 (1) IN GENERAL.—In addition to the assess-
21 ment required by subsection (b), the Secretary shall
22 establish a plan for the Ground-based Midcourse De-
23 fense element of the Ballistic Missile Defense Sys-
24 tem. The plan shall cover the period of the future-
25 years defense program that is submitted to Congress

1 under section 221 of title 10, United States Code,
2 at or about the same time as the submittal to Con-
3 gress of the budget of the President for fiscal year
4 2011.

5 (2) ELEMENTS.—The plan required by para-
6 graph (1) shall include the following elements:

7 (A) The schedule for achieving the planned
8 capability of the Ground-based Midcourse De-
9 fense element, including the completion of oper-
10 ational silos, the delivery of operational Ground-
11 Based Interceptors, and the deployment of such
12 interceptors in those silos.

13 (B) The plan for funding the development,
14 production, deployment, testing, improvement,
15 and sustainment of the Ground-based Mid-
16 course Defense element.

17 (C) The plan to maintain the operational
18 effectiveness of the Ground-based Midcourse
19 Defense element over the course of its service
20 life, including any modernization or capability
21 enhancement efforts, and any sustainment ef-
22 forts.

23 (D) The plan for flight testing the Ground-
24 based Midcourse Defense element, including
25 aging and surveillance tests to demonstrate the

1 continuing effectiveness of the system over the
2 course of its service life.

3 (E) The plan for production of Ground-
4 Based Interceptor missiles necessary for oper-
5 ational assets, developmental and operational
6 test assets, aging and surveillance test assets,
7 and spare missiles.

8 (3) REPORT.—At or about the same time the
9 budget of the President for fiscal year 2011 is sub-
10 mitted to Congress pursuant to section 1105 of title
11 31, United States Code, the Secretary shall submit
12 to the congressional defense committees a report set-
13 ting forth the plan required by paragraph (1). The
14 report shall be in unclassified form, but may include
15 a classified annex.

16 (d) CONSTRUCTION.—Nothing in this section shall be
17 construed as altering or revising the continued production
18 of all Ground-Based Interceptor missiles on contract as
19 of June 23, 2009.

20 **SEC. 244. REPORT ON POTENTIAL MISSILE DEFENSE CO-**
21 **OPERATION WITH RUSSIA.**

22 (a) REPORT REQUIRED.—

23 (1) IN GENERAL.—Not later than 120 days
24 after the date of the enactment of this Act, the Sec-
25 retary of Defense shall submit to the congressional

1 defense committees a report setting forth potential
2 options for cooperation among or between the
3 United States, the North Atlantic Treaty Organiza-
4 tion (NATO), and the Russian Federation on bal-
5 listic missile defense.

6 (2) FORM.—The report shall be submitted in
7 unclassified form, but may include a classified
8 annex.

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

11 (1) A description of proposals made by the
12 United States, the North Atlantic Treaty Organiza-
13 tion, or the Russian Federation since January 1,
14 2007, for potential missile defense cooperation
15 among or between such countries and that organiza-
16 tion, including data sharing, cooperative regional
17 missile defense architectures, joint exercises, and
18 transparency and confidence building measures.

19 (2) A description of options for the sharing by
20 such countries and that organization of ballistic mis-
21 sile surveillance or early warning data, including
22 data from the Russian early warning radars at
23 Gabala in Azerbaijan, and Armavir in southern Rus-
24 sia or other radars, such as the United States radar
25 proposed for deployment in the Czech Republic.

1 (3) An assessment of the potential for imple-
2 mentation of the agreement between the United
3 States and the Russian Federation on the establish-
4 ment of a Joint Data Exchange Center.

5 (4) An assessment of the potential for missile
6 defense cooperation between the Russian Federation
7 and the North Atlantic Treaty Organization, includ-
8 ing through the NATO-Russia Council.

9 (5) An assessment of the potential security ben-
10 efits to the United States, Russia, and the North At-
11 lantic Treaty Organization of the cooperation de-
12 scribed in paragraph (4).

13 (6) Such other matters as the Secretary con-
14 siders appropriate.

15 **Subtitle D—Other Matters**

16 **SEC. 251. REPEAL OF REQUIREMENT FOR BIENNIAL JOINT** 17 **WARFIGHTING SCIENCE AND TECHNOLOGY** 18 **PLAN.**

19 Section 270 of the National Defense Authorization
20 Act for Fiscal Year 1997 (10 U.S.C. 2501 note) is re-
21 pealed.

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**
3 **Subtitle A—Authorization of**
4 **Appropriations**

5 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
7 are hereby authorized to be appropriated for fiscal year
8 2010 for the use of the Armed Forces and other activities
9 and agencies of the Department of Defense, for expenses,
10 not otherwise provided for, for operation and maintenance,
11 in amounts as follows:

12 (1) For the Army, \$30,932,882,000.

13 (2) For the Navy, \$35,890,046,000.

14 (3) For the Marine Corps, \$5,547,223,000.

15 (4) For the Air Force, \$34,053,559,000.

16 (5) For Defense-wide activities,
17 \$27,645,997,000.

18 (6) For the Army Reserve, \$2,623,796,000.

19 (7) For the Navy Reserve, \$1,278,501,000.

20 (8) For the Marine Corps Reserve,
21 \$228,925,000.

22 (9) For the Air Force Reserve, \$3,079,228,000.

23 (10) For the Army National Guard,
24 \$6,260,634,000.

1 (11) For the Air National Guard,
2 \$5,888,461,000.

3 (12) For the United States Court of Appeals
4 for the Armed Forces, \$13,932,000.

5 (13) For the Acquisition Development Work-
6 force Fund, \$100,000,000.

7 (14) For Environmental Restoration, Army,
8 \$415,864,000.

9 (15) For Environmental Restoration, Navy,
10 \$285,869,000.

11 (16) For Environmental Restoration, Air Force,
12 \$494,276,000.

13 (17) For Environmental Restoration, Defense-
14 wide, \$11,100,000.

15 (18) For Environmental Restoration, Formerly
16 Used Defense Sites, \$267,700,000.

17 (19) For Overseas Humanitarian, Disaster and
18 Civic Aid programs, \$109,869,000.

19 (20) For Cooperative Threat Reduction pro-
20 grams, \$424,093,000.

21 (21) For Overseas Contingency Operations
22 Transfer Fund, \$5,000,000.

23 (b) FUNDING TABLE.—The amounts authorized by
24 subsection (a) shall be available, in accordance with the
25 requirements of section 4001, for projects, programs, and

1 activities, and in the amounts, specified in the funding
2 table in section 4301.

3 **Subtitle B—Environmental** 4 **Provisions**

5 **SEC. 311. REIMBURSEMENT OF ENVIRONMENTAL PROTEC-** 6 **TION AGENCY FOR CERTAIN COSTS IN CON-** 7 **NECTION WITH THE FORMER NANSEMOND** 8 **ORDNANCE DEPOT SITE, SUFFOLK, VIRGINIA.**

9 (a) **AUTHORITY TO REIMBURSE.—**

10 (1) **TRANSFER AMOUNT.—**Using funds de-
11 scribed in subsection (b) and notwithstanding sec-
12 tion 2215 of title 10, United States Code, the Sec-
13 retary of Defense may transfer not more than
14 \$68,623 during fiscal year 2010 to the Former
15 Nansemond Ordnance Depot Site Special Account,
16 within the Hazardous Substance Superfund.

17 (2) **PURPOSE OF REIMBURSEMENT.—**The pay-
18 ment under paragraph (1) is final payment to reim-
19 burse the Environmental Protection Agency for all
20 costs incurred in overseeing a time critical removal
21 action performed by the Department of Defense
22 under the Defense Environmental Restoration Pro-
23 gram for ordnance and explosive safety hazards at
24 the Former Nansemond Ordnance Depot Site, Suf-
25 folk, Virginia.

1 (3) INTERAGENCY AGREEMENT.—The reim-
2 bursement described in paragraph (2) is provided for
3 in an interagency agreement entered into by the De-
4 partment of the Army and the Environmental Pro-
5 tection Agency for the Former Nansmond Ord-
6 nance Depot Site in December 1999.

7 (b) SOURCE OF FUNDS.—Any payment under sub-
8 section (a) shall be made using funds authorized to be ap-
9 propriated by section 301(a)(18) for operation and main-
10 tenance for Environmental Restoration, Formerly Used
11 Defense Sites.

12 (c) USE OF FUNDS.—The Environmental Protection
13 Agency shall use the amount transferred under subsection
14 (a) to pay costs incurred by the Agency at the Former
15 Nansmond Ordnance Depot Site.

16 **Subtitle C—Workplace and Depot**
17 **Issues**

18 **SEC. 321. MODIFICATION OF AUTHORITY FOR ARMY INDUS-**
19 **TRIAL FACILITIES TO ENGAGE IN COOPERA-**
20 **TIVE ACTIVITIES WITH NON-ARMY ENTITIES.**

21 (a) CLARIFICATION OF AUTHORITY TO ENTER INTO
22 COOPERATIVE AGREEMENTS.—The second sentence of
23 section 4544(a) of title 10, United States Code, as added
24 by section 328(a)(1) of the National Defense Authoriza-
25 tion Act for Fiscal Year 2008 (Public Law 110–181; 122

1 Stat. 66), is amended by inserting after “not more than
2 eight contracts or cooperative agreements” the following:
3 “in addition to the contracts and cooperative agreements
4 in place as of the date of the enactment of the National
5 Defense Authorization Act for Fiscal Year 2008 (Public
6 Law 110–181)”.

7 (b) ADDITIONAL ELEMENTS REQUIRED FOR ANAL-
8 YSIS OF USE OF AUTHORITY.—Section 328(b)(2) of the
9 National Defense Authorization Act for Fiscal Year 2008
10 (Public Law 110–181; 122 Stat. 67) is amended—

11 (1) by striking “a report assessing the advis-
12 ability” and inserting the following: “a report—

13 “(A) assessing the advisability”; and

14 (2) by striking “pursuant to such authority.”
15 and inserting the following: “pursuant to such au-
16 thority;

17 “(B) assessing the benefit to the Federal
18 Government of using such authority;

19 “(C) assessing the impact of the use of
20 such authority on the availability of facilities
21 needed by the Army and on the private sector;
22 and

23 “(D) describing the steps taken to comply
24 with the requirements under section 4544(g) of
25 title 10, United States Code.”.

1 **SEC. 322. IMPROVEMENT OF INVENTORY MANAGEMENT**
2 **PRACTICES.**

3 (a) INVENTORY MANAGEMENT PRACTICES IMPROVE-
4 MENT PLAN REQUIRED.—Not later than 270 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense shall submit to the congressional defense commit-
7 tees a comprehensive plan for improving the inventory
8 management systems of the military departments and the
9 Defense Logistics Agency with the objective of reducing
10 the acquisition and storage of secondary inventory that is
11 excess to requirements.

12 (b) ELEMENTS.—The plan under subsection (a) shall
13 include the following:

14 (1) A plan for a comprehensive review of de-
15 mand-forecasting procedures to identify and correct
16 any systematic weaknesses in such procedures, in-
17 cluding the development of metrics to identify bias
18 toward over-forecasting and adjust forecasting meth-
19 ods accordingly.

20 (2) A plan to accelerate the efforts of the De-
21 partment of Defense to achieve total asset visibility,
22 including efforts to link wholesale and retail inven-
23 tory levels through multi-echelon modeling.

24 (3) A plan to reduce the average level of on-
25 order secondary inventory that is excess to require-
26 ments, including a requirement for the systemic re-

1 view of such inventory for possible contract termi-
2 nation.

3 (4) A plan for the review and validation of
4 methods used by the military departments and the
5 Defense Logistics Agency to establish economic re-
6 tention requirements.

7 (5) A plan for an independent review of meth-
8 ods used by the military departments and the De-
9 fense Logistics Agency to establish contingency re-
10 tention requirements.

11 (6) A plan to identify items stored in secondary
12 inventory that require substantial amounts of stor-
13 age space and shift such items, where practicable, to
14 direct vendor delivery.

15 (7) A plan for a comprehensive assessment of
16 inventory items on hand that have no recurring de-
17 mands, including the development of—

18 (A) metrics to track years of no demand
19 for items in stock; and

20 (B) procedures for ensuring the systemic
21 review of such items for potential reutilization
22 or disposal.

23 (8) A plan to more aggressively pursue disposal
24 reviews and actions on stocks identified for potential
25 reutilization or disposal.

1 (c) GAO REPORTS.—

2 (1) ASSESSMENT OF PLAN.—Not later than 60
3 days after the date on which the plan required by
4 subsection (a) is submitted as specified in that sub-
5 section, the Comptroller General of the United
6 States shall submit to the congressional defense
7 committees a report setting forth an assessment of
8 the extent to which the plan meets the requirements
9 of this section.

10 (2) ASSESSMENT OF IMPLEMENTATION.—Not
11 later than 18 months after the date on which the
12 plan required by subsection (a) is submitted, the
13 Comptroller General shall submit to the congress-
14 sional defense committees a report setting forth an
15 assessment of the extent to which the plan has been
16 effectively implemented by each military department
17 and by the Defense Logistics Agency.

18 (d) INVENTORY THAT IS EXCESS TO REQUIREMENTS
19 DEFINED.—In this section, the term “inventory that is
20 excess to requirements” means inventory that—

21 (1) is excess to the approved acquisition objec-
22 tive concerned; and

23 (2) is not needed for the purposes of economic
24 retention or contingency retention.

1 **SEC. 323. TEMPORARY SUSPENSION OF AUTHORITY FOR**
2 **PUBLIC-PRIVATE COMPETITIONS.**

3 (a) TEMPORARY SUSPENSION.—During the period
4 beginning on the date of the enactment of this Act and
5 ending on the date on which the Secretary of Defense sub-
6 mits to the congressional defense committees the certifi-
7 cation described in subsection (b), no study or public-pri-
8 vate competition regarding the conversion to contractor
9 performance of any function of the Department of Defense
10 performed by civilian employees may be begun or an-
11 nounced pursuant to section 2461 of title 10, United
12 States Code, Office of Management and Budget Circular
13 A-76, or any other authority.

14 (b) CERTIFICATION.—The certification described in
15 this subsection is a certification that—

16 (1) the Secretary of Defense has completed and
17 submitted to Congress a complete inventory of con-
18 tracts for services for or on behalf of the Depart-
19 ment of Defense in compliance with the require-
20 ments of subsection (c) of section 2330a of title 10,
21 United States Code; and

22 (2) the Secretary of each military department
23 and the head of each Defense Agency responsible for
24 activities in the inventory is in compliance with the
25 review and planning requirements of subsection (e)
26 of such section.

1 **SEC. 324. EXTENSION OF ARSENAL SUPPORT PROGRAM INI-**
 2 **TIATIVE.**

3 Section 343 of the Floyd D. Spence National Defense
 4 Authorization Act for Fiscal Year 2001 (10 U.S.C. 4551
 5 note), as amended by section 341 of the National Defense
 6 Authorization Act for Fiscal Year 2008 (Public Law 110–
 7 181; 122 Stat. 69), is amended—

8 (1) in subsection (a), by striking “2010” and
 9 inserting “2011”; and

10 (2) in subsection (g)(1), by striking “2010”
 11 and inserting “2011”.

12 **SEC. 325. MODIFICATION OF DATE FOR SUBMITTAL TO**
 13 **CONGRESS OF ANNUAL REPORT ON FUNDING**
 14 **FOR PUBLIC AND PRIVATE PERFORMANCE**
 15 **OF DEPOT-LEVEL MAINTENANCE AND RE-**
 16 **PAIR WORKLOADS.**

17 Section 2466(d)(1) of title 10, United States Code,
 18 is amended by striking “April 1 of each year” and insert-
 19 ing “90 days after the date on which the budget of the
 20 President for a fiscal year is submitted to Congress pursu-
 21 ant to section 1105 of title 31”.

22 **Subtitle D—Energy Provisions**

23 **SEC. 331. ENERGY SECURITY ON DEPARTMENT OF DE-**
 24 **FENSE INSTALLATIONS.**

25 (a) **PLAN FOR ENERGY SECURITY REQUIRED.—**

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall develop a plan for identifying
4 and addressing areas in which the electricity needed
5 to carry out critical military missions on Department
6 of Defense installations is vulnerable to disruption.

7 (2) ELEMENTS.—The plan developed under
8 paragraph (1) shall include, at a minimum, the fol-
9 lowing:

10 (A) An identification of the areas of vul-
11 nerability as described in paragraph (1), and an
12 identification of priorities in addressing such
13 areas of vulnerability.

14 (B) A schedule for the actions to be taken
15 by the Department to address such areas of
16 vulnerability.

17 (C) A strategy for working with other pub-
18 lic or private sector entities to address such
19 areas of vulnerability that are beyond the con-
20 trol of the Department.

21 (b) WORK WITH NON-DEPARTMENT OF DEFENSE
22 ENTITIES.—

23 (1) IN GENERAL.—The Secretary of Defense
24 shall work with other Federal entities, and with
25 State and local government entities, to develop any

1 regulations or other mechanisms needed to require
2 or encourage actions to address areas of vulner-
3 ability identified pursuant to the plan developed
4 under subsection (a) that are beyond the control of
5 the Department of Defense.

6 (2) CONTRACT AUTHORITY.—Where necessary
7 to achieve the purposes of this section, the Secretary
8 may enter into a contract, grant, or other agreement
9 with one or more appropriate public or private sector
10 entities under which such entity or entities agree to
11 carry out actions required to address areas of vul-
12 nerability identified pursuant to the plan developed
13 under subsection (a) that are beyond the control of
14 the Department. Any such contract, grant, or agree-
15 ment may provide for the full or partial reimburse-
16 ment of the entity concerned by the Department for
17 actions taken by the entity under such contract,
18 grant, or agreement.

19 **SEC. 332. EXTENSION AND EXPANSION OF REPORTING RE-**
20 **QUIREMENTS REGARDING DEPARTMENT OF**
21 **DEFENSE ENERGY EFFICIENCY PROGRAMS.**

22 (a) NEW REPORTING REQUIREMENTS.—Section
23 317(e) of the National Defense Authorization Act for Fis-
24 cal Year 2002 (Public Law 107–107; 115 Stat. 1054) is
25 amended to read as follows:

1 “(e) REPORTING REQUIREMENTS.—

2 “(1) IN GENERAL.—Not later one year after
3 the date of the enactment of this Act, and each Jan-
4 uary 1 thereafter through 2020, the Secretary shall
5 submit to the congressional defense a report regard-
6 ing progress made toward achieving the energy effi-
7 ciency goals of the Department of Defense, con-
8 sistent with the provisions of section 303 of Execu-
9 tive Order 13123 (64 Fed. Reg. 30851; 42 U.S.C.
10 8521 note) and section 11(b) of Executive Order
11 13423 (72 Fed. Reg. 3919; 42 U.S.C. 4321 note).

12 “(2) REPORTS SUBMITTED AFTER JANUARY 1,
13 2009.—Each report required under paragraph (1)
14 that is submitted after the date of the enactment of
15 the National Defense Authorization Act for Fiscal
16 Year 2010 shall include the following:

17 “(A) A table detailing funding, by account,
18 for all energy projects and investments.

19 “(B) A description of the funding and
20 steps taken to achieve the renewable energy
21 goals in the Energy Policy Act of 2005 (42
22 U.S.C. 15801 et seq.) and Executive Order
23 13423 by fiscal year 2015, and section 2911(e)
24 of title 10, United States Code, by fiscal year
25 2025.

1 “(C) A description of steps taken to ensure
2 that facility and installation management goals
3 are consistent with current legislative and other
4 requirements, including applicable requirements
5 under the Energy Independence and Security
6 Act of 2007 (Public Law 110–140).

7 “(D) A description of steps taken to deter-
8 mine best practices for measuring energy con-
9 sumption in Department of Defense facilities
10 and installations in order to use the data for
11 better energy management.

12 “(E) A description of steps taken to com-
13 ply with requirements of the Energy Independ-
14 ence and Security Act of 2007, including new
15 design and construction requirements for build-
16 ings.

17 “(F) A description of steps taken to com-
18 ply with section 533 of the National Energy
19 Conservation Policy Act (42 U.S.C. 8259b), re-
20 garding the supply by the General Services Ad-
21 ministration and the Defense Logistics Agency
22 of Energy Star and Federal Energy Manage-
23 ment Program (FEMP) designated products to
24 its Department of Defense customers.

1 “(G) A description of steps taken to en-
2 courage the use of Energy Star and FEMP des-
3 ignated products at military installations in
4 government or contract maintenance activities.

5 “(H) A description of steps taken to com-
6 ply with standards for projects built using ap-
7 propriated funds and established by the Energy
8 Independence and Security Act of 2007 for
9 privatized construction projects, whether resi-
10 dential, administrative, or industrial.

11 “(I) A description of any other issues and
12 strategies the Secretary determines relevant to
13 a comprehensive and renewable energy policy.”.

14 (b) ADDITIONAL MATERIAL REQUIRED FOR FIRST
15 EXPANDED REPORT.—The first report submitted by the
16 Secretary of Defense under section 317(e) of the National
17 Defense Authorization Act for Fiscal Year 2002 (Public
18 Law 107–107; 115 Stat. 1054), as amended by subsection
19 (a), after the date of the enactment of this Act shall in-
20 clude, in addition to the matters required under such sec-
21 tion, the following:

22 (1) A determination of whether the existing
23 tools, such as the Energy Conservation Investment
24 Program (ECIP) and the Energy Savings Perform-
25 ance Contracts (ESPC) program, are sufficient to

1 support renewable energy projects to achieve the De-
2 partment's installation energy goals, or if new fund-
3 ing mechanisms would be beneficial.

4 (2) An appropriate goal or goals for the use of
5 alternative fuels for ground vehicles, aircraft, sea
6 vessels, and applicable weapons systems, taking into
7 consideration a broad range of factors, including
8 cost, availability, technological feasibility, energy
9 independence and security, and environmental im-
10 pact.

11 (3) A determination of the cost and feasibility
12 of a policy that would require new power generation
13 projects established on installations to be able to
14 switch to provide power for military operations in
15 the event of a commercial grid outage.

16 (4) An assessment of the extent to which State
17 and regional laws and regulations and market struc-
18 tures provide opportunities or obstacles to establish
19 renewable energy projects on military installations.

20 (5) A determination of the cost and feasibility
21 of developing or acquiring equipment or systems
22 that would result in the complete use of renewable
23 energy sources at contingency locations.

24 (6) A determination of the cost and feasibility
25 of implementing the recommendations of the 2008

1 Defense Science Board Report entitled, “More Fight
2 – Less Fuel”.

3 **SEC. 333. ALTERNATIVE AVIATION FUEL INITIATIVE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) Dependence on foreign sources of oil is det-
7 rimental to the national security of the United
8 States due to possible disruptions in supply.

9 (2) The Department of Defense is the largest
10 single consumer of fuel in the United States.

11 (3) The United States Air Force is the largest
12 consumer of fuel in the Department of Defense.

13 (4) The dramatically fluctuating price of fuel
14 can have a significant budgetary impact on the De-
15 partment of Defense.

16 (5) The United States Air Force uses about
17 2,600,000,000 gallons of jet fuel a year, or 10 per-
18 cent of the entire domestic market in aviation fuel.

19 (6) The Air Force’s Alternative Aviation Fuel
20 Initiative includes certification and testing of both
21 biomass-derived (“biofuel”) and synthetic fuel blends
22 produced via the Fischer-Tropsch (FT) process. By
23 not later than December 31, 2016, the Air Force
24 will be prepared to cost competitively acquire 50 per-
25 cent of the Air Force’s domestic aviation fuel re-

1 requirement via an alternative fuel blend in which the
2 alternative component is derived from domestic
3 sources produced in a manner that is greener than
4 fuels produced from conventional petroleum.

5 (7) The Air Force Energy Program will provide
6 options to reduce the use of foreign oil, by focusing
7 on expanding alternative energy options that provide
8 favorable environmental attributes as compared to
9 currently-available options.

10 (b) CONTINUATION OF INITIATIVES.—

11 (1) IN GENERAL.—The Secretary of the Air
12 Force shall continue the alternative aviation fuel ini-
13 tiatives of the Air Force with a goal of—

14 (A) certifying its aircraft, applicable vehi-
15 cles and support equipment, and associated
16 storage and distribution infrastructure for unre-
17 stricted operational use of a synthetic fuel blend
18 by early 2011;

19 (B) being prepared to acquire 50 percent
20 of its domestic aviation fuel requirement from
21 alternative or synthetic fuels (including blends
22 of alternative or synthetic fuels with conven-
23 tional fuels) by not later than December 31,
24 2016, provided that—

1 (i) the lifecycle greenhouse gas emis-
2 sions associated with the production and
3 combustion of such fuel shall be equal to
4 or lower than such emissions from conven-
5 tional fuels that are used in the same ap-
6 plication, as determined in accordance with
7 guidance by the Department of Energy
8 and the Environmental Protection Agency;
9 and

10 (ii) prices for such fuels are cost com-
11 petitive with petroleum-based alternatives
12 that are used for the same functions;

13 (C) taking actions in collaboration with the
14 commercial aviation industry and equipment
15 manufacturers to spur the development of a do-
16 mestic alternative aviation fuel industry; and

17 (D) taking actions in collaboration with
18 other Federal agencies, the commercial sector,
19 and academia to solicit for and test the next
20 generation of environmentally-friendly alter-
21 native aviation fuels.

22 (2) ADJUSTMENT OF GOAL.—The Secretary of
23 the Air Force may adjust the goal of acquiring 50
24 percent of Air Force domestic fuel requirements
25 from alternative or synthetic fuels by not later than

1 December 31, 2016, if the Secretary determines in
2 writing that it would not be practicable, or in the
3 best interests of the Air Force, to do so and informs
4 the congressional defense committees within 30 days
5 of the basis for such determination.

6 (3) ANNUAL REPORT.—Not later than 180 days
7 after the date of the enactment of this Act and an-
8 nually thereafter in each of fiscal years 2011
9 through 2016, the Secretary of Defense, in consulta-
10 tion with the Secretary of the Air Force, shall sub-
11 mit to Congress a report on the progress of the al-
12 ternative aviation fuel initiative program, includ-
13 ing—

14 (A) the status of aircraft fleet certification,
15 until complete;

16 (B) the quantities of alternative or syn-
17 thetic fuels (including blends of alternative or
18 synthetic fuels with conventional fuels) pur-
19 chased for use by the Air Force in the fiscal
20 year ending in such year;

21 (C) progress made against published goals
22 for such fiscal year;

23 (D) the status of recovery plans to achieve
24 any goals set for previous years that were not
25 achieved; and

1 (E) the establishment or adjustment of
2 goals and objectives for the current fiscal year
3 or for future years.

4 (c) ANNUAL REPORT FOR ARMY AND NAVY.—Not
5 later than 180 days after the date of the enactment of
6 this Act, and annually thereafter in each of fiscal years
7 2011 through 2016, the Secretary of the Army and the
8 Secretary of the Navy shall each submit to Congress a
9 report on goals and progress to research, test, and certify
10 the use of alternative fuels in their respective aircraft
11 fleets.

12 (d) DEFENSE SCIENCE BOARD REVIEW.—

13 (1) REPORT REQUIRED.—Not later than Octo-
14 ber 1, 2011, the Defense Science Board shall report
15 to the Secretary of Defense on the feasibility and
16 advisability of achieving the goals established in sub-
17 section (b)(1). The report shall address—

18 (A) the technological and economic
19 achievability of the goals;

20 (B) the impact of actions required to meet
21 such goals on the military readiness of the Air
22 Force, energy costs, environmental perform-
23 ance, and dependence on foreign oil; and

1 (C) any recommendations the Defense
2 Science Board may have for improving the Air
3 Force program.

4 (2) SUBMISSION TO CONGRESS.—Not later than
5 30 days after receiving the report required by under
6 paragraph (1), the Secretary of Defense shall for-
7 ward the report to Congress, together with the com-
8 ments and recommendations of the Secretary.

9 **SEC. 334. AUTHORIZATION OF APPROPRIATIONS FOR DI-**
10 **RECTOR OF OPERATIONAL ENERGY.**

11 Of the amounts authorized to be appropriated for Op-
12 eration and Maintenance, Defense-wide, \$5,000,000 is for
13 the Director of Operational Energy Plans and Programs
14 to carry out the duties prescribed for the Director under
15 section 139b of title 10, United States Code, to be made
16 available upon the confirmation of an individual to serve
17 as the Director of Operational Energy Plans and Pro-
18 grams.

19 **Subtitle E—Reports**

20 **SEC. 341. STUDY ON ARMY MODULARITY.**

21 (a) STUDY.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the Secretary
24 of Defense shall enter into a contract with a Feder-
25 ally Funded Research and Development Center

1 (FFRDC) to conduct a study on the current and
2 planned modularity structures of the Army to deter-
3 mine the following:

4 (A) The operational capability of the Army
5 to execute its core mission to contribute land
6 power to joint operations.

7 (B) The ability to manage flexibility and
8 versatility of Army forces across the range of
9 military operations.

10 (C) The tactical, operational, and strategic
11 risk associated with the heavy and light mod-
12 ular combat brigades and functional brigades.

13 (D) The required and planned end
14 strength for the Army.

15 (2) FACTORS TO CONSIDER.—The study re-
16 quired under subsection (a) shall take into consider-
17 ation the following factors:

18 (A) The Army's historical experience with
19 separate brigade structures.

20 (B) The original Army analysis, including
21 explicit or implicit assumptions, upon which the
22 brigade combat team, functional brigade, and
23 higher headquarters' designs were based.

24 (C) Subsequent analysis that confirmed or
25 modified the original designs.

1 (D) Lessons learned from Operations Iraqi
2 Freedom and Enduring Freedom that con-
3 firmed or modified the original designs.

4 (E) Improvements in brigade and head-
5 quarters designs the Army has made or is im-
6 plementing.

7 (3) ACCESS TO INFORMATION.—The Secretary
8 of Defense and the Secretary of the Army shall en-
9 sure that the FFRDC conducting the study has ac-
10 cess to all necessary data, records, analysis, per-
11 sonnel, and other resources necessary to complete
12 the study.

13 (b) REPORT.—Not later than December 31, 2010,
14 the Secretary of Defense shall submit to the congressional
15 defense committees a report containing the results of the
16 study conducted under subsection (a), together with com-
17 ments by the Chief of Staff of the Army and the Secretary
18 of Defense.

19 **TITLE IV—MILITARY**
20 **PERSONNEL AUTHORIZATIONS**
21 **Subtitle A—Active Forces**

22 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

23 The Armed Forces are authorized strengths for active
24 duty personnel as of September 30, 2010, as follows:

25 (1) The Army, 547,400.

1 (2) The Navy, 328,800.

2 (3) The Marine Corps, 202,100.

3 (4) The Air Force, 331,700.

4 **SEC. 402. ADDITIONAL AUTHORITY FOR INCREASES OF**
5 **ARMY ACTIVE DUTY END STRENGTHS FOR**
6 **FISCAL YEARS 2011 AND 2012.**

7 (a) AUTHORITY TO INCREASE ARMY ACTIVE-DUTY
8 END STRENGTH.—

9 (1) AUTHORITY.—For each of fiscal years 2011
10 and 2012, the Secretary of Defense may, as the Sec-
11 retary determines necessary for the purposes speci-
12 fied in paragraph (2), establish the active-duty end
13 strength for the Army at a number greater than the
14 number otherwise authorized by law up to the num-
15 ber equal to the fiscal-year 2010 baseline plus
16 30,000.

17 (2) PURPOSE OF INCREASES.—The purposes
18 for which an increase may be made in the active-
19 duty end strength for the Army under paragraph (1)
20 are the following:

21 (A) To increase dwell time for members of
22 the Army on active duty.

23 (B) To support operational missions.

24 (C) To achieve reorganizational objectives,
25 including increased unit manning, force sta-

1 bilization and shaping, and supporting wounded
2 warriors.

3 (b) RELATIONSHIP TO PRESIDENTIAL WAIVER AU-
4 THORITY.—Nothing in this section shall be construed to
5 limit the authority of the President under section 123a
6 of title 10, United States Code, to waive any statutory
7 end strength in a time of war or national emergency.

8 (c) RELATIONSHIP TO OTHER VARIANCE AUTHOR-
9 ITY.—The authority in subsection (a) is in addition to the
10 authority to vary authorized end strengths that is provided
11 in subsections (e) and (f) of section 115 of title 10, United
12 States Code.

13 (d) BUDGET TREATMENT.—If the Secretary of De-
14 fense plans to increase the active-duty end strength for
15 the Army for fiscal year 2011 or 2012, the budget for
16 the Department of Defense for such fiscal year as sub-
17 mitted to Congress shall include the amounts necessary
18 for funding the active-duty end strength for the Army in
19 excess of the fiscal-year 2010 baseline.

20 (e) DEFINITIONS.—In this section:

21 (1) FISCAL-YEAR 2010 BASELINE.—The term
22 “fiscal-year 2010 baseline”, with respect to the
23 Army, means the active-duty end strength author-
24 ized for the Army in section 401(1).

1 (2) ACTIVE-DUTY END STRENGTH.—The term
2 “active-duty end strength”, with respect to the Army
3 for a fiscal year, means the strength for active duty
4 personnel of Army as of the last day of the fiscal
5 year.

6 **Subtitle B—Reserve Forces**

7 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

8 (a) IN GENERAL.—The Armed Forces are authorized
9 strengths for Selected Reserve personnel of the reserve
10 components as of September 30, 2010, as follows:

11 (1) The Army National Guard of the United
12 States, 358,200.

13 (2) The Army Reserve, 205,000.

14 (3) The Navy Reserve, 65,500.

15 (4) The Marine Corps Reserve, 39,600.

16 (5) The Air National Guard of the United
17 States, 106,700.

18 (6) The Air Force Reserve, 69,500.

19 (7) The Coast Guard Reserve, 10,000.

20 (b) ADJUSTMENTS.—The end strengths prescribed by
21 subsection (a) for the Selected Reserve of any reserve com-
22 ponent shall be proportionately reduced by—

23 (1) the total authorized strength of units orga-
24 nized to serve as units of the Selected Reserve of

1 such component which are on active duty (other
2 than for training) at the end of the fiscal year; and

3 (2) the total number of individual members not
4 in units organized to serve as units of the Selected
5 Reserve of such component who are on active duty
6 (other than for training or for unsatisfactory partici-
7 pation in training) without their consent at the end
8 of the fiscal year.

9 Whenever such units or such individual members are re-
10 leased from active duty during any fiscal year, the end
11 strength prescribed for such fiscal year for the Selected
12 Reserve of such reserve component shall be increased pro-
13 portionately by the total authorized strengths of such
14 units and by the total number of such individual members.

15 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
16 **DUTY IN SUPPORT OF THE RESERVES.**

17 Within the end strengths prescribed in section
18 411(a), the reserve components of the Armed Forces are
19 authorized, as of September 30, 2010, the following num-
20 ber of Reserves to be serving on full-time active duty or
21 full-time duty, in the case of members of the National
22 Guard, for the purpose of organizing, administering, re-
23 cruiting, instructing, or training the reserve components:

24 (1) The Army National Guard of the United
25 States, 32,060.

1 (2) The Army Reserve, 16,261.

2 (3) The Navy Reserve, 10,818.

3 (4) The Marine Corps Reserve, 2,261.

4 (5) The Air National Guard of the United
5 States, 14,555.

6 (6) The Air Force Reserve, 2,896.

7 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**

8 **(DUAL STATUS).**

9 The minimum number of military technicians (dual
10 status) as of the last day of fiscal year 2010 for the re-
11 serve components of the Army and the Air Force (notwith-
12 standing section 129 of title 10, United States Code) shall
13 be the following:

14 (1) For the Army Reserve, 8,395.

15 (2) For the Army National Guard of the United
16 States, 27,210.

17 (3) For the Air Force Reserve, 10,417.

18 (4) For the Air National Guard of the United
19 States, 22,313.

20 **SEC. 414. FISCAL YEAR 2010 LIMITATION ON NUMBER OF**

21 **NON-DUAL STATUS TECHNICIANS.**

22 (a) LIMITATIONS.—

23 (1) NATIONAL GUARD.—Within the limitation
24 provided in section 10217(c)(2) of title 10, United
25 States Code, the number of non-dual status techni-

1 cians employed by the National Guard as of Sep-
2 tember 30, 2010, may not exceed the following:

3 (A) For the Army National Guard of the
4 United States, 1,600.

5 (B) For the Air National Guard of the
6 United States, 350.

7 (2) ARMY RESERVE.—The number of non-dual
8 status technicians employed by the Army Reserve as
9 of September 30, 2010, may not exceed 595.

10 (3) AIR FORCE RESERVE.—The number of non-
11 dual status technicians employed by the Air Force
12 Reserve as of September 30, 2010, may not exceed
13 90.

14 (b) NON-DUAL STATUS TECHNICIANS DEFINED.—In
15 this section, the term “non-dual status technician” has the
16 meaning given that term in section 10217(a) of title 10,
17 United States Code.

18 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
19 **THORIZED TO BE ON ACTIVE DUTY FOR**
20 **OPERATIONAL SUPPORT.**

21 During fiscal year 2010, the maximum number of
22 members of the reserve components of the Armed Forces
23 who may be serving at any time on full-time operational
24 support duty under section 115(b) of title 10, United
25 States Code, is the following:

1 (1) The Army National Guard of the United
2 States, 17,000.

3 (2) The Army Reserve, 13,000.

4 (3) The Navy Reserve, 6,200.

5 (4) The Marine Corps Reserve, 3,000.

6 (5) The Air National Guard of the United
7 States, 16,000.

8 (6) The Air Force Reserve, 14,000.

9 **SEC. 416. REPORT ON TRAINEE ACCOUNT FOR THE ARMY**
10 **NATIONAL GUARD.**

11 (a) **REPORT REQUIRED.**—Not later than 180 days
12 after the date of the enactment of this Act, the Secretary
13 of the Army shall submit to the congressional defense com-
14 mittees a report setting forth an assessment of the estab-
15 lishment within the Army National Guard of a trainees,
16 transients, holdees, and students account (commonly re-
17 ferred to as a “TTHIS” account).

18 (b) **ELEMENTS.**—The report required by subsection
19 (a) shall include an assessment of the feasibility and advis-
20 ability of permitting the Army National Guard to have,
21 without regard to its authorized end strength levels for
22 a fiscal year, a trainees, transients, holdees, and students
23 account for assigning all members of the Army National
24 Guard who have not completed initial entry training in
25 order to ensure that all personnel of fully manned and

1 deployable units of the Army National Guard have com-
2 pleted initial entry training.

3 **Subtitle C—Authorization of**
4 **Appropriations**

5 **SEC. 421. MILITARY PERSONNEL.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
7 hereby authorized to be appropriated for fiscal year 2010
8 for the Department of Defense for military personnel
9 amounts as follows:

10 (1) For military personnel, \$124,864,942,000.

11 (2) For contributions to the Medicare-Eligible
12 Retiree Health Fund, \$10,751,339,000.

13 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
14 thorization of appropriations in subsection (a) supersedes
15 any other authorization of appropriations (definite or in-
16 definite) for such purpose for fiscal year 2010.

17 **TITLE V—MILITARY PERSONNEL**
18 **POLICY**

19 **Subtitle A—Officer Personnel**
20 **Policy**

21 **SEC. 501. MODIFICATION OF LIMITATIONS ON GENERAL**
22 **AND FLAG OFFICERS ON ACTIVE DUTY.**

23 (a) CLARIFICATION OF DISTRIBUTION LIMITS.—Sec-
24 tion 525 of title 10, United States Code, is amended by

1 striking subsections (a) and (b) and inserting the following
2 new subsections:

3 “(a) For purposes of the applicable limitation in sec-
4 tion 526(a) of this title on general and flag officers on
5 active duty, no appointment of an officer on the active
6 duty list may be made as follows:

7 “(1) in the Army, if that appointment would re-
8 sult in more than—

9 “(A) 7 officers in the grade of general;

10 “(B) 45 officers in a grade above the grade
11 of major general; or

12 “(C) 90 officers in the grade of major gen-
13 eral;

14 “(2) in the Air Force, if that appointment
15 would result in more than—

16 “(A) 9 officers in the grade of general;

17 “(B) 43 officers in a grade above the grade
18 of major general; or

19 “(C) 73 officers in the grade of major gen-
20 eral;

21 “(3) in the Navy, if that appointment would re-
22 sult in more than—

23 “(A) 6 officers in the grade of admiral;

24 “(B) 32 officers in a grade above the grade
25 of rear admiral; or

1 “(C) 50 officers in the grade of rear admiral;
2

3 “(4) in the Marine Corps, if that appointment
4 would result in more than—

5 “(A) 2 officers in the grade of general;

6 “(B) 15 officers in a grade above the grade
7 of major general; or

8 “(C) 22 officers in the grade of major general.
9

10 “(b)(1) The limitations of subsection (a) do not include the following:
11

12 “(A) An officer released from a joint duty assignment, but only during the 60-day period beginning on the date the officer departs the joint duty assignment, except that the Secretary of Defense may authorize the Secretary of a military department to extend the 60-day period by an additional
13 120 days, but no more than 3 officers from each
14 armed forces may be on active duty who are excluded under this subparagraph.
15
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21 “(B) An officer while serving in the position of Staff Judge Advocate to the Commandant of the
22 Marine Corps under section 5046 of this title.
23

24 “(C) The number of officers required to serve
25 in joint duty assignments as authorized by the Sec-

1 retary of Defense under section 526(b) for each mili-
2 tary service.

3 “(D) An officer while serving as Chief of the
4 National Guard Bureau.

5 “(2) An officer of the Army while serving as Super-
6 intendent of the United States Military Academy, if serv-
7 ing in the grade of lieutenant general, is in addition to
8 the number that would otherwise be permitted for the
9 Army for officers serving on active duty in grades above
10 major general under subsection (a). An officer of the Navy
11 or Marine Corps while serving as Superintendent of the
12 United States Naval Academy, if serving in the grade of
13 vice admiral or lieutenant general, is in addition to the
14 number that would otherwise be permitted for the Navy
15 or Marine Corps, respectively, for officers serving on active
16 duty in grades above major general or rear admiral under
17 subsection (a). An officer while serving as Superintendent
18 of the United States Air Force Academy, if serving in the
19 grade of lieutenant general, is in addition to the number
20 that would otherwise be permitted for the Air Force for
21 officers serving on active duty in grades above major gen-
22 eral under subsection (a).”.

23 (b) CLARIFICATION ON OFFSETTING REDUCTIONS.—
24 Subsection (c) of such section is amended—

25 (1) in paragraph (1)—

1 (A) by amending subparagraph (A) to read
2 as follows:

3 “(A) may make appointments in the Army, Air
4 Force, and Marine Corps in the grades of lieutenant
5 general and general in excess of the applicable num-
6 bers determined under this section if each such ap-
7 pointment is made in conjunction with an offsetting
8 reduction under paragraph (2); and”; and

9 (B) in subparagraph (B), by striking “sub-
10 section (b)(2)” and inserting “this section”;

11 (2) in paragraph (3)(A), by striking “the num-
12 ber equal to 10 percent of the total number of offi-
13 cers that may be serving on active duty in those
14 grades in the Army, Navy, Air Force, and Marine
15 Corps under subsection (b)” and inserting “15”; and

16 (3) in paragraph (3)(B), by striking “the num-
17 ber equal to 15 percent of the total number of offi-
18 cers that may be serving on active duty in those
19 grades in the Army, Navy, Air Force, and Marine
20 Corps” and inserting “5”.

21 (c) OTHER DISTRIBUTION CLARIFICATIONS.—Such
22 section is further amended—

23 (1) in subsection (e), by striking “In deter-
24 mining the total number of general officers or flag
25 officers of an armed force on active duty for pur-

1 poses of this section, the following officers shall not
2 be counted:” in the matter preceding paragraph (1)
3 and inserting “The following officers shall not be
4 counted for purposes of this section:”; and

5 (2) by adding at the end the following new sub-
6 section:

7 “(g) The limitations of this section do not apply to
8 a reserve component general or flag officer who is on ac-
9 tive duty and serving in a position that is a joint duty
10 assignment for the purposes of chapter 38 of this title for
11 a period not to exceed three years.”.

12 (d) CHANGE TO AUTHORIZED STRENGTHS.—Sub-
13 section (a) of section 526 of such title is amended—

14 (1) in paragraph (1), by striking “307” and in-
15 serting “230”;

16 (2) in paragraph (2), by striking “216” and in-
17 serting “160”;

18 (3) in paragraph (3), by striking “279” and in-
19 serting “208”; and

20 (4) in paragraph (4), by striking “81” and in-
21 serting “60”.

22 (e) CHANGES TO LIMITED EXCLUSION FOR JOINT
23 DUTY REQUIREMENTS.—Subsection (b) of such section is
24 amended—

25 (1) in paragraph (1)—

1 (A) by striking “Chairman of the Joint
2 Chiefs of Staff” and inserting “Secretary of
3 Defense”;

4 (B) by striking “65” and inserting “324”;
5 and

6 (C) by striking the second sentence and in-
7 serting the following new sentence: “The Sec-
8 retary of Defense shall allocate those exclusions
9 to the armed forces based on the number of
10 general or flag officers required from each
11 armed force for assignment to these designated
12 positions.”;

13 (2) by redesignating paragraph (2) as para-
14 graph (4); and

15 (3) by inserting after paragraph (1) the fol-
16 lowing new paragraphs:

17 “(2) Unless the Secretary of Defense determines that
18 a lower number is in the best interest of the Department,
19 the minimum number of officers serving in positions des-
20 ignated under paragraph (1) for each armed force shall
21 be as follows:

22 “(A) For the Army, 85.

23 “(B) For the Navy, 61.

24 “(C) For the Air Force, 76.

25 “(D) For the Marine Corps, 21.

1 “(3) The number excluded under paragraph (1) and
2 serving in positions designated under that paragraph—

3 “(A) in the grade of general or admiral may not
4 exceed 20;

5 “(B) in a grade above the grade of major gen-
6 eral or rear admiral may not exceed 68; and

7 “(C) in the grade of major general or rear ad-
8 miral may not exceed 144.”.

9 (f) OTHER AUTHORIZATION CLARIFICATIONS.—Such
10 section is further amended—

11 (1) in subsection (d), by adding at the end the
12 following new paragraph:

13 “(3) The limitations of this section do not apply to
14 a reserve component general or flag officer who is on ac-
15 tive duty and serving in a position that is a joint duty
16 assignment for the purposes of chapter 38 of this title for
17 a period not to exceed three years.”; and

18 (2) by adding at the end the following new sub-
19 sections:

20 “(g) TEMPORARY EXCLUSION FOR ASSIGNMENT TO
21 CERTAIN TEMPORARY BILLETS.—(1) The limitations in
22 subsection (a) and in section 525(a) of this title do not
23 apply to a general or flag officer assigned to a temporary
24 joint duty assignment designated by the Secretary of De-
25 fense.

1 “(2) A general or flag officer assigned to a temporary
2 joint duty assignment as described in paragraph (1) may
3 not be excluded under this subsection from the limitations
4 in subsection (a) for a period of longer than one year.

5 “(h) EXCLUSION OF OFFICERS DEPARTING FROM
6 JOINT DUTY ASSIGNMENTS.—The limitations in sub-
7 section (a) do not apply to an officer released from a joint
8 duty assignment, but only during the 60-day period begin-
9 ning on the date the officer departs the joint duty assign-
10 ment; except that the Secretary of Defense may authorize
11 the Secretary of a military department to extend the 60-
12 day by an additional 120 days, but no more than 3 officers
13 from each armed force may be on active duty who are ex-
14 cluded under this subsection.”.

15 (g) REPEAL OF LIMITATIONS ON GENERAL AND
16 FLAG OFFICER ACTIVITIES OUTSIDE THE OFFICER’S
17 OWN SERVICE.—

18 (1) REPEAL.—Section 721 of such title is re-
19 pealed.

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 41 of such title is
22 amended by striking the item relating to section
23 721.

24 (h) REPEAL OF SUPERSEDED AUTHORITY.—Section
25 506 of the Duncan Hunter National Defense Authoriza-

1 tion Act for Fiscal Year 2009 (Public Law 110–417; 122
2 Stat. 4434; 10 U.S.C. 525 note) is repealed.

3 **SEC. 502. REVISIONS TO ANNUAL REPORT REQUIREMENT**
4 **ON JOINT OFFICER MANAGEMENT.**

5 Section 667 of title 10, United States Code, is
6 amended—

7 (1) in paragraph (1)(A), by striking “and their
8 education and experience”;

9 (2) by striking paragraph (3);

10 (3) by transferring subparagraph (B) of para-
11 graph (4) to the end of paragraph (1), redesignating
12 that subparagraph as subparagraph (C), aligning
13 that subparagraph with the margin of subparagraph
14 (B) of paragraph (1), and capitalizing the first word
15 of that subparagraph;

16 (4) by striking the remainder of paragraph (4),
17 as amended by paragraph (3) of this section;

18 (5) by redesignating paragraph (5) as para-
19 graph (3);

20 (6) by striking paragraph (6);

21 (7) by redesignating paragraphs (7) through
22 (11) as paragraphs (4) through (8), respectively;

23 (8) by redesignating paragraph (12) as para-
24 graph (9) and in that paragraph striking “each time
25 the” and all that follows and inserting “the principal

1 courses of instruction for Joint Professional Military
2 Education Level II, the number of officers grad-
3 uating from each of the following:

4 “(A) The Joint Forces Staff College.

5 “(B) The National Defense University.

6 “(C) Senior Service Schools.”; and

7 (9) by redesignating paragraph (13) as para-
8 graph (10).

9 **SEC. 503. GRADE OF LEGAL COUNSEL TO THE CHAIRMAN**
10 **OF THE JOINT CHIEFS OF STAFF.**

11 (a) IN GENERAL.—Section 156(c) of title 10, United
12 States Code, is amended by striking “, while so serving,
13 hold the” and inserting “be appointed in the regular”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall take effect on the date of the enact-
16 ment of this Act, and shall apply with respect to individ-
17 uals appointed as Legal Counsel to the Chairman of the
18 Joint Chiefs of Staff on or after that date.

19 **SEC. 504. CHIEF AND DEPUTY CHIEF OF CHAPLAINS OF**
20 **THE AIR FORCE.**

21 (a) IN GENERAL.—Chapter 805 of title 10, United
22 States Code, is amended by inserting after section 8038
23 the following new section:

1 **“§ 8039. Chief and Deputy Chief of Chaplains: ap-**
2 **pointment; duties**

3 “(a) CHIEF OF CHAPLAINS.—(1) There is a Chief of
4 Chaplains in the Air Force, who shall be appointed by the
5 President, by and with the advice and consent of the Sen-
6 ate, from active duty officers of the Air Force Chaplain
7 Corps serving in the grade of colonel or above who have
8 served on active duty as a chaplain for at least eight years.

9 “(2) An officer appointed as the Chief of Chaplains
10 shall be appointed for a term of three years. However, the
11 President may terminate or extend the appointment at
12 any time.

13 “(3) The Chief of Chaplains shall be appointed in the
14 regular grade of major general.

15 “(4) The Chief of Chaplains shall perform such du-
16 ties as may be prescribed by the Secretary of the Air Force
17 and by law.

18 “(b) DEPUTY CHIEF OF CHAPLAINS.—(1) There is
19 a Deputy Chief of Chaplains in the Air Force who shall
20 be appointed by the President by and with the advice and
21 consent of the Senate from active duty officers of the Air
22 Force Chaplain Corps serving in the grade of colonel who
23 have served on active duty as a chaplain for at least eight
24 years.

25 “(2) An officer appointed as the Deputy Chief of
26 Chaplains shall be appointed for a term of three years.

1 However, the President may terminate or extend the ap-
2 pointment at any time.

3 “(3) The Deputy Chief of Chaplains shall be ap-
4 pointed in the regular grade of brigadier general.

5 “(4) The Deputy Chief of Chaplains shall perform
6 such duties as may be prescribed by the Secretary of the
7 Air Force, the Chief of Chaplains, and by law.

8 “(c) SELECTION OF RECOMMENDED OFFICERS
9 THROUGH SELECTION BOARD PROCEDURES.—Under reg-
10 ulations approved by the Secretary of Defense, the Sec-
11 retary of the Air Force in selecting an officer for rec-
12 ommendation to the President under subsection (a) for ap-
13 pointment as the Chief of Chaplains or under subsection
14 (b) for appointment as the Deputy Chief of Chaplains
15 shall ensure that the officer selected is recommended by
16 a board of officers that, insofar as is practicable, is subject
17 to the procedures applicable to selection boards convened
18 under chapter 36 of this title.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 805 of such title is amended
21 by inserting after the item related to section 8038 the fol-
22 lowing new item:

“8039. Chief and Deputy Chief of Chaplains: appointment; duties.”.

1 **Subtitle B—Reserve Component**
2 **Management**

3 **SEC. 511. REPORT ON REQUIREMENTS OF THE NATIONAL**
4 **GUARD FOR NON-DUAL STATUS TECHNI-**
5 **CIANS.**

6 (a) **REPORT REQUIRED.**—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to the Committees on Armed Serv-
9 ices of the Senate and House of Representatives a report
10 setting forth the following:

11 (1) A description of the types of duties per-
12 formed for the National Guard by non-dual status
13 technicians.

14 (2) A description of the current requirements of
15 the National Guard for non-dual status technicians.

16 (3) A description of various means of address-
17 ing any shortfalls in meeting such requirements, in-
18 cluding both temporary shortfalls and permanent
19 shortfalls.

20 (b) **CONSIDERATIONS.**—The report required by sub-
21 section (a) shall take into consideration the effects of the
22 mobilization of large numbers of National Guard military
23 technicians (dual status) on the readiness of National
24 Guard units in critically important areas and on the ca-

1 pacity of the National Guard to continue performing
 2 home-based missions and responsibilities for the States.

3 **Subtitle C—Education and**
 4 **Training**

5 **SEC. 521. GRADE OF COMMISSIONED OFFICERS IN UNI-**
 6 **FORMED MEDICAL ACCESSION PROGRAMS.**

7 (a) **MEDICAL STUDENTS OF USUHS.**—Section
 8 2114(b) of title 10, United States Code, is amended—

9 (1) in paragraph (1), by striking the second
 10 sentence and inserting the following new sentences:

11 “Each medical student shall be appointed as a reg-
 12 ular officer in the grade of second lieutenant or en-
 13 sign. An officer so appointed may, upon meeting
 14 such criteria for promotion as may be prescribed by
 15 the Secretary concerned, be appointed in the regular
 16 grade of first lieutenant or lieutenant (junior grade).

17 Medical students commissioned under this section
 18 shall serve on active duty in their respective
 19 grades.”; and

20 (2) in paragraph (2), by striking “grade of sec-
 21 ond lieutenant or ensign” and inserting “grade in
 22 which the member is serving under paragraph (1)”.

23 (b) **PARTICIPANTS IN HEALTH PROFESSIONS SCHOL-**
 24 **ARSHIP AND FINANCIAL ASSISTANCE PROGRAM.**—Section
 25 2121(c) of such title is amended—

1 (1) in paragraph (1), by striking the second
2 sentence and inserting the following new sentences:
3 “Each person so commissioned shall be appointed as
4 a reserve officer in the grade of second lieutenant or
5 ensign. An officer so appointed may, upon meeting
6 such criteria for promotion as may be prescribed by
7 the Secretary concerned, be appointed in the reserve
8 grade of first lieutenant or lieutenant (junior grade).
9 Medical students commissioned under this section
10 shall serve on active duty in their respective grades
11 for a period of 45 days during each year of partici-
12 pation in the program.”; and

13 (2) in paragraph (2), by striking “grade of sec-
14 ond lieutenant or ensign” and inserting “grade in
15 which the member is serving under paragraph (1)”.

16 (c) OFFICERS DETAILED AS STUDENTS AT MEDICAL
17 SCHOOLS.—Subsection (e) of section 2004a of such title
18 is amended—

19 (1) in the subsection heading, by striking “AP-
20 POINTMENT AND TREATMENT OF PRIOR ACTIVE
21 SERVICE” and inserting “SERVICE ON ACTIVE
22 DUTY”; and

23 (2) by striking paragraph (1) and inserting the
24 following new paragraph (1):

1 “(1) A commissioned officer detailed under sub-
 2 section (a) shall serve on active duty, subject to the limita-
 3 tions on grade specified in section 2114(b)(1) of this title
 4 and with the entitlement to basic pay as specified in sec-
 5 tion 2114(b)(2) of this title.”.

6 **SEC. 522. EXPANSION OF CRITERIA FOR APPOINTMENT AS**
 7 **MEMBER OF THE BOARD OF REGENTS OF**
 8 **THE UNIFORMED SERVICES UNIVERSITY OF**
 9 **THE HEALTH SCIENCES.**

10 Section 2113a(b)(1) of title 10, United States Code,
 11 is amended by striking “health and health education” and
 12 inserting “health care, higher education administration,
 13 and public policy”.

14 **SEC. 523. DETAIL OF COMMISSIONED OFFICERS AS STU-**
 15 **DENTS AT SCHOOLS OF PSYCHOLOGY.**

16 (a) IN GENERAL.—Chapter 101 of title 10, United
 17 States Code, is amended by inserting after section 2004
 18 the following new section:

19 **“§ 2004a. Detail of commissioned officers as students**
 20 **at schools of psychology**

21 “(a) DETAIL AUTHORIZED.—The Secretary of each
 22 military department may detail commissioned officers of
 23 the armed forces as students at accredited schools of psy-
 24 chology located in the United States for a period of train-
 25 ing leading to the degree of Doctor of Philosophy in clin-

1 ical psychology. No more than 25 officers from each mili-
2 tary department may commence such training in any sin-
3 gle fiscal year.

4 “(b) ELIGIBILITY FOR DETAIL.—To be eligible for
5 detail under subsection (a), an officer must be a citizen
6 of the United States and must—

7 “(1) have served on active duty for a period of
8 not less than two years nor more than six years and
9 be in the pay grade 0–3 or below as of the time the
10 training is to begin; and

11 “(2) sign an agreement that unless sooner sepa-
12 rated the officer will—

13 “(A) complete the educational course of
14 psychological training;

15 “(B) accept transfer or detail as a commis-
16 sioned officer within the military department
17 concerned when the officer’s training is com-
18 pleted; and

19 “(C) agree to serve, following completion
20 of the officer’s training, on active duty (or on
21 active duty and in the Selected Reserve) for a
22 period as specified pursuant to subsection (c).

23 “(c) SERVICE OBLIGATION.—(1) Except as provided
24 in paragraph (2), the agreement of an officer under sub-
25 section (b) shall provide that the officer shall serve on ac-

1 tive duty for two years for each year or part thereof of
2 the officer's training under subsection (a).

3 “(2) The agreement of an officer may authorize the
4 officer to serve a portion of the officer's service obligation
5 on active duty and to complete the service obligation that
6 remains upon separation from active duty in the Selected
7 Reserve. Under any such agreement, an officer shall serve
8 three years in the Selected Reserve for each year or part
9 thereof of the officer's training under subsection (a) for
10 any service obligation that was not completed before sepa-
11 ration from active duty.

12 “(d) SELECTION OF OFFICERS FOR DETAIL.—Offi-
13 cers detailed for training under subsection (a) shall be se-
14 lected on a competitive basis by the Secretary of the mili-
15 tary department concerned.

16 “(e) RELATION OF SERVICE OBLIGATIONS TO OTHER
17 SERVICE OBLIGATIONS.—Any service obligation incurred
18 by an officer under an agreement entered into under sub-
19 section (b) shall be in addition to any service obligation
20 incurred by the officer under any other provision of law
21 or agreement.

22 “(f) EXPENSES.—Expenses incident to the detail of
23 officers under this section shall be paid from any funds
24 appropriated for the military department concerned.

1 “(g) FAILURE TO COMPLETE PROGRAM.—(1) An of-
2 ficer who is dropped from a program of psychological
3 training to which detailed under subsection (a) for defi-
4 ciency in conduct or studies, or for other reasons, may
5 be required to perform active duty in an appropriate mili-
6 tary capacity in accordance with the active duty obligation
7 imposed on the officer under regulations issued by the
8 Secretary of Defense for purposes of this section.

9 “(2) In no case shall an officer be required to serve
10 on active duty under paragraph (1) for any period in ex-
11 cess of one year for each year or part thereof the officer
12 participated in the program.

13 “(h) LIMITATION ON DETAILS.—No agreement de-
14 tailing an officer of the armed forces to an accredited
15 school of psychology may be entered into during any pe-
16 riod in which the President is authorized by law to induct
17 persons into the armed forces involuntarily. Nothing in
18 this subsection shall affect any agreement entered into
19 during any period when the President is not authorized
20 by law to so induct persons into the armed forces.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of chapter 101 of such title is amended
23 by inserting after the item relating to section 2004 the
24 following new item:

“2004a. Detail of commissioned officers as students at schools of psychology.”.

1 **Subtitle D—Defense Dependents’**
2 **Education Matters**

3 **SEC. 531. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
4 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
5 **PENDENTS OF MEMBERS OF THE ARMED**
6 **FORCES AND DEPARTMENT OF DEFENSE CI-**
7 **VILIAN EMPLOYEES.**

8 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
9 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
10 amount authorized to be appropriated for fiscal year 2010
11 pursuant to section 301(a)(5) for operation and mainte-
12 nance for Defense-wide activities, \$30,000,000 shall be
13 available only for the purpose of providing assistance to
14 local educational agencies under subsection (a) of section
15 572 of the National Defense Authorization Act for Fiscal
16 Year 2006 (Public Law 109–163; 119 Stat. 3271; 20
17 U.S.C. 7703b).

18 (b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT
19 CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE
20 CHANGES, OR FORCE RELOCATIONS.—Of the amount au-
21 thorized to be appropriated for fiscal year 2010 pursuant
22 to section 301(5) for operation and maintenance for De-
23 fense-wide activities, \$10,000,000 shall be available only
24 for the purpose of providing assistance to local educational

1 agencies under subsection (b) of such section 572, as
2 amended by section 533 of this Act.

3 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
4 this section, the term “local educational agency” has the
5 meaning given that term in section 8013(9) of the Ele-
6 mentary and Secondary Education Act of 1965 (20 U.S.C.
7 7713(9)).

8 **SEC. 532. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
9 **ABILITIES.**

10 Of the amount authorized to be appropriated for fis-
11 cal year 2010 pursuant to section 301(a)(5) for operation
12 and maintenance for Defense-wide activities, \$5,000,000
13 shall be available for payments under section 363 of the
14 Floyd D. Spence National Defense Authorization Act for
15 Fiscal Year 2001 (as enacted into law by Public Law 106-
16 398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

17 **SEC. 533. TWO-YEAR EXTENSION OF AUTHORITY FOR AS-**
18 **SISTANCE TO LOCAL EDUCATIONAL AGEN-**
19 **CIES WITH ENROLLMENT CHANGES DUE TO**
20 **BASE CLOSURES, FORCE STRUCTURE**
21 **CHANGES, OR FORCE RELOCATIONS.**

22 Section 572(b)(4) of the National Defense Authoriza-
23 tion Act for Fiscal Year 2006 (Public Law 109–163; 119
24 Stat. 3271; 20 U.S.C. 7703b(b)(4)) is amended by strik-

1 ing “September 30, 2010” and inserting “September 30,
2 2012”.

3 **SEC. 534. PERMANENT AUTHORITY FOR ENROLLMENT IN**
4 **DEFENSE DEPENDENTS’ EDUCATION SYSTEM**
5 **OF DEPENDENTS OF FOREIGN MILITARY**
6 **MEMBERS ASSIGNED TO SUPREME HEAD-**
7 **QUARTERS ALLIED POWERS, EUROPE.**

8 (a) PERMANENT AUTHORITY.—Subsection (a)(2) of
9 section 1404A of the Defense Dependents’ Education Act
10 of 1978 (20 U.S.C. 923a) is amended by striking “, and
11 only through the 2010–2011 school year”.

12 (b) COMBATANT COMMANDER ADVICE AND ASSIST-
13 ANCE.—Subsection (c)(1) of such section is amended by
14 inserting after “Secretary” the following: “, with the ad-
15 vice and assistance of the commander of the geographic
16 combatant command with jurisdiction over Mons, Bel-
17 gium,”.

18 **SEC. 535. STUDY ON OPTIONS FOR EDUCATIONAL OPPOR-**
19 **TUNITIES FOR DEPENDENT CHILDREN OF**
20 **MEMBERS OF THE ARMED FORCES WHO DO**
21 **NOT ATTEND DEPARTMENT OF DEFENSE DE-**
22 **PENDENTS SCHOOLS.**

23 (a) STUDY ON OPTIONS FOR EDUCATIONAL OPPOR-
24 TUNITIES.—

1 (1) STUDY REQUIRED.—The Secretary of De-
2 fense shall, in consultation with the Secretary of
3 Education, conduct a study on options for edu-
4 cational opportunities that are, or may be, available
5 for dependent children of members of the Armed
6 Forces who do not attend Department of Defense
7 dependents' schools when the public elementary and
8 secondary schools attended by such children are de-
9 termined to be in need of improvement pursuant to
10 the No Child Left Behind Act of 2001 (Public Law
11 110–117).

12 (2) OPTIONS.—The options to be considered
13 under the study required by paragraph (1) shall in-
14 clude the following:

15 (A) Vouchers.

16 (B) Education provided by the Department
17 of Defense through the Internet.

18 (C) Charter schools.

19 (D) Such other options as the Secretary of
20 Defense, in consultation with the Secretary of
21 Education, considers appropriate for purposes
22 of the study.

23 (3) ELEMENTS.—The study required by para-
24 graph (1) shall address the following matters:

1 (A) The challenges faced by parents in
2 military families in securing quality elementary
3 and secondary education for their children when
4 the public elementary and secondary schools at-
5 tended by their children are identified as being
6 in need of improvement.

7 (B) The extent to which perceptions of dif-
8 fering degrees of quality in public elementary
9 and secondary schools in different regions of
10 the United States affect plans of military fami-
11 lies to relocate, including relocation pursuant to
12 a permanent change of duty station.

13 (C) The various reasons why military fami-
14 lies seek educational opportunities for their chil-
15 dren other than those available through local
16 public elementary and secondary schools.

17 (D) The current level of student achieve-
18 ment in public elementary and secondary
19 schools in school districts which have a high
20 percentage of students who are children of mili-
21 tary families.

22 (E) The educational needs of children of
23 military families who are required by location to
24 attend public elementary and secondary schools
25 identified as being in need of improvement.

1 (F) The value and impact of a school
2 voucher or other alternative educational pro-
3 gram for military families.

4 (G) The extent to which the options re-
5 ferred to in paragraph (2) would provide a
6 meaningful option for education for military
7 children when the public elementary and sec-
8 ondary schools attended by such children are
9 determined to be in need of improvement.

10 (H) Such other matters as the Secretary of
11 Defense, in consultation with the Secretary of
12 Education, considers appropriate for purposes
13 of the study.

14 (b) REPORT.—Not later than March 31, 2010, the
15 Secretary of Defense shall submit to the Committee on
16 Armed Services of the Senate and the Committee on
17 Armed Services of the House of Representatives a report
18 on the study required by subsection (b). The report shall
19 include the following:

20 (1) A description of the results of the study.

21 (2) Such recommendations for legislative or ad-
22 ministrative action as the Secretary of Defense con-
23 sidered appropriate in light of the results of the
24 study.

1 **SEC. 536. SENSE OF SENATE ON THE INTERSTATE COM-**
2 **PACT ON EDUCATIONAL OPPORTUNITY FOR**
3 **MILITARY CHILDREN.**

4 (a) FINDINGS.—The Senate makes the following
5 findings:

6 (1) The incongruity in how States assess and
7 enroll transfer students creates challenges for the
8 moving military family and can, in some cases, be
9 detrimental to the higher education opportunities of
10 military children.

11 (2) The inability to transfer credits, maintain
12 the proper number of school-year hours, missing
13 exams, and other obstacles can make moving as a
14 military family difficult.

15 (3) The average military child moves six to nine
16 times between kindergarten and high school gradua-
17 tion, creating a variety of challenges and obstacles
18 related to permanent change of station moves.

19 (4) The demands and strains on members of
20 the Armed Forces and their families continue to in-
21 crease and will do so for the foreseeable future as
22 the United States continues overseas contingency op-
23 erations, and children and adolescents are acutely
24 vulnerable to family stresses caused by the high
25 operational tempo and may therefore be at a height-
26 ened risk for emotional distress.

1 (5) The routine of the school environment can
2 be a source of stability for military children as they
3 cope with the disruptive challenges caused by the de-
4 ployment of a parent or a relocation.

5 (b) SENSE OF SENATE.—It is the sense of the Senate
6 to—

7 (1) express strong support and commendation
8 for Alabama, Alaska, Arizona, Colorado, Con-
9 necticut, Delaware, Florida, Hawaii, Indiana, Iowa,
10 Kansas, Kentucky, Maryland, Michigan, Mississippi,
11 Missouri, Nevada, North Carolina, Oklahoma,
12 Texas, Virginia, and Washington as States that have
13 successfully enacted the Interstate Compact on Edu-
14 cational Opportunity for Military Children;

15 (2) express its strong support and encourage all
16 remaining States to enact the Interstate Compact on
17 Educational Opportunity for Military Children;

18 (3) recognize the importance of the components
19 of the Interstate Compact on Educational Oppor-
20 tunity for Military Children, including—

21 (A) the transfer of educational records to
22 expedite the proper enrollment and placement
23 of students;

24 (B) the ability of students to continue
25 their enrollment at a grade level in the receiving

1 State commensurate with their grade level from
2 the sending State;

3 (C) priority for attendance to children of
4 members of the Armed Forces assuming the
5 school district accepts transfer students;

6 (D) the ability of students to continue
7 their course placement, including but not lim-
8 ited to Honors, International Baccalaureate,
9 Advanced Placement, vocational, technical, and
10 career pathways courses;

11 (E) the recalculation of grades to consider
12 the weights offered by a receiving school for the
13 same performance in the same course when a
14 student transfers from one grading system to
15 another system (for example, number-based sys-
16 tem to letter-based system);

17 (F) the waiver of specific courses required
18 for graduation if similar course work has been
19 satisfactorily completed in another local edu-
20 cation agency or the provision of an alternative
21 means of acquiring required coursework so that
22 graduation may occur on time; and

23 (G) the recognition of an appointed guard-
24 ian as a custodial parent while the child's par-
25 ent or parents are deployed; and

1 (4) express strong support for States to develop
2 a State Council to provide for the coordination
3 among their agencies of government, local education
4 agencies, and military installations concerning the
5 participation of a State in the Interstate Compact
6 on Educational Opportunity for Military Children.

7 **Subtitle E—Military Justice and**
8 **Legal Assistance Matters**

9 **SEC. 541. INDEPENDENT REVIEW OF JUDGE ADVOCATE RE-**
10 **QUIREMENTS OF THE DEPARTMENT OF THE**
11 **NAVY.**

12 (a) INDEPENDENT PANEL FOR REVIEW.—

13 (1) ESTABLISHMENT.—There is hereby estab-
14 lished an independent panel to review the judge ad-
15 vocate requirements of the Department of the Navy.

16 (2) COMPOSITION.—The panel shall be com-
17 posed of five members, appointed by the Secretary
18 of Defense from among private United States citi-
19 zens who have expertise in law, military manpower
20 policies, the missions of the Navy and Marine Corps,
21 and the current responsibilities of Navy and Marine
22 Corps judge advocates in ensuring competent legal
23 representation and advice to commanders.

1 (3) CHAIR.—The chair of the panel shall be ap-
2 pointed by the Secretary from among the members
3 of the panel appointed under paragraph (2).

4 (4) PERIOD OF APPOINTMENT; VACANCIES.—
5 Members shall be appointed for the life of the panel.
6 Any vacancy in the panel shall be filled in the same
7 manner as the original appointment.

8 (5) MEETINGS.—The panel shall meet at the
9 call of the chair.

10 (6) DEADLINE FOR APPOINTMENTS.—All origi-
11 nal appointments to the panel shall be made not
12 later than April 1, 2010.

13 (7) FIRST MEETING.—The chair shall call the
14 first meeting of the panel not later than June 1,
15 2010.

16 (b) DUTIES.—

17 (1) IN GENERAL.—The panel established under
18 subsection (a) shall carry out a study of the policies
19 and management and organizational practices of the
20 Navy and Marine Corps with respect to the respon-
21 sibilities, assignment, and career development of
22 judge advocates for purposes of determining the
23 number of judge advocates required to fulfill the
24 legal mission of the Department of the Navy.

1 (2) REVIEW.—In carrying out the study re-
2 quired by paragraph (1), the panel shall—

3 (A) review the emergent operational law
4 requirements of the Navy and Marine Corps,
5 including requirements for judge advocates on
6 joint task forces, in support of rule of law ob-
7 jectives in Iraq and Afghanistan, and in oper-
8 ational units;

9 (B) review new requirements to support
10 the Office of Military Commissions and to sup-
11 port the disability evaluation system for mem-
12 bers of the Armed Forces;

13 (C) review the judge advocate requirements
14 of the Department of the Navy for the military
15 justice mission, including assignment policies,
16 training and education, increasing complexity of
17 court-martial litigation, and the performance of
18 the Navy and Marine Corps in providing legally
19 sufficient post-trial processing of cases in gen-
20 eral courts-martial and special courts-martial;

21 (D) review the role of the Judge Advocate
22 General of the Navy, as the senior uniformed
23 legal officer of the Department of the Navy, to
24 determine whether additional authority for the
25 Judge Advocate General over manpower policies

1 and assignments of judge advocates in the Navy
2 and Marine Corps is warranted;

3 (E) review directives issued by the Navy
4 and the Marine Corps pertaining to jointly-
5 shared missions requiring legal support;

6 (F) review career patterns for Marine
7 Corps judge advocates in order to identify and
8 validate assignments to nonlegal billets required
9 for professional development and promotion;
10 and

11 (G) review, evaluate, and assess such other
12 matters and materials as the panel considers
13 appropriate for purposes of the study.

14 (3) UTILIZATION OF OTHER STUDIES.—In car-
15 rying out the study required by paragraph (1), the
16 panel may review, and incorporate as appropriate,
17 the findings of applicable ongoing and completed
18 studies in future manpower requirements, including
19 the two-part study by CNA Analysis and Solutions
20 entitled “An Analysis of Navy JAG Corps Future
21 Manpower Requirements”.

22 (4) REPORT.—Not later than 120 days after its
23 first meeting under subsection (a)(7), the panel shall
24 submit to the Secretary of Defense and the Commit-
25 tees on Armed Services of the Senate and the House

1 of Representatives a report on the study. The report
2 shall include—

3 (A) the findings and conclusions of the
4 panel as a result of the study; and

5 (B) any recommendations for legislative or
6 administrative action that the panel considers
7 appropriate in light of the study.

8 (c) PERSONNEL MATTERS.—

9 (1) PAY OF MEMBERS.—(A) Members of the
10 panel established under subsection (a) shall serve
11 without pay by reason of their work on the panel.

12 (B) Section 1342 of title 31, United States
13 Code, shall not apply to the acceptance of services
14 of a member of the panel under this section.

15 (2) TRAVEL EXPENSES.—The members of the
16 panel shall be allowed travel expenses, including per
17 diem in lieu of subsistence, at rates authorized for
18 employees of agencies under subchapter I of chapter
19 57 of title 5, United States Code, while away from
20 their homes or regular places of business in the per-
21 formance or services for the panel.

1 **Subtitle F—Military Family**
2 **Readiness Matters**

3 **SEC. 551. ADDITIONAL MEMBERS ON THE DEPARTMENT OF**
4 **DEFENSE MILITARY FAMILY READINESS**
5 **COUNCIL.**

6 Section 1781a(b)(1) of title 10, United States Code,
7 is amended—

8 (1) by redesignating subparagraphs (C) and
9 (D) as subparagraphs (D) and (E), respectively;

10 (2) by inserting after subparagraph (B) the fol-
11 lowing new subparagraph (C):

12 “(C) In addition to the representatives ap-
13 pointed under subparagraph (B)—

14 “(i) one representative from the National
15 Guard, who shall be appointed by the Secretary
16 of Defense; and

17 “(ii) one representative from a reserve
18 component of the armed forces (other than the
19 National Guard), who shall be so appointed.”;
20 and

21 (3) in subparagraph (E), as redesignated by
22 paragraph (1), by striking “subparagraph (B)” and
23 inserting “subparagraphs (B) and (C)”.

1 **SEC. 552. COMPREHENSIVE PLAN ON PREVENTION, DIAG-**
2 **NOSIS, AND TREATMENT OF SUBSTANCE USE**
3 **DISORDERS AND DISPOSITION OF SUB-**
4 **STANCE ABUSE OFFENDERS IN THE ARMED**
5 **FORCES.**

6 (a) REVIEW AND ASSESSMENT OF CURRENT CAPA-
7 BILITIES.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of the enactment of this Act, the Sec-
10 retary of Defense shall, in consultation with the Sec-
11 retaries of the military departments, conduct a com-
12 prehensive review of the following:

13 (A) The programs and activities of the De-
14 partment of Defense for the prevention, diag-
15 nosis, and treatment of substance use disorders
16 in members of the Armed Forces.

17 (B) The policies of the Department of De-
18 fense relating to the disposition of substance
19 abuse offenders in the Armed Forces, including
20 disciplinary action and administrative separa-
21 tion.

22 (2) ELEMENTS.—The review conducted under
23 paragraph (1) shall include, but not be limited to, an
24 assessment of each of the following:

25 (A) The current state and effectiveness of
26 the programs of the Department of Defense

1 and the military departments relating to the
2 prevention, diagnosis, and treatment of sub-
3 stance use disorders.

4 (B) The adequacy of the availability of and
5 access to care for substance abusers in military
6 medical treatment facilities and under the
7 TRICARE program.

8 (C) The adequacy of oversight by the De-
9 partment of Defense of programs relating to
10 the prevention, diagnosis, and treatment of sub-
11 stance abuse in members of the Armed Forces.

12 (D) The adequacy and appropriateness of
13 current credentials and other requirements for
14 healthcare professionals treating members of
15 the Armed Forces with substance use disorders.

16 (E) The advisable ratio of physician and
17 nonphysician care providers for substance use
18 disorders to members of the Armed Forces with
19 such disorders.

20 (F) The adequacy and appropriateness of
21 protocols and directives for the diagnosis and
22 treatment of substance use disorders in mem-
23 bers of the Armed Forces and for the disposi-
24 tion, including disciplinary action and adminis-

1 trative separation, of members of the Armed
2 Forces who abuse substances.

3 (G) The adequacy of the availability of and
4 access to care for substance use disorders for
5 members of the reserve components of the
6 Armed Forces, including an identification of
7 any obstacles that are unique to the prevention,
8 diagnosis, and treatment of substance use dis-
9 orders and the appropriate disposition of sub-
10 stance abuse offenders (including disciplinary
11 action and administrative separation) in mem-
12 bers of the reserve components of the Armed
13 Forces.

14 (H) The adequacy of the prevention, diag-
15 nosis, and treatment of substance use disorders
16 in family members of members of the Armed
17 Forces.

18 (I) Any gaps in the current capabilities of
19 the Department of Defense for the prevention,
20 diagnosis, and treatment of substance use dis-
21 orders in members of the Armed Forces.

22 (3) REPORT.—Not later than 180 days after
23 the date of the enactment of this Act, the Secretary
24 of Defense shall submit to the Committees on Armed
25 Services of the Senate and the House of Representa-

1 tives a report setting forth the findings and rec-
2 ommendations of the Secretary as a result of the re-
3 view conducted under paragraph (1). The report
4 shall—

5 (A) set forth the findings and rec-
6 ommendations of the Secretary regarding each
7 element of the review specified in paragraph
8 (2);

9 (B) set forth relevant statistics on the fre-
10 quency of substance use disorders, disciplinary
11 actions, and administrative separations for sub-
12 stance abuse in members of the regular compo-
13 nents of the Armed Forces, members of the re-
14 serve component of the Armed Forces, and to
15 the extent applicable, dependents of such mem-
16 bers (including spouses and children); and

17 (C) include such other findings and rec-
18 ommendations on improvements to the current
19 capabilities of the Department of Defense for
20 the prevention, diagnosis, and treatment of sub-
21 stance use disorders in members of the Armed
22 Forces and the policies relating to the disposi-
23 tion, including disciplinary action and adminis-
24 trative separation, of members of the Armed

1 Forces for substance abuse, as the Secretary
2 considers appropriate.

3 (b) PLAN FOR IMPROVEMENT AND ENHANCEMENT
4 OF PROGRAMS AND POLICIES.—

5 (1) PLAN REQUIRED.—Not later than 270 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to the congressional
8 defense committees a comprehensive plan for the im-
9 provement and enhancement of the following:

10 (A) The programs and activities of the De-
11 partment of Defense for the prevention, diag-
12 nosis, and treatment of substance use disorders
13 in members of the Armed Forces and their de-
14 pendent family members.

15 (B) The policies of the Department of De-
16 fense relating to the disposition of substance
17 abuse offenders in the Armed Forces, including
18 disciplinary action and administrative separa-
19 tion.

20 (2) BASIS.—The comprehensive plan required
21 by paragraph (1) shall take into account the fol-
22 lowing:

23 (A) The results of the review and assess-
24 ment conducted under subsection (a).

1 (B) Similar initiatives of the Secretary of
2 Veterans Affairs to expand and improve care
3 for substance use disorders among veterans, in-
4 cluding the programs and activities conducted
5 under title I of the Veterans' Mental Health
6 and Other Care Improvements Act of 2008
7 (Public Law 110–387; 112 Stat. 4112).

8 (3) COMPREHENSIVE STATEMENT OF POLICY.—

9 The comprehensive plan required by paragraph (1)
10 shall include a comprehensive statement of the fol-
11 lowing:

12 (A) The policy of the Department of De-
13 fense regarding the prevention, diagnosis, and
14 treatment of substance use disorders in mem-
15 bers of the Armed Forces and their dependent
16 family members.

17 (B) The policies of the Department of De-
18 fense relating to the disposition of substance
19 abuse offenders in the Armed Forces, including
20 disciplinary action and administrative separa-
21 tion.

22 (4) AVAILABILITY OF SERVICES AND TREAT-
23 MENT.—The comprehensive plan required by para-
24 graph (1) shall include mechanisms to ensure the
25 availability to members of the Armed Forces and

1 their dependent family members of a core of evi-
2 dence-based practices across the spectrum of medical
3 and non-medial services and treatments for sub-
4 stance use disorders.

5 (5) PREVENTION AND REDUCTION OF DIS-
6 ORDERS.—The comprehensive plan required by para-
7 graph (1) shall include mechanisms to facilitate the
8 prevention and reduction of substance use disorders
9 in members of the Armed Forces through science-
10 based initiatives, including education programs, for
11 members of the Armed Forces and their families.

12 (6) SPECIFIC INSTRUCTIONS.—The comprehen-
13 sive plan required by paragraph (1) shall include
14 each of the following:

15 (A) SUBSTANCES OF ABUSE.—Instructions
16 on the prevention, diagnosis, and treatment of
17 substance abuse in members of the Armed
18 Forces, including the abuse of alcohol, illicit
19 drugs, and nonmedical use and abuse of pre-
20 scription drugs.

21 (B) HEALTHCARE PROFESSIONALS.—In-
22 structions on—

23 (i) appropriate training of healthcare
24 professionals in the prevention, screening,

1 diagnosis, and treatment of substance use
2 disorders in members of the Armed Forces;

3 (ii) appropriate staffing levels for
4 healthcare professionals at military medical
5 treatment facilities for the prevention,
6 screening, diagnosis, and treatment of sub-
7 stance use disorders in members of the
8 Armed Forces; and

9 (iii) such uniform training and
10 credentialing requirements for physician
11 and nonphysician healthcare professionals
12 in the prevention, screening, diagnosis, and
13 treatment of substance use disorders in
14 members of the Armed Forces as the Sec-
15 retary considers appropriate.

16 (C) SERVICES FOR DEPENDENT FAMILY
17 MEMBERS.—Instructions on the availability of
18 services for substance use disorders for depend-
19 ent family members of members of the Armed
20 Forces, including instructions on making such
21 services available to such dependents to the
22 maximum extent practicable.

23 (D) RELATIONSHIP BETWEEN DISCIPLI-
24 NARY ACTION AND TREATMENT.—Policy on the
25 relationship between disciplinary actions and

1 administrative separation processing and pre-
2 vention and treatment of substance use dis-
3 orders in members of the Armed Forces.

4 (E) CONFIDENTIALITY.—Recommendations
5 regarding policies pertaining to confiden-
6 tiality for members of the Armed Forces in
7 seeking or receiving services or treatment for
8 substance use disorders.

9 (F) PARTICIPATION OF CHAIN OF COM-
10 MAND.—Policy on appropriate consultation, ref-
11 erence to, and involvement of the chain of com-
12 mand of members of the Armed Forces in mat-
13 ters relating to the diagnosis and treatment of
14 substance abuse and disposition of military
15 members who abuse substances.

16 (G) CONSIDERATION OF GENDER.—In-
17 structions on gender specific requirements, if
18 appropriate, in the prevention, diagnosis, treat-
19 ment, and management of substance use dis-
20 orders in members of the Armed Forces, includ-
21 ing gender specific care and treatment require-
22 ments.

23 (H) COORDINATION WITH OTHER
24 HEALTHCARE INITIATIVES.—Instructions on the
25 integration of efforts on the prevention, diag-

1 nosis, treatment, and management of substance
2 use disorders in members of the Armed Forces
3 with efforts to address co-occurring health care
4 disorders (such as post-traumatic stress dis-
5 order (PTSD) and depression) and suicide pre-
6 vention.

7 (7) OTHER ELEMENTS.—In addition to the
8 matters specified in paragraph (3), the comprehen-
9 sive plan required by paragraph (1) shall include the
10 following:

11 (A) IMPLEMENTATION PLAN.—An imple-
12 mentation plan for the achievement of the goals
13 of the comprehensive plan, including goals re-
14 lating to the following:

15 (i) Enhanced education of members of
16 the Armed Forces and their families re-
17 garding substance use disorders.

18 (ii) Enhanced and improved identi-
19 fication and diagnosis of substance use dis-
20 orders in members of the Armed Forces
21 and their families.

22 (iii) Enhanced and improved access of
23 members of the Armed Forces to services
24 and treatment for and management of sub-
25 stance use disorders.

1 (iv) Appropriate staffing of military
2 medical treatment facilities and other fa-
3 cilities for the treatment of substance use
4 disorders in members of the Armed Forces.

5 (B) BEST PRACTICES.—The incorporation
6 of evidence-based best practices utilized in cur-
7 rent military and civilian approaches to the pre-
8 vention, diagnosis, treatment, and management
9 of substance use disorders.

10 (C) AVAILABLE RESEARCH.—The incorpo-
11 ration of applicable results of available studies,
12 research, and academic reviews on the preven-
13 tion, diagnosis, treatment, and management of
14 substance use disorders.

15 (8) UPDATE IN LIGHT OF INDEPENDENT
16 STUDY.—Upon the completion of the study required
17 by subsection (c), the Secretary of Defense shall—

18 (A) in consultation with the Secretaries of
19 the military departments, make such modifica-
20 tions and improvements to the comprehensive
21 plan required by paragraph (1) as the Secretary
22 of Defense considers appropriate in light of the
23 findings and recommendations of the study; and

24 (B) submit to the congressional defense
25 committees a report setting forth the com-

1 prehensive plan as modified and improved
2 under subparagraph (A).

3 (c) INDEPENDENT REPORT ON SUBSTANCE USE DIS-
4 ORDERS PROGRAMS FOR MEMBERS OF THE ARMED
5 FORCES.—

6 (1) STUDY REQUIRED.—Upon completion of the
7 policy review required by subsection (a), the Sec-
8 retary of Defense shall provide for a study on sub-
9 stance use disorders programs for members of the
10 Armed Forces to be conducted by the Institute of
11 Medicine of the National Academies of Sciences or
12 such other independent entity as the Secretary shall
13 select for purposes of the study.

14 (2) ELEMENTS.—The study required by para-
15 graph (1) shall include a review and assessment of
16 the following:

17 (A) The adequacy and appropriateness of
18 protocols for the diagnosis, treatment, and
19 management of substance use disorders in
20 members of the Armed Forces.

21 (B) The adequacy of the availability of and
22 access to care for substance use disorders in
23 military medical treatment facilities and under
24 the TRICARE program.

1 (C) The adequacy and appropriateness of
2 current credentials and other requirements for
3 physician and non-physician healthcare profes-
4 sionals treating members of the Armed Forces
5 with substance use disorders.

6 (D) The advisable ratio of physician and
7 non-physician care providers for substance use
8 disorders to members of the Armed Forces with
9 such disorders.

10 (E) The adequacy of the availability of and
11 access to care for substance use disorders for
12 members of the reserve components of the
13 Armed Forces when compared with the avail-
14 ability of and access to care for substance use
15 disorders for members of the regular compo-
16 nents of the Armed Forces.

17 (F) The adequacy of the prevention, diag-
18 nosis, treatment, and management of substance
19 use disorder programs for dependent family
20 members of members of the Armed Forces,
21 whether such family members suffer from their
22 own substance use disorder or because of the
23 substance use disorder of a member of the
24 Armed Forces.

1 (G) Such other matters as the Secretary
2 considers appropriate for purposes of the study.

3 (3) REPORT.—Not later than two years after
4 the date of the enactment of this Act, the entity con-
5 ducting the study required by paragraph (1) shall
6 submit to the Secretary of Defense and the congres-
7 sional defense committees a report on the results of
8 the study. The report shall set forth the findings
9 and recommendations of the entity as a result of the
10 study.

11 **SEC. 553. MILITARY COMMUNITY SUPPORT FOR CHILDREN**
12 **WITH AUTISM AND THEIR FAMILIES.**

13 (a) POLICY ON MILITARY COMMUNITY SUPPORT RE-
14 QUIRED.—The Secretary of Defense shall develop and im-
15 plement a policy for the Department of Defense on the
16 support of military children with autism and their fami-
17 lies. The policy shall seek to establish and further an inte-
18 grated, family-centered approach to providing services to
19 military children with autism and their families by
20 leveraging the resources of local military communities and
21 local and national public and private entities devoted to
22 research and services for autism.

23 (b) PROGRAM ON SUPPORT.—

24 (1) PROGRAM REQUIRED.—In carrying out the
25 policy required by subsection (a), the Secretary shall

1 develop and carry out a program on support for
2 military children with autism and their families.

3 (2) ELEMENTS.—The program required by this
4 subsection shall provide for broad-based services, in-
5 cluding the following:

6 (A) Research.

7 (B) Early intervention.

8 (C) Evidence-based therapeutic and med-
9 ical services.

10 (D) Education and training on autism for
11 family members.

12 (E) Appropriate coordination with applica-
13 ble school programs.

14 (F) Vocational training for adolescent mili-
15 tary children with autism.

16 (G) Family counseling for families of mili-
17 tary children with autism.

18 (3) PILOT PROJECTS.—In carrying out the pro-
19 gram required by this subsection, the Secretary shall
20 conduct one or more pilot projects to assess the ef-
21 fectiveness of various approaches to developing and
22 enhancing integrated community support for mili-
23 tary children with autism, including adolescent mili-
24 tary children with autism, and their families uti-

1 lizing the program elements specified in paragraph
2 (2).

3 (4) CONSULTATION.—For purposes of carrying
4 out the requirements of this subsection, the Sec-
5 retary shall establish a partnership with one or more
6 entities (whether public or private) that provide serv-
7 ices or support for, or conduct research on, individ-
8 uals with autism spectrum disorder and their fami-
9 lies.

10 (c) REPORTS.—

11 (1) INITIAL REPORT.—Not later than 60 days
12 after the date of the enactment of this Act, the Sec-
13 retary shall submit to the congressional defense com-
14 mittees a report setting forth the actions the Sec-
15 retary proposes to take to carry out this section and
16 a proposed schedule for the taking of such actions.

17 (2) PILOT PROJECTS.—Not later than 60 days
18 after the date of the completion of the pilot project
19 or projects conducted under subsection (b)(3), the
20 Secretary shall submit to the congressional defense
21 committees a report on the pilot project or projects.
22 The report shall include a description of the pilot
23 project or projects, an assessment of the lessons
24 learned from the pilot project or projects, and a dis-
25 cussion of the manner in which the lessons so

1 learned shall be integrated into the policy required
2 by subsection (a) and the program required by sub-
3 section (b).

4 (d) FUNDING.—Of the amount authorized to be ap-
5 propriated for fiscal year 2010 pursuant to section
6 301(a)(5) for operation and maintenance, Defense-wide
7 activities, \$5,000,000 may be available to carry out this
8 section.

9 (e) MILITARY CHILDREN WITH AUTISM DEFINED.—
10 In this section, the term “military children with autism”
11 means dependent children of members of the Armed
12 Forces with autism spectrum disorder.

13 **SEC. 554. REPORTS ON EFFECTS OF DEPLOYMENTS ON**
14 **MILITARY CHILDREN AND THE AVAILABILITY**
15 **OF MENTAL HEALTH CARE AND COUNSELING**
16 **SERVICES FOR MILITARY CHILDREN.**

17 (a) IMPACT OF DEPLOYMENTS OF MILITARY PAR-
18 ENTS ON MILITARY CHILDREN.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall undertake a comprehensive assessment of the
21 impacts of military deployment on dependent chil-
22 dren of members of the Armed Forces. The assess-
23 ment shall separately address each of the categories
24 of such children as follows:

25 (A) Preschool-age children.

1 (B) Elementary-school age children.

2 (C) Teenage or adolescent children.

3 (2) ELEMENTS.—The assessment undertaken
4 under paragraph (1) shall include an assessment of
5 the following:

6 (A) The impact that separation due to the
7 deployment of a military parent or parents has
8 on children.

9 (B) The impact that multiple deployments
10 of a military parent or parents have on chil-
11 dren.

12 (C) The impact that the return from de-
13 ployment of a severely wounded or injured mili-
14 tary parent or parents has on children.

15 (D) The impact that the death of a mili-
16 tary parent or parents in connection with a de-
17 ployment has on children.

18 (E) The impact that deployment of a mili-
19 tary parent or parents has on children with pre-
20 existing psychological conditions, such as anx-
21 iety and depression.

22 (F) The impact that deployment of a mili-
23 tary parent or parents has on risk factors such
24 as child abuse, child neglect, family violence,

1 substance abuse by children, or parental sub-
2 stance abuse.

3 (G) Such other matters as the Secretary
4 considers appropriate.

5 (3) REPORT.—Not later than one year after the
6 date of the enactment of this Act, the Secretary
7 shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a
9 report on the assessment undertaken under para-
10 graph (1), including the findings and recommenda-
11 tions of the Secretary as a result of the assessment.

12 (b) MENTAL HEALTH CARE AND COUNSELING SERV-
13 ICES AVAILABLE TO MILITARY CHILDREN.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall conduct a comprehensive review of the mental
16 health care and counseling services available to de-
17 pendent children of members of the Armed Forces
18 through the Department of Defense.

19 (2) ELEMENTS.—The review under paragraph
20 (1) shall include an assessment of the following:

21 (A) The availability, quality, and effective-
22 ness of Department of Defense programs in-
23 tended to meet the mental health care needs of
24 military children.

1 (B) The availability, quality, and effective-
2 ness of Department of Defense programs in-
3 tended to promote resiliency in military children
4 in coping with deployment cycles, injury, or
5 death in military parents.

6 (C) The extent of access to, adequacy, and
7 availability of mental health care and coun-
8 seling services for military children in military
9 medical treatment facilities, in family assistance
10 centers, through Military OneSource, under the
11 TRICARE program, and in Department of De-
12 fense dependents' schools.

13 (D) Whether the status of a member of the
14 Armed Forces on active duty, or in reserve ac-
15 tive status, affects the access of a military child
16 to mental health care and counseling services.

17 (E) Whether, and to what extent, waiting
18 lists, geographic distance, and other factors
19 may obstruct the receipt by military children of
20 mental health care and counseling services.

21 (F) The extent of access to, availability,
22 and viability of specialized mental health care
23 for military children (including adolescents).

24 (G) The extent of any gaps in the current
25 capabilities of the Department of Defense to

1 provide preventive mental health services for
2 military children.

3 (H) Such other matters as the Secretary
4 considers appropriate.

5 (3) REPORT.—Not later than one year after the
6 date of the enactment of this Act, the Secretary
7 shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a
9 report on the review conducted under paragraph (1),
10 including the findings and recommendations of the
11 Secretary as a result of the review.

12 (4) COMPREHENSIVE PLAN FOR IMPROVEMENTS
13 IN ACCESS TO CARE AND COUNSELING.—The Sec-
14 retary shall develop a comprehensive plan for im-
15 provements in access to quality mental health care
16 and counseling services for military children in order
17 to develop and promote psychological health and re-
18 siliance in children of deploying and deployed mem-
19 bers of the Armed Forces. The information in the
20 report required by paragraph (3) shall provide the
21 basis for the development of the plan.

1 **SEC. 555. REPORT ON CHILD CUSTODY LITIGATION IN-**
2 **VOLVING SERVICE OF MEMBERS OF THE**
3 **ARMED FORCES.**

4 (a) **REPORT REQUIRED.**—Not later than June 1,
5 2010, the Secretary of Defense shall submit to the Com-
6 mittees on Armed Services of the Senate and the House
7 of Representatives a report on all known reported cases
8 since September 2003 involving child custody disputes in
9 which the service of a member of the Armed Forces,
10 whether a member of a regular component of the Armed
11 Forces or a member of a reserve component of the Armed
12 Forces, was an issue in the custody dispute.

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

15 (1) A statement of the total number of cases,
16 by Armed Force, in which members of the Armed
17 Forces have lost custody of a child as a result of de-
18 ployment, or the prospect of deployment, under mili-
19 tary orders.

20 (2) A summary of applicable Federal law per-
21 taining to child custody disputes involving members
22 of the Armed Forces.

23 (3) An analysis of the litigation history of all
24 available reported cases involving child custody dis-
25 putes in which the deployment of a member of the
26 Armed Forces was an issue in the dispute, and a

1 discussion of the rationale presented by deciding
2 judges and courts of the reasons for their rulings.

3 (4) An assessment of the nature and extent of
4 the problem, if any, for members of the Armed
5 Forces who are custodial parents in being able to de-
6 ploy and perform their operational mission while
7 continuing to fulfill their role as parents with sole or
8 joint custody of minor children.

9 (5) A discussion of measures being taken by the
10 States, or which are under consideration by State
11 legislatures, to address matters relating to child cus-
12 tody disputes in which one of the parties is a mem-
13 ber of the Armed Forces, and an assessment wheth-
14 er State legislatures and State courts are cognizant
15 of issues involving members of the Armed Forces
16 with minor children.

17 (6) A discussion of Family Care Plan policies
18 aimed at ensuring that appropriate measures are
19 taken by members of the Armed Forces to avoid liti-
20 gation in child custody disputes.

21 (7) Such recommendations as the Secretary
22 considers appropriate regarding how best to assist
23 members of the Armed Forces who are single, custo-
24 dial parents with respect to child custody disputes in
25 connection with the performance of military duties,

1 including the need for legislative or administrative
2 action to provide such assistance.

3 (8) Such other recommendations for legislative
4 or administrative action as the Secretary considers
5 appropriate.

6 **SEC. 556. SENSE OF SENATE ON PREPARATION AND CO-**
7 **ORDINATION OF FAMILY CARE PLANS.**

8 (a) FINDINGS.—The Senate makes the following
9 findings:

10 (1) Family Care Plans provide a military tool
11 to document the plan by which members of the
12 Armed Forces provide for the care of their family
13 members when military duties prevent members of
14 the Armed Forces from doing so themselves. Prop-
15 erly prepared Family Care Plans are essential to
16 military readiness. Minimizing the strain on mem-
17 bers of the Armed Forces of unresolved, challenged,
18 or voided child custody arrangements arising during
19 deployments or temporary duty directly contributes
20 to the national defense by enabling members of the
21 Armed Forces to devote their entire energy to their
22 military mission and duties.

23 (2) When Family Care Plans are properly pre-
24 pared and coordinated with all affected parties, the
25 legal difficulties that may otherwise arise in the ab-

1 sence of the military custodial parent often can be
2 minimized, if not eliminated.

3 (b) SENSE OF SENATE.—It is the sense of the Senate
4 that—

5 (1) the responsibility for establishing workable
6 and legally supportable Family Care Plans lies with
7 the members of the Armed Forces;

8 (2) notwithstanding that responsibility, com-
9 manders should—

10 (A) ensure that the members of their com-
11 mand fully understand the purpose of the Fam-
12 ily Care Plan and its limitations, including the
13 overriding authority of State courts to deter-
14 mine child custody arrangements notwith-
15 standing a Family Care Plan;.

16 (B) understand and emphasize to their
17 members that failure to involve, or at least in-
18 form, the non-custodial parent of custody ar-
19 rangements in anticipation of an absence can
20 undermine the Family Care Plan or even render
21 it useless, in such cases; and

22 (C) apprise their members of the risks de-
23 scribed in subparagraph (B), and strongly en-
24 courage them to seek legal assistance, as far in
25 advance of actual absences as practicable;

1 (3) the Secretary of Defense, and the Secretary
2 of Homeland Security with respect to matters con-
3 cerning the Coast Guard when it is not operating as
4 a service in the Navy, should ensure that members
5 of the Armed Forces update their Family Care
6 Plans and emphasize—

7 (A) the importance of prior planning;

8 (B) that Family Care Plans are necessary
9 not only for the single parent and for the dual
10 military couple but also for a married member
11 of the Armed Forces who has custody of a child
12 pursuant to a court order or separation agree-
13 ment or who has custody of a child whose other
14 parent is not the current spouse of the member;

15 (C) that in spite of how important Family
16 Care Plans are to readiness, they are not legal
17 documents that can change a court-mandated
18 custodial arrangement or interfere with the
19 other parent's right to custody of his or her
20 child;

21 (D) that, to the greatest extent possible, a
22 member of the Armed Forces should inform the
23 other parent of the member's impending ab-
24 sence due to military orders if such absence
25 prohibits the member from fulfilling the mem-

1 ber's custody responsibilities and inform that
2 other parent of the Family Care Plan;

3 (E) that a member of the Armed Forces
4 should attempt to obtain the consent of the
5 non-custodial or adoptive parent to any Family
6 Care Plan that would leave the child in the care
7 of a third party; and

8 (F) that if a member of the Armed Forces
9 cannot or will not contact the non-custodial
10 parent or cannot obtain that parent's consent
11 to the Family Care Plan, the commander of the
12 member should—

13 (i) counsel the member about the im-
14 plications; and

15 (ii) encourage in the strongest pos-
16 sible terms that the member seek imme-
17 diate help from a legal assistance attorney
18 or other qualified legal counsel; and

19 (4) attorneys providing legal assistance as de-
20 scribed in paragraph (3)(F)(ii) should provide mem-
21 bers of the Armed Forces a full explanation of the
22 dangers of not involving the non-custodial parent
23 and discuss appropriate courses of action.

1 **Subtitle G—Other Matters**

2 **SEC. 571. DEADLINE FOR REPORT ON SEXUAL ASSAULT IN**
 3 **THE ARMED FORCES BY DEFENSE TASK**
 4 **FORCE ON SEXUAL ASSAULT IN THE MILI-**
 5 **TARY SERVICES.**

6 Section 576(e)(1) of the Ronald W. Reagan National
 7 Defense Authorization Act for Fiscal Year 2005 (Public
 8 Law 108–375; 118 Stat. 1924; 10 U.S.C. 4331 note) is
 9 amended by striking “one year after the initiation of its
 10 examination under subsection (b)” and inserting “Decem-
 11 ber 1, 2009”.

12 **SEC. 572. CLARIFICATION OF PERFORMANCE POLICIES**
 13 **FOR MILITARY MUSICAL UNITS AND MUSI-**
 14 **CIANS.**

15 (a) CLARIFICATION.—Section 974 of title 10, United
 16 States Code, is amended to read as follows:

17 **“§ 974. Military musical units and musicians: per-**
 18 **formance policies; restriction on perform-**
 19 **ance in competition with local civilian**
 20 **musicians**

21 “(a) MILITARY MUSICIANS PERFORMING IN AN OF-
 22 FICIAL CAPACITY.—(1) A military musical unit, and a
 23 member of the armed forces who is a member of such a
 24 unit performing in an official capacity, may not engage

1 in the performance of music in competition with local civil-
2 ian musicians.

3 “(2) For purposes of paragraph (1), the following
4 shall, except as provided in paragraph (3), be included
5 among the performances that are considered to be a per-
6 formance of music in competition with local civilian musi-
7 cians:

8 “(A) A performance that is more than inci-
9 dental to an event that—

10 “(i) is not supported, in whole or in part,
11 by United States Government funds; and

12 “(ii) is not free to the public.

13 “(B) A performance of background, dinner,
14 dance, or other social music at an event that—

15 “(i) is not supported, in whole or in part,
16 by United States Government funds; and

17 “(ii) is held at a location not on a military
18 installation.

19 “(3) For purposes of paragraph (1), the following
20 shall not be considered to be a performance of music in
21 competition with local civilian musicians:

22 “(A) A performance (including background,
23 dinner, dance, or other social music) at an official
24 United States Government event that is supported,

1 in whole or in part, by United States Government
2 funds.

3 “(B) A performance at a concert, parade, or
4 other event, that—

5 “(i) is a patriotic event or a celebration of
6 a national holiday; and

7 “(ii) is free to the public.

8 “(C) A performance that is incidental to an
9 event that—

10 “(i) is not supported, in whole or in part,
11 by United States Government funds; or

12 “(ii) is not free to the public.

13 “(D) A performance (including background,
14 dinner, dance, or other social music) at—

15 “(i) an event that is sponsored by or for a
16 military welfare society, as defined in section
17 2566 of this title;

18 “(ii) an event that is a traditional military
19 event intended to foster the morale and welfare
20 of members of the armed forces and their fami-
21 lies; or

22 “(iii) an event that is specifically for the
23 benefit or recognition of members of the armed
24 forces, their family members, veterans, civilian
25 employees of the Department of Defense, or

1 former civilian employees of the Department of
2 Defense, to the extent provided in regulations
3 prescribed by the Secretary of Defense.

4 “(E) A performance (including background,
5 dinner, dance, or other social music)—

6 “(i) to uphold the standing and prestige of
7 the United States with dignitaries and distin-
8 guished or prominent persons or groups of the
9 United States or another nation; or

10 “(ii) in support of fostering and sustaining
11 a cooperative relationship with another nation.

12 “(b) PROHIBITION OF MILITARY MUSICIANS AC-
13 CEPTING ADDITIONAL REMUNERATION FOR OFFICIAL
14 PERFORMANCES.—A military musical unit, and a member
15 of the armed forces who is a member of such a unit per-
16 forming in an official capacity, may not receive remunera-
17 tion for an official performance, other than applicable mili-
18 tary pay and allowances.

19 “(c) RECORDINGS.—(1) When authorized under reg-
20 ulations prescribed by the Secretary of Defense for pur-
21 poses of this section, a military musical unit may produce
22 recordings for distribution to the public, at a cost not to
23 exceed expenses of production and distribution.

24 “(2) Amounts received in payment for a recording
25 distributed to the public under this subsection shall be

1 credited to the appropriation or account providing the
2 funds for the production of the recording. Any amount so
3 credited shall be merged with amounts in the appropria-
4 tion or account to which credited, and shall be available
5 for the same purposes, and subject to the same conditions
6 and limitations, as amounts in such appropriation or ac-
7 count.

8 “(d) PERFORMANCES AT FOREIGN LOCATIONS.—
9 Subsection (a) does not apply to a performance outside
10 the United States, its commonwealths, or its possessions.

11 “(e) MILITARY MUSICAL UNIT DEFINED.—In this
12 section, the term ‘military musical unit’ means a band,
13 ensemble, chorus, or similar musical unit of the armed
14 forces.”.

15 (b) CLERICAL AMENDMENT.—The item relating to
16 such section in the table of sections at the beginning of
17 chapter 49 of such title is amended to read as follows:

“974. Military musical units and musicians: performance policies; restriction on
performance in competition with local civilian musicians.”.

18 **TITLE VI—COMPENSATION AND**
19 **OTHER PERSONNEL BENEFITS**
20 **Subtitle A—Pay and Allowances**

21 **SEC. 601. FISCAL YEAR 2010 INCREASE IN MILITARY BASIC**

22 **PAY.**

23 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The
24 adjustment to become effective during fiscal year 2010 re-

1 quired by section 1009 of title 37, United States Code,
2 in the rates of monthly basic pay authorized members of
3 the uniformed services shall not be made.

4 (b) INCREASE IN BASIC PAY.—Effective on January
5 1, 2010, the rates of monthly basic pay for members of
6 the uniformed services are increased by 3.4 percent.

7 **SEC. 602. COMPTROLLER GENERAL OF THE UNITED**
8 **STATES COMPARATIVE ASSESSMENT OF MILI-**
9 **TARY AND PRIVATE-SECTOR PAY AND BENE-**
10 **FITS.**

11 (a) STUDY REQUIRED.—The Comptroller General of
12 the United States shall conduct a study comparing pay
13 and benefits provided by law to members of the Armed
14 Forces with pay and benefits provided by the private sec-
15 tor to comparably situated private-sector employees.

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

18 (1) An assessment of total military compensa-
19 tion for officers and for enlisted personnel, including
20 basic pay, the basic allowance for housing (BAH),
21 the basic allowance for subsistence (BAS), tax bene-
22 fits applicable to military pay and allowances under
23 Federal law (including the Social Security laws) and
24 State law, military retirement benefits, commissary

1 and exchange privileges, and military healthcare
2 benefits.

3 (2) An assessment of private-sector pay and
4 benefits for civilians of similar age, education, and
5 experience in like fields of officers and enlisted per-
6 sonnel of the Armed Forces, including pay, bonuses,
7 employee options, fringe benefits, retirement bene-
8 fits, individual retirement investment benefits, flexi-
9 ble spending accounts and health savings accounts,
10 and any other elements of private-sector compensa-
11 tion that the Comptroller General considers appro-
12 priate.

13 (3) An identification of the percentile of com-
14 parable private-sector compensation at which mem-
15 bers of the Armed Forces are paid, including an as-
16 sessment of the adequacy of percentile comparisons
17 generally and whether the Department of Defense
18 goal of compensating members of the Armed Forces
19 at the 80th percentile of comparable private-sector
20 compensation, as described in the 10th Quadrennial
21 Review of Military Compensation, is appropriate and
22 adequate to achieve comparability of pay between
23 members of the Armed Forces and private-sector
24 employees.

1 (c) REPORT.—The Comptroller General shall submit
2 to the congressional defense committees a report on the
3 study required by subsection (a) by not later than April
4 1, 2010.

5 **SEC. 603. INCREASE IN MAXIMUM MONTHLY AMOUNT OF**
6 **SUPPLEMENTAL SUBSISTENCE ALLOWANCE**
7 **FOR LOW-INCOME MEMBERS WITH DEPEND-**
8 **ENTS.**

9 (a) INCREASE IN MAXIMUM MONTHLY AMOUNT.—
10 Section 402a(a) of title 37, United States Code, is amend-
11 ed—

12 (1) in paragraph (2), by striking “\$500” and
13 inserting “\$1,100”; and

14 (2) in paragraph (3)(B), by striking “\$500”
15 and inserting “\$1,100”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 subsection (a) shall take effect on October 1, 2009, and
18 shall apply with respect to monthly supplemental subsist-
19 ence allowances for low-income members with dependents
20 payable on or after that date.

21 (c) REPORT ON ELIMINATION OF RELIANCE ON SUP-
22 PLEMENTAL NUTRITION ASSISTANCE PROGRAM TO MEET
23 NUTRITIONAL NEEDS OF MEMBERS OF THE ARMED
24 FORCES AND THEIR DEPENDENTS.—

1 (1) IN GENERAL.—Not later than September 1,
2 2010, the Secretary of Defense shall, in consultation
3 with the Secretary of Agriculture, submit to the con-
4 gressional defense committees a report setting forth
5 a plan for actions to eliminate the need for members
6 of the Armed Forces and their dependents to rely on
7 the supplemental nutrition assistance program under
8 the Food Stamp Act of 1977 (7 U.S.C. 2011 et
9 seq.) for their monthly nutritional needs.

10 (2) ELEMENTS.—The plan required by para-
11 graph (1) shall address the following:

12 (A) An appropriate amount or amounts for
13 the monthly supplemental subsistence allowance
14 for low-income members with dependents pay-
15 able under section 402a of title 37, United
16 States Code.

17 (B) Such modifications, if any, to the eligi-
18 bility requirements for the monthly supple-
19 mental subsistence allowance, including limita-
20 tions on the maximum size of the household of
21 a member for purposes of eligibility for the al-
22 lowance, as the Secretary of Defense considers
23 appropriate.

24 (C) The advisability of requiring members
25 of the Armed Forces to apply for the monthly

1 supplemental subsistence allowance before seek-
2 ing assistance under the supplemental nutrition
3 assistance program.

4 (D) Such other matters as the Secretary of
5 Defense considers appropriate.

6 **SEC. 604. BENEFITS UNDER POST-DEPLOYMENT/MOBILIZA-**
7 **TION RESPITE ABSENCE PROGRAM FOR CER-**
8 **TAIN PERIODS BEFORE IMPLEMENTATION OF**
9 **PROGRAM.**

10 (a) IN GENERAL.—Under regulations prescribed by
11 the Secretary of Defense, the Secretary concerned may
12 provide any member or former member of the Armed
13 Forces with the benefits specified in subsection (b) if the
14 member or former member would, on any day during the
15 period beginning on January 19, 2007, and ending on the
16 date of the implementation of the Post-Deployment/Mobi-
17 lization Respite Absence (PDMRA) program by the Sec-
18 retary concerned, have qualified for a day of administra-
19 tive absence under the Post-Deployment/Mobilization Res-
20 pite Absence program had the program been in effect dur-
21 ing such period.

22 (b) BENEFITS.—The benefits specified in this sub-
23 section are the following:

24 (1) In the case of an individual who is a former
25 member of the Armed Forces at the time of the pro-

1 vision of benefits under this section, payment of an
2 amount not to exceed \$200 for each day the indi-
3 vidual would have qualified for a day of administra-
4 tive absence as described in subsection (a) during
5 the period specified in that subsection.

6 (2) In the case of an individual who is a mem-
7 ber of the Armed Forces at the time of the provision
8 of benefits under this section, either one day of ad-
9 ministrative absence or payment of an amount not
10 to exceed \$200, as selected by the Secretary con-
11 cerned, for each day the individual would have quali-
12 fied for a day of administrative absence as described
13 in subsection (a) during the period specified in that
14 subsection.

15 (c) EXCLUSION OF CERTAIN FORMER MEMBERS.—
16 A former member of the Armed Forces is not eligible
17 under this section for the benefits specified in subsection
18 (b)(1) if the former member was discharged or released
19 from the Armed Forces under other than honorable condi-
20 tions.

21 (d) MAXIMUM NUMBER OF DAYS OF BENEFITS
22 PROVIDABLE.—The number of days of benefits providable
23 to a member or former member of the Armed Forces
24 under this section may not exceed 40 days of benefits.

1 (e) FORM OF PAYMENT.—The paid benefits
2 providable under subsection (b) may be paid in a lump
3 sum or installments, at the election of the Secretary con-
4 cerned.

5 (f) CONSTRUCTION WITH OTHER PAY AND LEAVE.—
6 The benefits provided a member or former member of the
7 Armed Forces under this section are in addition to any
8 other pay, absence, or leave provided by law.

9 (g) DEFINITIONS.—In this section:

10 (1) The term “Post-Deployment/Mobilization
11 Respite Absence program” means the program of a
12 military department to provide days of administra-
13 tive absence not chargeable against available leave to
14 certain deployed or mobilized members of the Armed
15 Forces in order to assist such members in reinte-
16 grating into civilian life after deployment or mobili-
17 zation.

18 (2) The term “Secretary concerned” has the
19 meaning given that term in section 101(5) of title
20 37, United States Code.

21 (h) TERMINATION.—

22 (1) IN GENERAL.—The authority to provide
23 benefits under this section shall expire on the date
24 that is one year after the date of the enactment of
25 this Act.

1 (2) CONSTRUCTION.—Expiration under this
2 subsection of the authority to provide benefits under
3 this section shall not affect the utilization of any day
4 of administrative absence provided a member of the
5 Armed Forces under subsection (b)(2), or the pay-
6 ment of any payment authorized a member or
7 former member of the Armed Forces under sub-
8 section (b), before the expiration of the authority in
9 this section.

10 **Subtitle B—Bonuses and Special** 11 **and Incentive Pays**

12 **SEC. 611. EXTENSION OF CERTAIN BONUS AND SPECIAL** 13 **PAY AUTHORITIES FOR RESERVE FORCES.**

14 (a) SELECTED RESERVE REENLISTMENT BONUS.—
15 Section 308b(g) of title 37, United States Code, is amend-
16 ed by striking “December 31, 2009” and inserting “De-
17 cember 31, 2010”.

18 (b) SELECTED RESERVE AFFILIATION OR ENLIST-
19 MENT BONUS.—Section 308c(i) of such title is amended
20 by striking “December 31, 2009” and inserting “Decem-
21 ber 31, 2010”.

22 (c) SPECIAL PAY FOR ENLISTED MEMBERS AS-
23 SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section
24 308d(e) of such title is amended by striking “December
25 31, 2009” and inserting “December 31, 2010”.

1 (d) READY RESERVE ENLISTMENT BONUS FOR PER-
2 SONS WITHOUT PRIOR SERVICE.—Section 308g(f)(2) of
3 such title is amended by striking “December 31, 2009”
4 and inserting “December 31, 2010”.

5 (e) READY RESERVE ENLISTMENT AND REENLIST-
6 MENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Sec-
7 tion 308h(e) of such title is amended by striking “Decem-
8 ber 31, 2009” and inserting “December 31, 2010”.

9 (f) SELECTED RESERVE ENLISTMENT BONUS FOR
10 PERSONS WITH PRIOR SERVICE.—Section 308i(f) of such
11 title is amended by striking “December 31, 2009” and in-
12 serting “December 31, 2010”.

13 (g) INCOME REPLACEMENT PAYMENTS.—Section
14 910(g) of such title is amended by striking “December 31,
15 2009” and inserting “December 31, 2010”.

16 **SEC. 612. EXTENSION OF CERTAIN BONUS AND SPECIAL**
17 **PAY AUTHORITIES FOR HEALTH CARE PRO-**
18 **FESSIONALS.**

19 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-
20 GRAM.—Section 2130a(a)(1) of title 10, United States
21 Code, is amended by striking “December 31, 2009” and
22 inserting “December 31, 2010”.

23 (b) REPAYMENT OF EDUCATION LOANS FOR CER-
24 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-
25 LECTED RESERVE.—Section 16302(d) of such title is

1 amended by striking “December 31, 2009” and inserting
2 “December 31, 2010”.

3 (c) ACCESSION AND RETENTION BONUSES FOR PSY-
4 CHOLOGISTS.—Section 302c-1(f) of title 37, United States
5 Code, is amended by striking “December 31, 2009” and
6 inserting “December 31, 2010”.

7 (d) ACCESSION BONUS FOR REGISTERED NURSES.—
8 Section 302d(a)(1) of such title is amended by striking
9 “December 31, 2009” and inserting “December 31,
10 2010”.

11 (e) INCENTIVE SPECIAL PAY FOR NURSE ANES-
12 THETISTS.—Section 302e(a)(1) of such title is amended
13 by striking “December 31, 2009” and inserting “Decem-
14 ber 31, 2010”.

15 (f) SPECIAL PAY FOR SELECTED RESERVE HEALTH
16 PROFESSIONALS IN CRITICALLY SHORT WARTIME SPE-
17 CIALTIES.—Section 302g(e) of such title is amended by
18 striking “December 31, 2009” and inserting “December
19 31, 2010”.

20 (g) ACCESSION BONUS FOR DENTAL OFFICERS.—
21 Section 302h(a)(1) of such title is amended by striking
22 “December 31, 2009” and inserting “December 31,
23 2010”.

1 (h) **ACCESSION BONUS FOR PHARMACY OFFICERS.**—
2 Section 302j(a) of such title is amended by striking “De-
3 cember 31, 2009” and inserting “December 31, 2010”.

4 (i) **ACCESSION BONUS FOR MEDICAL OFFICERS IN**
5 **CRITICALLY SHORT WARTIME SPECIALTIES.**—Section
6 302k(f) of such title is amended by striking “December
7 31, 2009” and inserting “December 31, 2010”.

8 (j) **ACCESSION BONUS FOR DENTAL SPECIALIST OF-**
9 **FICERS IN CRITICALLY SHORT WARTIME SPECIALTIES.**—
10 Section 302l(g) of such title is amended by striking “De-
11 cember 31, 2009” and inserting “December 31, 2010”.

12 **SEC. 613. EXTENSION OF SPECIAL PAY AND BONUS AU-**
13 **THORITIES FOR NUCLEAR OFFICERS.**

14 (a) **SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-**
15 **CERS EXTENDING PERIOD OF ACTIVE SERVICE.**—Section
16 312(f) of title 37, United States Code, is amended by
17 striking “December 31, 2009” and inserting “December
18 31, 2010”.

19 (b) **NUCLEAR CAREER ACCESSION BONUS.**—Section
20 312b(c) of such title is amended by striking “December
21 31, 2009” and inserting “December 31, 2010”.

22 (c) **NUCLEAR CAREER ANNUAL INCENTIVE**
23 **BONUS.**—Section 312c(d) of such title is amended by
24 striking “December 31, 2009” and inserting “December
25 31, 2010”.

1 **SEC. 614. EXTENSION OF AUTHORITIES RELATING TO TITLE**
2 **37 CONSOLIDATED SPECIAL PAY, INCENTIVE**
3 **PAY, AND BONUS AUTHORITIES.**

4 (a) GENERAL BONUS AUTHORITY FOR ENLISTED
5 MEMBERS.—Section 331(h) of title 37, United States
6 Code, is amended by striking “December 31, 2009” and
7 inserting “December 31, 2010”.

8 (b) GENERAL BONUS AUTHORITY FOR OFFICERS.—
9 Section 332(g) of such title is amended by striking “De-
10 cember 31, 2009” and inserting “December 31, 2010”.

11 (c) SPECIAL BONUS AND INCENTIVE PAY AUTHORI-
12 TIES FOR NUCLEAR OFFICERS.—Section 333(i) of such
13 title is amended by striking “December 31, 2009” and in-
14 serting “December 31, 2010”.

15 (d) SPECIAL AVIATION INCENTIVE PAY AND BONUS
16 AUTHORITIES.—Section 334(i) of such title is amended by
17 striking “December 31, 2009” and inserting “December
18 31, 2010”.

19 (e) SPECIAL HEALTH PROFESSIONS INCENTIVE PAY
20 AND BONUS AUTHORITIES.—Section 335(k) of such title
21 is amended by striking “December 31, 2009” and insert-
22 ing “December 31, 2010”.

23 (f) HAZARDOUS DUTY PAY.—Section 351(i) of such
24 title is amended by striking “December 31, 2009” and in-
25 serting “December 31, 2010”.

1 (g) ASSIGNMENT PAY OR SPECIAL DUTY PAY.—Sec-
2 tion 352(g) of such title is amended by striking “Decem-
3 ber 31, 2009” and inserting “December 31, 2010”.

4 (h) SKILL INCENTIVE PAY OR PROFICIENCY
5 BONUS.—Section 353(j) of such title is amended by strik-
6 ing “December 31, 2009” and inserting “December 31,
7 2010”.

8 (i) RETENTION BONUS FOR MEMBERS WITH CRIT-
9 ICAL MILITARY SKILLS OR ASSIGNED TO HIGH PRIORITY
10 UNITS.—Section 355(i) of such title is amended by strik-
11 ing “December 31, 2009” and inserting “December 31,
12 2010”.

13 **SEC. 615. EXTENSION OF AUTHORITIES RELATING TO PAY-**
14 **MENT OF OTHER TITLE 37 BONUSES AND SPE-**
15 **CIAL PAYS.**

16 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
17 tion 301b(a) of title 37, United States Code, is amended
18 by striking “December 31, 2009” and inserting “Decem-
19 ber 31, 2010”.

20 (b) ASSIGNMENT INCENTIVE PAY.—Section 307a(g)
21 of such title is amended by striking “December 31, 2009”
22 and inserting “December 31, 2010”.

23 (c) REENLISTMENT BONUS FOR ACTIVE MEM-
24 BERS.—Section 308(g) of such title is amended by strik-

1 ing “December 31, 2009” and inserting “December 31,
2 2010”.

3 (d) ENLISTMENT BONUS.—Section 309(e) of such
4 title is amended by striking “December 31, 2009” and in-
5 serting “December 31, 2010”.

6 (e) ACCESSION BONUS FOR NEW OFFICERS IN CRIT-
7 ICAL SKILLS.—Section 324(g) of such title is amended by
8 striking “December 31, 2009” and inserting “December
9 31, 2010”.

10 (f) INCENTIVE BONUS FOR CONVERSION TO MILI-
11 TARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL
12 SHORTAGE.—Section 326(g) of such title is amended by
13 striking “December 31, 2009” and inserting “December
14 31, 2010”.

15 (g) INCENTIVE BONUS FOR TRANSFER BETWEEN
16 ARMED FORCES.—Section 327(h) of such title is amended
17 by striking “December 31, 2009” and inserting “Decem-
18 ber 31, 2010”.

19 (h) ACCESSION BONUS FOR OFFICER CAN-
20 DIDATES.—Section 330(f) of such title is amended by
21 striking “December 31, 2009” and inserting “December
22 31, 2010”.

1 **SEC. 616. EXTENSION OF AUTHORITIES RELATING TO PAY-**
2 **MENT OF REFERRAL BONUSES.**

3 (a) HEALTH PROFESSIONS REFERRAL BONUS.—Sec-
4 tion 1030(i) of title 10, United States Code, is amended
5 by striking “December 31, 2009” and inserting “Decem-
6 ber 31, 2010”.

7 (b) ARMY REFERRAL BONUS.—Section 3252(h) of
8 such title is amended by striking “December 31, 2009”
9 and inserting “December 31, 2010”.

10 **SEC. 617. SPECIAL COMPENSATION FOR MEMBERS OF THE**
11 **UNIFORMED SERVICES WITH COMBAT-RE-**
12 **LATED CATASTROPHIC INJURIES OR ILL-**
13 **NESSES REQUIRING ASSISTANCE IN EVERY-**
14 **DAY LIVING.**

15 (a) IN GENERAL.—Chapter 7 of title 37, United
16 States Code, is amended by adding at the end the fol-
17 lowing new section:

18 **“§ 439. Special compensation: members of the uni-**
19 **formed services with combat-related cat-**
20 **astrophic injuries or illnesses requiring**
21 **assistance in everyday living**

22 “(a) MONTHLY COMPENSATION.—The Secretary con-
23 cerned may pay to any member of the uniformed services
24 described in subsection (b) monthly special compensation
25 in an amount determined under subsection (c).

1 “(b) COVERED MEMBERS.—A member eligible for
2 monthly special compensation authorized by subsection (a)
3 is a member who—

4 “(1) has a combat-related catastrophic injury or
5 illness;

6 “(2) has been certified by a licensed physician
7 to be in need of assistance from another person to
8 perform the personal functions required in everyday
9 living; and

10 “(3) meets such other criteria, if any, as the
11 Secretary of Defense (or the Secretary of Homeland
12 Security, with respect to the Coast Guard) pre-
13 scribes for purposes of this section.

14 “(c) AMOUNT.—(1) The amount of monthly special
15 compensation payable to a member under subsection (a)
16 shall be determined under criteria prescribed by the Sec-
17 retary of Defense (or the Secretary of Homeland Security,
18 with respect to the Coast Guard), but may not exceed the
19 amount of aid and attendance allowance authorized by
20 section 1114(r) of title 38 for veterans in need of regular
21 aid and attendance.

22 “(2) In determining the amount of monthly special
23 compensation, the Secretary concerned shall consider the
24 following:

1 “(A) The extent to which home health care and
2 related services are being provided by the Govern-
3 ment.

4 “(B) The extent to which aid and attendance
5 services are being provided by family and friends
6 who may be compensated with funds provided
7 through the monthly special compensation.

8 “(d) PAYMENT UNTIL MEDICAL RETIREMENT.—
9 Monthly special compensation is payable under this sec-
10 tion to a member described in subsection (b) for any
11 month that begins before the date on which the member
12 is medically retired.

13 “(e) CONSTRUCTION WITH OTHER PAY AND ALLOW-
14 ANCES.—Monthly special compensation payable to a mem-
15 ber under this section is in addition to any other pay and
16 allowances payable to the member by law.

17 “(f) DEFINITIONS.—In this section:

18 “(1) The term ‘catastrophic injury or illness’,
19 with respect to member, means a permanent, se-
20 verely disabling injury, disorder, or disease that
21 compromises the member’s ability to carry out the
22 activities of daily living to such a degree that the
23 member requires personal or mechanical assistance
24 to leave home or bed, or requires constant super-
25 vision to avoid physical harm to self or others.

1 “(2) The term ‘combat-related’, with respect to
 2 a catastrophic injury or illness, means an injury or
 3 illness incurred as described in section 1413a(e) of
 4 title 10.

5 “(g) REGULATIONS.—The Secretary of Defense (or
 6 the Secretary of Homeland Security, with respect to the
 7 Coast Guard) shall prescribe regulations to carry out this
 8 section.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
 10 at the beginning of chapter 7 of such title is amended by
 11 adding at the end the following new item:

 “439. Special compensation: members of the uniformed services with combat-re-
 lated catastrophic injuries or illnesses requiring assistance in
 everyday living.”.

12 **SEC. 618. TEMPORARY AUTHORITY FOR MONTHLY SPECIAL**
 13 **PAY FOR MEMBERS OF THE ARMED FORCES**
 14 **SUBJECT TO CONTINUING ACTIVE DUTY OR**
 15 **SERVICE UNDER STOP-LOSS AUTHORITIES.**

16 (a) SPECIAL PAY AUTHORIZED.—The Secretary of
 17 the military department concerned may pay monthly spe-
 18 cial pay to any member of the Armed Forces described
 19 in subsection (b) for any month or portion of a month
 20 in which the member serves on active duty in the Armed
 21 Forces, or has the member’s eligibility for retirement from
 22 the Armed Forces suspended, as described in that sub-
 23 section.

1 (b) COVERED MEMBERS.—A member of the Armed
2 Forces described in this subsection is any member of the
3 Army, Navy, Air Force, or Marine Corps (including a
4 member of a reserve component thereof) who, at any time
5 during the period beginning on October 1, 2009, and end-
6 ing on June 30, 2011, serves on active duty while the
7 member’s enlistment or period of obligated service is ex-
8 tended, or has the member’s eligibility for retirement sus-
9 pended, pursuant to section 123 or 12305 of title 10,
10 United States Code, or any other provision of law (com-
11 monly referred to as a “stop-loss authority”) authorizing
12 the President to extend an enlistment or period of obli-
13 gated service, or suspend eligibility for retirement, of a
14 member of the uniformed services in time of war or of
15 national emergency declared by Congress or the President.

16 (c) AMOUNT.—The amount of monthly special pay
17 payable to a member under this section for a month may
18 not exceed \$500.

19 (d) CONSTRUCTION WITH OTHER PAYS.—Monthly
20 special pay payable to a member under this section is in
21 addition to any other amounts payable to the member by
22 law.

1 **Subtitle C—Travel and**
2 **Transportation Allowances**

3 **SEC. 631. TRAVEL AND TRANSPORTATION ALLOWANCES**
4 **FOR DESIGNATED INDIVIDUALS OF WOUND-**
5 **ED, ILL, OR INJURED MEMBERS OF THE UNI-**
6 **FORMED SERVICES FOR DURATION OF INPA-**
7 **TIENT TREATMENT.**

8 (a) AUTHORITY TO PROVIDE TRAVEL TO DES-
9 IGNATED INDIVIDUALS.—Subsection (a) of section 411h
10 of title 37, United States Code, is amended—

11 (1) in paragraph (1)—

12 (A) by striking “family members of a
13 member described in paragraph (2)” and insert-
14 ing “individuals who, with respect to a member
15 described in paragraph (2), are designated indi-
16 viduals for that member”;

17 (B) by striking “that the presence of the
18 family member” and inserting “, with respect to
19 any such individual, that the presence of such
20 individual”; and

21 (C) by striking “of family members” and
22 inserting “of designated individuals”; and

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

1 “(4) In the case of a designated individual who is also
2 a member of the uniformed services, that member may be
3 provided travel and transportation under this section in
4 the same manner as a designated individual who is not
5 a member.”.

6 (b) DEFINITION OF DESIGNATED INDIVIDUAL.—

7 (1) IN GENERAL.—Paragraph (1) of subsection
8 (b) of such section is amended by striking “the
9 term” and all that follows and inserting “the term
10 ‘designated individual’, with respect to a member,
11 means—

12 “(A) an individual designated by the member
13 for the purposes of this section; or

14 “(B) in the case of a member who has not
15 made a designation under subparagraph (A) and, as
16 determined by the attending physician or surgeon, is
17 not able to make such a designation, an individual
18 who, as designated by the attending physician or
19 surgeon and the commander or head of the military
20 medical facility exercising control over the member,
21 is someone with a personal relationship to the mem-
22 ber whose presence may aid and support the health
23 and welfare of the member during the duration of
24 the member’s inpatient treatment.”.

1 (2) DESIGNATIONS NOT PERMANENT.—Para-
2 graph (2) of such subsection is amended to read as
3 follows:

4 “(2) The designation of an individual as a designated
5 individual for purposes of this section may be changed at
6 any time.”.

7 (c) COVERAGE OF MEMBERS HOSPITALIZED OUT-
8 SIDE THE UNITED STATES WHO WERE WOUNDED OR IN-
9 JURED IN A COMBAT OPERATION OR COMBAT ZONE.—

10 (1) COVERAGE FOR HOSPITALIZATION OUTSIDE
11 THE UNITED STATES.—Subparagraph (B) of section
12 (a)(2) of such section is amended—

13 (A) in clause (i), by striking “in or outside
14 the United States”; and

15 (B) in clause (ii), by striking “in the
16 United States”.

17 (2) CLARIFICATION OF MEMBERS COVERED.—
18 Such subparagraph is further amended—

19 (A) in clause (i), by inserting “seriously
20 wounded,” after “(i) is”; and

21 (B) in clause (ii)—

22 (i) by striking “an injury” and insert-
23 ing “a wound or an injury”; and

24 (ii) by striking “that injury” and in-
25 serting “that wound or injury”.

1 (d) COVERAGE OF MEMBERS WITH SERIOUS MEN-
2 TAL DISORDERS.—

3 (1) IN GENERAL.—Subsection (a)(2)(B)(i) of
4 such section, as amended by subsection (c) of this
5 section, is further amended by inserting “(including
6 having a serious mental disorder)” after “seriously
7 injured”.

8 (2) SERIOUS MENTAL DISORDER DEFINED.—
9 Subsection (b) of such section 411h, as amended by
10 subsection (b) of this section, is further amended by
11 adding at the end the following new paragraph:

12 “(4)(A) In this section, the term ‘serious mental dis-
13 order’, in the case of a member, means that the member
14 has been diagnosed with a mental disorder that requires
15 intensive mental health treatment or hospitalization.

16 “(B) The circumstances in which a member shall be
17 considered to have a serious mental disorder for purposes
18 of this section shall include, but not be limited to, the fol-
19 lowing:

20 “(i) The member is considered to be a potential
21 danger to self or others as a result of a diagnosed
22 mental disorder that requires intensive mental health
23 treatment or hospitalization.

1 “(ii) The member is diagnosed with a mental
2 disorder and has psychotic symptoms that require
3 intensive mental health treatment or hospitalization.

4 “(iii) The member is diagnosed with a mental
5 disorder and has severe symptoms or severe impair-
6 ment in functioning that require intensive mental
7 health treatment or hospitalization.”.

8 (e) FREQUENCY OF AUTHORIZED TRAVEL.—Para-
9 graph (3) of subsection (a) of such section 411h is amend-
10 ed to read as follows:

11 “(3) Not more than a total of three roundtrips may
12 be provided under paragraph (1) in any 60-day period at
13 Government expense to the individuals who, with respect
14 to a member, are the designated individuals of that mem-
15 ber in effect during that period. However, if the Secretary
16 concerned has granted a waiver under the second sentence
17 of paragraph (1) with respect to a member, then for any
18 60-day period in which the waiver is in effect the limita-
19 tion in the preceding sentence shall be adjusted accord-
20 ingly. In addition, during any period during which there
21 is in effect a non-medical attendant designation for a
22 member under section 411h–1 of this title, not more than
23 a total of two roundtrips may be provided under para-
24 graph (1) in any 60-day period at Government expense
25 until there no longer is a designation of a non-medical at-

1 tendant or that designation transfers to another indi-
 2 vidual, in which case during the transfer period three
 3 roundtrip tickets may be provided.”.

4 (f) STYLISTIC AND CONFORMING AMENDMENTS.—

5 Such section is further amended—

6 (1) in subsection (a), by striking “(a)(1)” and
 7 inserting “(a) TRAVEL AND TRANSPORTATION AU-
 8 THORIZED.—(1)”;

9 (2) in subsection (b)—

10 (A) by striking “(b)(1)” and inserting “(b)
 11 DEFINITIONS.—(1)”;

12 (B) in paragraph (3)—

13 (i) by inserting “(A)” after “(3)”;

14 (ii) by adding at the end the following

15 new subparagraph:

16 “(B) In this paragraph, the term ‘family member’,
 17 with respect to a member, means the following:

18 “(i) The member’s spouse.

19 “(ii) Children of the member (including step-
 20 children, adopted children, and illegitimate children).

21 “(iii) Parents of the member or persons in loco
 22 parentis to the member, including fathers and moth-
 23 ers through adoption and persons who stood in loco
 24 parentis to the member for a period not less than
 25 one year immediately before the member entered the

1 uniformed service, except that only one father and
2 one mother or their counterparts in loco parentis
3 may be recognized in any one case.

4 “(iv) Siblings of the member.

5 “(v) A person related to the member as de-
6 scribed in clause (i), (ii), (iii), or (iv) who is also a
7 member of the uniformed services.”;

8 (3) in subsection (c)—

9 (A) by striking “(c)(1)” and inserting “(c)

10 ROUND TRIP TRANSPORTATION AND PER DIEM
11 ALLOWANCE.—(1)”; and

12 (B) in paragraph (1), by striking “family
13 member” and inserting “designated individual”;
14 and

15 (4) in subsection (d), by striking “(d)(1)” and
16 inserting “(d) METHOD OF TRANSPORTATION AU-
17 THORIZED.—(1)”.

18 (g) CLERICAL AMENDMENTS.—

19 (1) SECTION HEADING.—The heading of such
20 section is amended to read as follows:

1 **“§ 411h. Travel and transportation allowances: trans-**
 2 **portation of designated individuals inci-**
 3 **dent to hospitalization of members for**
 4 **treatment of wounds, illness, or injury”.**

5 (2) TABLE OF SECTIONS.—The item relating to
 6 such section in the table of sections at the beginning
 7 of chapter 7 of such title is amended to read as fol-
 8 lows:

“411h. Travel and transportation allowances: transportation of designated indi-
 viduals incident to hospitalization of members for treatment of
 wounds, illness, or injury.”.

9 (h) CONFORMING AMENDMENT TO WOUNDED WAR-
 10 RIOR ACT.—Section 1602(4) of the Wounded Warrior Act
 11 (10 U.S.C. 1071 note) is amended by striking
 12 “411h(b)(1)” and inserting “411h(b)(3)(B)”.

13 (i) APPLICABILITY OF AMENDMENTS.—No reim-
 14 bursement may be provided under section 411h of title 37,
 15 United States Code, by reason of the amendments made
 16 by this section for travel and transportation costs incurred
 17 before the date of the enactment of this Act.

18 **SEC. 632. TRAVEL AND TRANSPORTATION ALLOWANCES**
 19 **FOR NON-MEDICAL ATTENDANTS OF SERI-**
 20 **OUSLY WOUNDED, ILL, OR INJURED MEM-**
 21 **BERS OF THE UNIFORMED SERVICES.**

22 (a) PAYMENT OF TRAVEL COSTS AUTHORIZED.—

1 (1) IN GENERAL.—Chapter 7 of title 37, United
2 States Code, is amended by inserting after section
3 411h the following new section:

4 **“§411h-1. Travel and transportation allowances:**
5 **transportation of non-medical attendants**
6 **for members who are seriously wounded,**
7 **ill, or injured**

8 “(a) IN GENERAL.—Under uniform regulations pre-
9 scribed by the Secretaries concerned, travel and transpor-
10 tation described in subsection (d) may be provided for a
11 qualified non-medical attendant for a member of the uni-
12 formed services described in subsection (c) if the attending
13 physician or surgeon and the commander or head of the
14 military medical facility exercising control over the mem-
15 ber jointly determine that the presence of such an attend-
16 ant may contribute to the member’s health and welfare.

17 “(b) QUALIFIED NON-MEDICAL ATTENDANT.—For
18 purposes of this section, a qualified non-medical attendant
19 with respect to a member described in subsection (c) is
20 an individual who—

21 “(1) the member designates for purposes of this
22 section to be a non-medical attendant for the mem-
23 ber; or

24 “(2) the attending physician or surgeon and the
25 commander or head of the military medical facility

1 exercising control over the member jointly determine
2 is an appropriate non-medical attendant for the
3 member whose presence may contribute to the mem-
4 ber's health and welfare.

5 “(c) COVERED MEMBERS.—A member of the uni-
6 formed services described in this subsection is a member
7 who—

8 “(1) is serving on active duty, is entitled to pay
9 and allowances under section 204(g) of this title (or
10 would be so entitled if not for offsetting earned in-
11 come described in that subsection), or is retired for
12 the wound, illness, or injury for which the member
13 is categorized as described in paragraph (2);

14 “(2) has been determined by the attending phy-
15 sician or surgeon to be in the category known as
16 ‘very seriously wounded, ill, or injured’ or in the cat-
17 egory known as ‘seriously wounded, ill, and injured’;
18 and

19 “(3) either—

20 “(A) is hospitalized for treatment of the
21 wound, illness, or injury for which the member
22 is so categorized; or

23 “(B) requires continuing outpatient treat-
24 ment for such wound, illness, or injury.

1 “(d) TRAVEL AND TRANSPORTATION.—(1)(A) The
2 transportation authorized by subsection (a) for a qualified
3 non-medical attendant for a member is round-trip trans-
4 portation between the home of the attendant and the loca-
5 tion at which the member is receiving treatment, including
6 transportation, while accompanying the member, to any
7 other location to which the member is subsequently trans-
8 ferred for further treatment.

9 “(B) In addition to the transportation authorized by
10 subsection (a), the Secretary concerned may provide a per
11 diem allowance or reimbursement, or a combination there-
12 of, for the actual and necessary expenses of travel as de-
13 scribed in subparagraph (A), but at rates not to exceed
14 the rates for travel established under section 404(d) of
15 this title.

16 “(2) The transportation authorized by subsection (a)
17 includes transportation, while accompanying the member,
18 necessary to obtain treatment for the member at the loca-
19 tion to which the member is permanently assigned.

20 “(3) The transportation authorized by subsection (a)
21 may be provided by any means as follows:

22 “(A) Transportation in-kind.

23 “(B) A monetary allowance in place of trans-
24 portation in-kind.

1 “(C) Reimbursement for the cost of commercial
2 transportation.

3 “(4) An allowance payable under this subsection may
4 be paid in advance.

5 “(5) Reimbursement payable under this subsection
6 for air travel may not exceed the cost of Government-pro-
7 cured commercial round-trip air travel.

8 “(e) COORDINATION WITH TRANSPORTATION AND
9 ALLOWANCES FOR DESIGNATED INDIVIDUALS.—An indi-
10 vidual may not receive travel and transportation allow-
11 ances under section 411h of this title and this section si-
12 multaneously.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions at the beginning of chapter 7 of such title is
15 amended by inserting after the item related to sec-
16 tion 411h the following new item:

“411h–1. Travel and transportation allowances: transportation of non-medical
attendants for members who are seriously wounded, ill, or in-
jured.”.

17 (b) APPLICABILITY.—No reimbursement may be pro-
18 vided under section 411h–1 of title 37, United States Code
19 (as added by subsection (a)), for any costs of travel or
20 transportation incurred before the date of the enactment
21 of this Act.

1 **SEC. 633. TRAVEL AND TRANSPORTATION ALLOWANCES**
2 **FOR MEMBERS OF THE RESERVE COMPO-**
3 **NENTS OF THE ARMED FORCES ON LEAVE**
4 **FOR SUSPENSION OF TRAINING.**

5 (a) ALLOWANCES AUTHORIZED.—

6 (1) IN GENERAL.—Chapter 7 of title 37, United
7 States Code, is amended by inserting after section
8 411j the following new section:

9 **“§ 411k. Travel and transportation allowances: travel**
10 **performed by certain members of the re-**
11 **serve components of the armed forces in**
12 **connection with leave for suspension of**
13 **training**

14 “(a) ALLOWANCE AUTHORIZED.—The Secretary con-
15 cerned may reimburse or provide transportation to a mem-
16 ber of a reserve component of the armed forces on active
17 duty for a period of more than 30 days who is performing
18 duty at a temporary duty station for travel between the
19 member’s temporary duty station and the member’s per-
20 manent duty station in connection with authorized leave
21 pursuant to a suspension of training.

22 “(b) MINIMUM DISTANCE BETWEEN STATIONS.—A
23 member may be paid for or provided transportation under
24 subsection (a) only as follows:

25 “(1) In the case of a member who travels be-
26 tween a temporary duty station and permanent duty

1 station by air transportation, if the distance between
2 such stations is not less than 300 miles.

3 “(2) In the case of a member who travels be-
4 tween a temporary duty station and permanent duty
5 station by ground transportation, if the distance be-
6 tween such stations is more than the normal com-
7 muting distance from the permanent duty station
8 (as determined under the regulations prescribed
9 under subsection (e)).

10 “(c) MINIMUM PERIOD OF SUSPENSION OF TRAIN-
11 ING.—A member may be paid for or provided transpor-
12 tation under subsection (a) only in connection with a sus-
13 pension of training covered by that subsection that is five
14 days or more in duration.

15 “(d) LIMITATION ON REIMBURSEMENT.—The
16 amount a member may be paid under subsection (a) for
17 travel may not exceed the amount that would be paid by
18 the government (as determined under the regulations pre-
19 scribed under subsection (e)) for the least expensive means
20 of travel between the duty stations concerned.

21 “(e) REGULATIONS.—The Secretary concerned shall
22 prescribe regulations to carry out this section. Regulations
23 prescribed by the Secretary of a military department shall
24 be subject to the approval of the Secretary of Defense.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of chapter 7 of such title is
 3 amended by inserting after the item relating to sec-
 4 tion 411j the following new item:

“411k. Travel and transportation allowances: travel performed by certain mem-
 bers of the reserve components of the armed forces in connec-
 tion with leave for suspension of training.”.

5 (b) EFFECTIVE DATE.—The amendments made by
 6 subsection (a) shall take effect on the date of the enact-
 7 ment of this Act, and shall apply with respect to travel
 8 that occurs on or after that date.

9 **SEC. 634. REIMBURSEMENT OF TRAVEL EXPENSES OF MEM-**
 10 **BERS OF THE ARMED FORCES ON ACTIVE**
 11 **DUTY AND THEIR DEPENDENTS FOR TRAVEL**
 12 **FOR SPECIALTY CARE UNDER EXCEPTIONAL**
 13 **CIRCUMSTANCES.**

14 (a) REIMBURSEMENT AUTHORIZED.—Section 1074i
 15 of title 10, United States Code, is amended—

16 (1) by redesignating subsections (b) and (c) as
 17 subsections (c) and (d), respectively; and

18 (2) by inserting after subsection (a) the fol-
 19 lowing new subsection (b):

20 “(b) REIMBURSEMENT FOR TRAVEL UNDER EXCEP-
 21 TIONAL CIRCUMSTANCES.—The Secretary of Defense may
 22 provide reimbursement for reasonable travel expenses of
 23 travel of members of the armed forces on active duty and
 24 their dependents, and accompaniment, to a specialty care

1 provider not otherwise authorized by subsection (a) under
2 such exceptional circumstances as the Secretary considers
3 appropriate for purposes of this section.”.

4 (b) TECHNICAL AMENDMENT.—Subsection (a) of
5 such section is amended by inserting “of Defense” after
6 “the Secretary”.

7 **Subtitle D—Other Matters**

8 **SEC. 651. AUTHORITY TO CONTINUE PROVISION OF INCEN-** 9 **TIVES AFTER TERMINATION OF TEMPORARY** 10 **ARMY AUTHORITY TO PROVIDE ADDITIONAL** 11 **RECRUITMENT INCENTIVES.**

12 Subsection (i) of section 681 of the National Defense
13 Authorization Act for Fiscal Year 2006 (Public Law 109–
14 163; 119 Stat. 3321) is amended to read as follows:

15 “(i) TERMINATION OF AUTHORITY.—

16 “(1) IN GENERAL.—The Secretary may not de-
17 velop an incentive under this section, or first provide
18 an incentive developed under this section to an indi-
19 vidual, after December 31, 2009.

20 “(2) CONTINUATION OF INCENTIVES.—Nothing
21 in paragraph (1) shall be construed to prohibit or
22 limit the continuing provision to an individual after
23 the date specified in that paragraph of an incentive
24 first provided the individual under this section be-
25 fore that date.”.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE Program**

4 **SEC. 701. TRICARE STANDARD COVERAGE FOR CERTAIN**
5 **MEMBERS OF THE RETIRED RESERVE, AND**
6 **FAMILY MEMBERS, WHO ARE QUALIFIED FOR**
7 **A NON-REGULAR RETIREMENT BUT ARE NOT**
8 **YET AGE 60.**

9 (a) IN GENERAL.—Chapter 55 of title 10, United
10 States Code, is amended by inserting after section 1076d
11 the following new section:

12 **“§ 1076e. TRICARE program: TRICARE Standard cov-**
13 **erage for certain members of the Retired**
14 **Reserve who are qualified for a non-reg-**
15 **ular retirement but are not yet age 60**

16 “(a) ELIGIBILITY.—(1) Except as provided in para-
17 graph (2), a member of the Retired Reserve of a reserve
18 component of the Armed Forces who is qualified for a non-
19 regular retirement at age 60 under chapter 1223, but is
20 not age 60, is eligible for health benefits under TRICARE
21 Standard as provided in this section.

22 “(2) Paragraph (1) does not apply to a member who
23 is enrolled, or is eligible to enroll, in a health benefits plan
24 under chapter 89 of title 5.

1 “(b) TERMINATION OF ELIGIBILITY UPON OBTAIN-
2 ING OTHER TRICARE COVERAGE.—Eligibility for
3 TRICARE Standard coverage of a member under this sec-
4 tion shall terminate upon the member becoming eligible
5 for TRICARE coverage at age 60 under section 1086 of
6 this title.

7 “(c) FAMILY MEMBERS.—While a member of a re-
8 serve component is covered by TRICARE Standard under
9 the section, the members of the immediate family of such
10 member are eligible for TRICARE Standard coverage as
11 dependents of the member. If a member of a reserve com-
12 ponent dies while in a period of coverage under this sec-
13 tion, the eligibility of the members of the immediate family
14 of such member for TRICARE Standard coverage under
15 this section shall continue for the same period of time that
16 would be provided under section 1086 of this title if the
17 member had been eligible at the time of death for
18 TRICARE Standard coverage under such section (instead
19 of under this section).

20 “(d) PREMIUMS.—(1) A member of a reserve compo-
21 nent covered by TRICARE Standard under this section
22 shall pay a premium for that coverage.

23 “(2) The Secretary of Defense shall prescribe for the
24 purposes of this section one premium for TRICARE
25 Standard coverage of members without dependents and

1 one premium for TRICARE Standard coverage of mem-
2 bers with dependents referred to in subsection (f)(1). The
3 premium prescribed for a coverage shall apply uniformly
4 to all covered members of the reserve components covered
5 under this section.

6 “(3)(A) The monthly amount of the premium in ef-
7 fect for a month for TRICARE Standard coverage under
8 this section shall be the amount equal to the cost of cov-
9 erage that the Secretary determines on an appropriate ac-
10 tuarial basis.

11 “(B) The appropriate actuarial basis for purposes of
12 subparagraph (A) shall be determined in the manner spec-
13 ified in section 1076d(d)(3)(B) of this title with respect
14 to the cost of coverage applicable under subparagraph (A).

15 “(4) The Secretary shall prescribe the requirements
16 and procedures applicable to the payment of premiums
17 under this subsection.

18 “(5) Amounts collected as premiums under this sub-
19 section shall be credited to the appropriation available for
20 the Defense Health Program Account under section 1100
21 of this title, shall be merged with sums in such Account
22 that are available for the fiscal year in which collected,
23 and shall be available under subsection (b) of such section
24 for such fiscal year.

1 “(e) REGULATIONS.—The Secretary of Defense, in
2 consultation with the other administering Secretaries,
3 shall prescribe regulations for the administration of this
4 section.

5 “(f) DEFINITIONS.—In this section:

6 “(1) The term ‘immediate family’, with respect
7 to a member of a reserve component, means all of
8 the member’s dependents described in subpara-
9 graphs (A), (D), and (I) of section 1072(2) of this
10 title.

11 “(2) The term ‘TRICARE Standard’ means—

12 “(A) medical care to which a dependent
13 described in section 1076(a)(2) of this title is
14 entitled; and

15 “(B) health benefits contracted for under
16 the authority of section 1079(a) of this title and
17 subject to the same rates and conditions as
18 apply to persons covered under that section.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 55 of such title is amended
21 by inserting after the item relating to section 1076d the
22 following new item:

“1076e. TRICARE program: TRICARE Standard coverage for certain members
of the Retired Reserve who are qualified for a non-regular re-
tirement but are not yet age 60.”.

23 (c) EFFECTIVE DATE.—Section 1076e of title 10,
24 United States Code, as inserted by subsection (a), shall

1 apply to coverage for months beginning on or after Octo-
2 ber 1, 2009, or such earlier date as the Secretary of De-
3 fense may specify.

4 **SEC. 702. EXPANSION OF ELIGIBILITY OF SURVIVORS**
5 **UNDER THE TRICARE DENTAL PROGRAM.**

6 Section 1076a(k)(3) of title 10, United States Code,
7 is amended by inserting before the period at the end the
8 following: “, except that, in the case of a dependent de-
9 scribed by subparagraph (D) or (I) of section 1072(2) of
10 this title, the period of continuing eligibility shall be the
11 longer of the following periods beginning on such date:

12 “(A) Three years.

13 “(B) The period ending on the date on which
14 the dependent attains 21 years of age.

15 “(C) In the case of a dependent who, at 21
16 years of age, is enrolled in a full-time course of
17 study at an institution of higher learning approved
18 by the administering Secretary and is, or was, at the
19 time of the member’s death, in fact dependent on
20 the member for over one-half of the dependent’s sup-
21 port, the period ending on the earlier of the fol-
22 lowing dates:

23 “(i) The date on which the dependent
24 ceases to pursue such a course of study, as de-
25 termined by the administering Secretary.

1 “(ii) The date on which the dependent at-
2 tains 23 years of age”.

3 **SEC. 703. CONSTRUCTIVE ELIGIBILITY FOR TRICARE BENE-**
4 **FITS OF CERTAIN PERSONS OTHERWISE IN-**
5 **ELIGIBLE UNDER RETROACTIVE DETERMINA-**
6 **TION OF ENTITLEMENT TO MEDICARE PART**
7 **A HOSPITAL INSURANCE BENEFITS.**

8 Section 1086(d) of title 10, United States Code, is
9 amended—

10 (1) by redesignating paragraph (4) as para-
11 graph (5); and

12 (2) by inserting after paragraph (3) the fol-
13 lowing new paragraph (4):

14 “(4)(A) If a person referred to in subsection (c) and
15 described by paragraph (2)(B) is subject to a retroactive
16 determination by the Social Security Administration of en-
17 titlement to hospital insurance benefits described in para-
18 graph (1), the person shall, during the period described
19 in subparagraph (B), be deemed for purposes of health
20 benefits under this section—

21 “(i) not to have been covered by paragraph (1);

22 and

23 “(ii) not to have been subject to the require-
24 ments of section 1079(j)(1) of this title, whether

1 through the operation of such section or subsection
2 (g) of this section.

3 “(B) The period described in this subparagraph with
4 respect to a person covered by subparagraph (A) is the
5 period that—

6 “(i) begins on the date that eligibility of the
7 person for hospital insurance benefits referred to in
8 paragraph (1) is effective under the retroactive de-
9 termination of eligibility with respect to the person
10 as described in subparagraph (A); and

11 “(ii) ends on the date of the issuance of such
12 retroactive determination of eligibility by the Social
13 Security Administration.”.

14 **SEC. 704. REFORM AND IMPROVEMENT OF THE TRICARE**
15 **PROGRAM.**

16 (a) **IN GENERAL.**—Commencing not later than 30
17 days after the date of the enactment of this Act, the Sec-
18 retary of Defense shall, in consultation with the other ad-
19 ministering Secretaries, undertake actions to reform and
20 improve the TRICARE program.

21 (b) **ELEMENTS.**—In undertaking actions to reform
22 and improve the TRICARE program under subsection (a),
23 the Secretary shall consider actions as follows:

24 (1) Actions to guarantee the availability of care
25 without delay for eligible beneficiaries.

1 (2) Actions to expand and enhance sharing of
2 health care resources among Federal health care
3 programs, including designated providers (as that
4 term is defined in section 721(5) of the National
5 Defense Authorization Act for Fiscal Year 1997 (10
6 U.S.C. 1073 note)).

7 (3) Actions utilizing medical technology to
8 speed and simplify referrals for specialty care.

9 (4) Actions, including a comprehensive plan, for
10 the enhanced availability of prevention and wellness
11 care.

12 (5) Actions to expand and enhance options for
13 mental health care.

14 (6) Actions utilizing technology to improve di-
15 rect communication with beneficiaries regarding
16 health and preventive care.

17 (7) Actions regarding additional financing op-
18 tions for health care provided by civilian providers.

19 (8) Actions to improve regional or national
20 staffing capabilities in order to enhance support pro-
21 vided to military medical treatment facilities facing
22 staff shortages.

23 (9) Actions to reduce administrative costs.

24 (10) Actions to control the cost of health care
25 and pharmaceuticals.

1 (11) Actions to ensure consistency throughout
2 the TRICARE program, including actions to hold
3 commanders of military medical treatment facilities
4 and civilian providers accountable for compliance
5 with access standards.

6 (12) Actions to create performance metrics by
7 which to measure improvement in the TRICARE
8 program.

9 (13) Such other actions as the Secretary, in
10 consultation with the other administering Secre-
11 taries, considers appropriate.

12 (c) CONSULTATION.—In considering actions to be un-
13 dertaken under this section, and in undertaking such ac-
14 tions, the Secretary shall consult with a broad range of
15 national health care and military advocacy organizations.

16 (d) REPORTS.—

17 (1) IN GENERAL.—The Secretary shall, on a
18 periodic basis, submit to the congressional defense
19 committees a report on the progress being made in
20 the reform and improvement of the TRICARE pro-
21 gram under this section.

22 (2) ELEMENTS.—Each report under this sub-
23 section shall include the following:

24 (A) A description and assessment of the
25 progress made as of the date of such report in

1 the reform and improvement of the TRICARE
2 program.

3 (B) Such recommendations for administra-
4 tive or legislative action as the Secretary con-
5 siders appropriate to expedite and enhance the
6 reform and improvement of the TRICARE pro-
7 gram.

8 (e) DEFINITIONS.—In this section:

9 (1) The term “administering Secretaries” has
10 the meaning given that term in section 1072(3) of
11 title 10, United States Code.

12 (2) The term “TRICARE program” has the
13 meaning given that term in section 1072(7) of title
14 10, United States Code.

15 **SEC. 705. COMPTROLLER GENERAL OF THE UNITED**
16 **STATES REPORT ON IMPLEMENTATION OF**
17 **REQUIREMENTS ON THE RELATIONSHIP BE-**
18 **TWEEN THE TRICARE PROGRAM AND EM-**
19 **PLOYER-SPONSORED GROUP HEALTH PLANS.**

20 (a) REPORT REQUIRED.—Not later than March 31,
21 2010, the Comptroller General of the United States shall
22 submit to the Committees on Armed Services of the Sen-
23 ate and the House of Representatives a report on the im-
24 plementation of the requirements of section 1097c of title
25 10, United States Code, relating to the relationship be-

1 tween the TRICARE program and employer-sponsored
2 group health plans.

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

5 (1) A description of the extent to which the De-
6 partment of Defense has established measures to as-
7 sess the effectiveness of section 1097c of title 10,
8 United States Code, in reducing health care costs to
9 the Department for military retirees and their fami-
10 lies, and an assessment of the effectiveness of any
11 measures so established.

12 (2) An assessment of the extent to which the
13 implementation of such section 1097c has resulted
14 in the migration of military retirees from coverage
15 under the TRICARE Standard option of the
16 TRICARE program to coverage under the
17 TRICARE Prime option of the TRICARE program.

18 (3) A description of the exceptions adopted
19 under subsection (a)(2) of such section 1097c to the
20 requirements under such section 1097c, and an as-
21 sessment of the effect of the exercise of any excep-
22 tions adopted on the administration of such section
23 1097c.

24 (4) An assessment of the extent to which the
25 Department collects and assembles data on the

1 treatment of employees eligible for participation in
2 the TRICARE program in comparison with similar
3 employees who are not eligible for participation in
4 that program.

5 (5) A description of the outreach conducted by
6 the Department to inform individuals eligible for
7 participation in the TRICARE program and employ-
8 ers of their respective rights and responsibilities
9 under such section 1097c, and an assessment of the
10 effectiveness of any outreach so conducted.

11 (6) Such other matters with respect to the ad-
12 ministration and effectiveness of the authorities in
13 such section 1097c as the Comptroller General con-
14 siders appropriate.

15 **Subtitle B—Other Health Care** 16 **Benefits**

17 **SEC. 711. MENTAL HEALTH ASSESSMENTS FOR MEMBERS** 18 **OF THE ARMED FORCES DEPLOYED IN CON-** 19 **NECTION WITH A CONTINGENCY OPERATION.**

20 (a) MENTAL HEALTH ASSESSMENTS.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense shall issue guidance for the provi-
24 sion of a person-to-person mental health assessment
25 for each member of the Armed Forces who is de-

1 ployed in connection with a contingency operation as
2 follows:

3 (A) At a time during the period beginning
4 60 days before the date of deployment in con-
5 nection with the contingency operation.

6 (B) At a time during the period beginning
7 90 days after the date of redeployment from the
8 contingency operation and ending 180 days
9 after the date of redeployment from the contin-
10 gency operation.

11 (C) Subject to subsection (d), not later
12 than each of 6 months, 12 months, and 24
13 months after return from deployment.

14 (2) EXCLUSION OF CERTAIN MEMBERS.—A
15 mental health assessment is not required for a mem-
16 ber of the Armed Forces under subparagraphs (B)
17 and (C) of paragraph (1) if the Secretary determines
18 that the member was not subjected or exposed to
19 operational risk factors during deployment in the
20 contingency operation concerned.

21 (b) PURPOSE.—The purpose of the mental health as-
22 sessments provided pursuant to this section shall be to
23 identify Post Traumatic Stress Disorder (PTSD), suicidal
24 tendencies, and other behavioral health issues identified
25 among members of the Armed Forces described in sub-

1 section (a) in order to determine which such members are
2 in need of additional care and treatment for such health
3 issues.

4 (c) ELEMENTS.—

5 (1) IN GENERAL.—The mental health assess-
6 ments provided pursuant to this section shall—

7 (A) be performed by personnel trained and
8 certified to perform such assessments and may
9 be performed by licensed mental health profes-
10 sionals if such professionals are available and
11 the use of such professionals for the assess-
12 ments would not impair the capacity of such
13 professionals to perform higher priority tasks;

14 (B) include a person-to-person dialogue be-
15 tween members of the Armed Forces described
16 in subsection (a) and the professionals or per-
17 sonnel described by paragraph (1), as applica-
18 ble, on such matters as the Secretary shall
19 specify in order that the assessments achieve
20 the purpose specified in subsection (b) for such
21 assessments;

22 (C) be conducted in a private setting to
23 foster trust and openness in discussing sensitive
24 health concerns; and

1 (D) be provided in a consistent manner
2 across the military departments.

3 (2) TREATMENT OF CURRENT ASSESSMENTS.—

4 The Secretary may treat periodic health assessments
5 and other person-to-person assessments that are
6 provided to members of the Armed Forces as of the
7 date of the enactment of this Act as meeting the re-
8 quirements for mental health assessments required
9 under this section if the Secretary determines that
10 such assessments and person-to-person assessments
11 meet the requirements for mental health assess-
12 ments established by this section.

13 (d) CESSATION OF ASSESSMENTS.—No mental
14 health assessment is required to be provided to an indi-
15 vidual under subsection (a)(1)(C) after the individual's
16 discharge or release from the Armed Forces.

17 (e) SHARING OF INFORMATION.—

18 (1) IN GENERAL.—The Secretary of Defense
19 shall share with the Secretary of Veterans Affairs
20 such information on members of the Armed Forces
21 that is derived from confidential mental health as-
22 sessments, including mental health assessments pro-
23 vided pursuant to this section and health assess-
24 ments and other person-to-person assessments pro-
25 vided before the date of the enactment of this Act,

1 as the Secretary of Defense and the Secretary of
2 Veterans Affairs jointly consider appropriate to en-
3 sure continuity of mental health care and treatment
4 of members of the Armed Forces during their transi-
5 tion from health care and treatment provided by the
6 Department of Defense to health care and treatment
7 provided by the Department of Veterans Affairs.

8 (2) PROTOCOLS.—Any sharing of information
9 under paragraph (1) shall occur pursuant to a pro-
10 tocol jointly established by the Secretary of Defense
11 and the Secretary of Veterans Affairs for purposes
12 of this subsection. Any such protocol shall be con-
13 sistent with the following:

14 (A) Applicable provisions of the Wounded
15 Warrior Act (title XVI of Public Law 110–181;
16 10 U.S.C. 1071 note), including in particular,
17 section 1614 of that Act (122 Stat. 443; 10
18 U.S.C. 1071 note).

19 (B) Section 1720F of title 38, United
20 States Code.

21 (f) CONTINGENCY OPERATION DEFINED.—In this
22 section, the term “contingency operation” has the mean-
23 ing given that term in section 101(a)(13) of title 10,
24 United States Code.

25 (g) REPORTS.—

1 (1) REPORT ON GUIDANCE.—Upon the issuance
2 of the guidance required by subsection (a), the Sec-
3 retary of Defense shall submit to Congress a report
4 describing the guidance.

5 (2) REPORTS ON IMPLEMENTATION OF GUID-
6 ANCE.—

7 (A) INITIAL REPORT.—Not later than 270
8 days after the date of the issuance of the guid-
9 ance, the Secretary shall submit to Congress an
10 initial report on the implementation of the guid-
11 ance by the military departments.

12 (B) SUBSEQUENT REPORT.—Not later
13 than two years after the date of the issuance of
14 the guidance, the Secretary shall submit to
15 Congress a report on the implementation of the
16 guidance by the military departments. The re-
17 port shall include an evidence based assessment
18 of the effectiveness of the mental health assess-
19 ments provided pursuant to the guidance in
20 achieving the purpose specified in subsection (b)
21 for such assessments.

1 **SEC. 712. ENHANCEMENT OF TRANSITIONAL DENTAL CARE**
2 **FOR MEMBERS OF THE RESERVE COMPO-**
3 **NENTS ON ACTIVE DUTY FOR MORE THAN 30**
4 **DAYS IN SUPPORT OF A CONTINGENCY OPER-**
5 **ATION.**

6 Section 1145(a) of title 10, United States Code, is
7 amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph
10 (A), by striking “paragraph (3)” and inserting
11 “paragraph (4)”; and

12 (B) in subparagraph (A), by inserting “ex-
13 cept as provided in paragraph (3),” before
14 “medical and dental care”;

15 (2) by redesignating paragraphs (3), (4), (5),
16 and (6) as paragraphs (4), (5), (6), and (7), respec-
17 tively;

18 (3) by inserting after paragraph (2) the fol-
19 lowing new paragraph (3):

20 “(3) In the case of a member described in paragraph
21 (2)(B), the dental care to which the member is entitled
22 under this subsection shall be the dental care to which
23 a member of the uniformed services on active duty for
24 more than 30 days is entitled under section 1074 of this
25 title.”; and

1 (4) in subparagraph (A) of paragraph (6), as
2 redesignated by paragraph (2) of this section, by
3 striking “paragraph (4)” and inserting “paragraph
4 (5)”.

5 **Subtitle C—Health Care** 6 **Administration**

7 **SEC. 721. COMPREHENSIVE POLICY ON PAIN MANAGEMENT** 8 **BY THE MILITARY HEALTH CARE SYSTEM.**

9 (a) **COMPREHENSIVE POLICY REQUIRED.**—Not later
10 than October 1, 2010, the Secretary of Defense shall de-
11 velop and implement a comprehensive policy on pain man-
12 agement by the military health care system.

13 (b) **SCOPE OF POLICY.**—The policy required by sub-
14 section (a) shall cover each of the following:

15 (1) The management of acute and chronic pain.

16 (2) The standard of care for pain management
17 to be used throughout the Department.

18 (3) The consistent application of pain assess-
19 ments throughout the Department.

20 (4) The assurance of prompt and appropriate
21 pain care treatment and management by the Depart-
22 ment when medically necessary.

23 (5) Programs of research related to acute and
24 chronic pain, including pain attributable to central
25 and peripheral nervous system damage characteristic

1 of injuries incurred in modern warfare, brain inju-
2 ries, and chronic migraine headache.

3 (6) Programs of pain care education and train-
4 ing for health care personnel of the Department.

5 (7) Programs of patient education for members
6 suffering from acute or chronic pain and their fami-
7 lies.

8 (c) UPDATES.—The Secretary shall revise the policy
9 required by subsection (a) on a periodic basis in accord-
10 ance with experience and evolving best practice guidelines.

11 (d) ANNUAL REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the commencement of the imple-
14 mentation of the policy required by subsection (a),
15 and on October 1 each year thereafter through
16 2018, the Secretary shall submit to the Committee
17 on Armed Services of the Senate and the Committee
18 on Armed Services of the House of Representatives
19 a report on the policy.

20 (2) ELEMENTS.—Each report required by para-
21 graph (1) shall include the following:

22 (A) A description of the policy imple-
23 mented under subsection (a), and any revisions
24 to such policy under subsection (c).

1 (B) A description of the performance
2 measures used to determine the effectiveness of
3 the policy in improving pain care for bene-
4 ficiaries enrolled in the military health care sys-
5 tem.

6 (C) An assessment of the adequacy of De-
7 partment pain management services based on a
8 current survey of patients managed in Depart-
9 ment clinics.

10 (D) An assessment of the research projects
11 of the Department relevant to the treatment of
12 the types of acute and chronic pain suffered by
13 members of the Armed Forces and their fami-
14 lies.

15 (E) An assessment of the training provided
16 to Department health care personnel with re-
17 spect to the diagnosis, treatment, and manage-
18 ment of acute and chronic pain.

19 (F) An assessment of the pain care edu-
20 cation programs of the Department.

21 (G) An assessment of the dissemination of
22 information on pain management to bene-
23 ficiaries enrolled in the military health care sys-
24 tem.

1 **SEC. 722. PLAN TO INCREASE THE BEHAVIORAL HEALTH**
2 **CAPABILITIES OF THE DEPARTMENT OF DE-**
3 **FENSE.**

4 (a) PLAN REQUIRED.—

5 (1) IN GENERAL.—The Secretary of Defense
6 shall develop and implement a plan to significantly
7 increase the number of military and civilian behav-
8 ioral health personnel of the Department of Defense
9 by September 30, 2013.

10 (2) ELEMENTS.—The plan required by para-
11 graph (1) may include the following:

12 (A) The allocation of scholarships and fi-
13 nancial assistance under the Health Professions
14 Scholarship and Financial Assistance Program
15 under subchapter I of chapter 105 of title 10,
16 United States Code, to students pursuing ad-
17 vanced degrees in clinical psychology and other
18 behavioral health professions.

19 (B) The offering of accession and retention
20 bonuses for psychologists as authorized by sec-
21 tion 620 of the Duncan Hunter National De-
22 fense Authorization Act for Fiscal Year 2009
23 (Public Law 110–417; 122 Stat. 4489).

24 (C) An expansion of the capacity for train-
25 ing doctoral-level clinical psychologists at the

1 Uniformed Services University of the Health
2 Sciences.

3 (D) An expansion of the capacity of the
4 Department of Defense for training masters-
5 level clinical psychologists and social workers
6 with expertise in deployment-related mental
7 health disorders, such as post traumatic stress
8 disorder.

9 (E) The detail of commissioned officers of
10 the Armed Forces to accredited schools of psy-
11 chology for training leading to a doctoral degree
12 in clinical psychology or social work.

13 (F) The reassignment of military behav-
14 ioral health providers from administrative posi-
15 tions to clinical positions in support of military
16 units.

17 (G) The offering of civilian hiring incen-
18 tives and bonuses and the utilization of direct
19 hiring authority to increase the number of be-
20 havioral health personnel of the Department of
21 Defense.

22 (H) Such other mechanisms to increase the
23 number of behavioral health personnel of the
24 Department of Defense as the Secretary con-
25 siders appropriate.

1 (3) REPORT.—Not later than January 31,
2 2010, the Secretary shall submit to the congres-
3 sional defense committees a report on the plan re-
4 quired by paragraph (1). The report shall include a
5 comprehensive description of the plan and the ac-
6 tions the Secretary proposes to undertake in the im-
7 plementation of the plan.

8 (b) REPORT ON ADDITIONAL OFFICER OR ENLISTED
9 MILITARY SPECIALTIES FOR BEHAVIORAL HEALTH
10 COUNSELORS.—

11 (1) REPORT.—Not later than 120 days after
12 the date of the enactment of this Act, the Secretary
13 shall submit to the congressional defense committees
14 a report setting forth the assessment of the Sec-
15 retary of the feasibility and advisability of estab-
16 lishing one or more military specialities for officers
17 or enlisted members of the Armed Forces as coun-
18 selors with behavioral health expertise in order to
19 better meet the mental health care needs of mem-
20 bers of the Armed Forces and their families.

21 (2) ELEMENTS.—The report required by para-
22 graph (1) shall set forth the following:

23 (A) A recommendation as to the feasibility
24 and advisability of establishing one or more
25 military specialities for officers or enlisted

1 members of the Armed Forces as counselors
2 with behavioral health expertise.

3 (B) For each military specialty rec-
4 ommended to be established under subpara-
5 graph (A)—

6 (i) a description of the qualifications
7 required for such speciality, which quali-
8 fications shall reflect lessons learned from
9 best practices in academia and the civilian
10 health care industry regarding positions
11 analogous to such speciality; and

12 (ii) a description of the incentives or
13 other mechanisms, if any, that would be
14 advisable to facilitate recruitment and re-
15 tention of individuals to and in such spe-
16 cialty.

17 **SEC. 723. DEPARTMENT OF DEFENSE STUDY ON MANAGE-**
18 **MENT OF MEDICATIONS FOR PHYSICALLY**
19 **AND PSYCHOLOGICALLY WOUNDED MEM-**
20 **BERS OF THE ARMED FORCES.**

21 (a) STUDY REQUIRED.—The Secretary of Defense
22 shall conduct a study on the management of medications
23 for physically and psychologically wounded members of the
24 Armed Forces.

1 (b) ELEMENTS.—The study required under sub-
2 section (a) shall include the following:

3 (1) A review and assessment of current prac-
4 tices within the Department of Defense for the man-
5 agement of medications for physically and psycho-
6 logically wounded members of the Armed Forces.

7 (2) A review and analysis of the published lit-
8 erature on factors contributing to the risk of
9 misadministration of medications, including acci-
10 dental and intentional overdoses, under and over
11 medication, and adverse interactions among medica-
12 tions.

13 (3) An identification of the medical conditions,
14 and of the patient management procedures of the
15 Department of Defense, that may increase the risks
16 of misadministration of medications in populations
17 of members of the Armed Forces.

18 (4) An assessment of current and best practices
19 in the Armed Forces, other departments and agen-
20 cies of government, and the private sector con-
21 cerning the prescription, distribution, and manage-
22 ment of medications, and the associated coordination
23 of care.

24 (5) An identification of means for decreasing
25 the risks of misadministration of medications and

1 associated problems with respect to physically and
2 psychologically wounded members of the Armed
3 Forces.

4 (c) REPORT.—Not later than April 1, 2010, the Sec-
5 retary of Defense shall submit to the Committees on
6 Armed Services of the Senate and the House of Represent-
7 atives a report on the study required under subsection (a).
8 The report shall include such findings and recommenda-
9 tions as the Secretary considers appropriate in light of the
10 study.

11 **Subtitle D—Wounded Warrior** 12 **Matters**

13 **SEC. 731. REPORT ON COGNITIVE REHABILITATION FOR** 14 **MEMBERS OF THE ARMED FORCES WITH** 15 **TRAUMATIC BRAIN INJURY.**

16 The Secretary of Defense shall submit to the Com-
17 mittees on Armed Services of the Senate and the House
18 of Representatives a report setting forth the evidence to
19 be required from a long term, integrated study on treat-
20 ment strategies for cognitive rehabilitation for members
21 of the Armed Forces who have sustained a Traumatic
22 Brain Injury (TBI) in order to permit the Department
23 of Defense to determine how receipt of cognitive rehabili-
24 tation by such members for Traumatic Brain Injury could
25 be reimbursed as a health care benefit.

1 **SEC. 732. DEPARTMENT OF DEFENSE TASK FORCE ON THE**
2 **CARE, MANAGEMENT, AND TRANSITION OF**
3 **RECOVERING WOUNDED, ILL, AND INJURED**
4 **MEMBERS OF THE ARMED FORCES.**

5 (a) ESTABLISHMENT.—

6 (1) IN GENERAL.—The Secretary of Defense
7 shall establish within the Department of Defense a
8 task force to be known as the “Department of De-
9 fense Task Force on the Care, Management, and
10 Transition of Recovering Wounded, Ill, and Injured
11 Members of the Armed Forces” (in this section re-
12 ferred to as the “Task Force”).

13 (2) PURPOSE.—The purpose of the Task Force
14 shall be to assess the effectiveness of the policies and
15 programs developed and implemented by the Depart-
16 ment of Defense, and by each of the military depart-
17 ments, to assist and support the care, management,
18 and transition of recovering wounded, ill, and in-
19 jured members of the Armed Forces, and to make
20 recommendations for the further improvement of
21 such policies and programs.

22 (b) COMPOSITION.—

23 (1) MEMBERS.—The Task Force shall consist
24 of not more than 14 members, appointed by the Sec-
25 retary of Defense from among the individuals as de-
26 scribed in paragraph (2).

1 (2) COVERED INDIVIDUALS.—The individuals
2 appointed to the Task Force shall include the fol-
3 lowing:

4 (A) At least one member of each of the
5 regular components of the Army, the Navy, the
6 Air Force, and the Marine Corps.

7 (B) One member of the National Guard.

8 (C) One member of a reserve component of
9 the Armed Forces other than National Guard.

10 (D) A number of persons from outside the
11 Department of Defense equal to the total num-
12 ber of personnel from within the Department of
13 Defense (whether members of the Armed
14 Forces or civilian personnel) who are appointed
15 to the Task Force.

16 (E) Persons who have experience in—

17 (i) medical care and coordination for
18 wounded, ill, and injured members of the
19 Armed Forces;

20 (ii) medical case management;

21 (iii) non-medical case management;

22 (iv) the disability evaluation process
23 for members of the Armed Forces;

24 (v) veterans benefits;

- 1 (vi) treatment of traumatic brain in-
2 jury and post traumatic stress disorder;
3 (vii) family support;
4 (viii) medical research;
5 (ix) vocational rehabilitation; or
6 (x) disability benefits.

7 (F) At least one family member of a
8 wounded, ill, or injured member of the Armed
9 Forces or veteran who has experience working
10 with wounded, ill, and injured members of the
11 Armed Forces or their families.

12 (3) INDIVIDUALS APPOINTED FROM WITHIN DE-
13 PARTMENT OF DEFENSE.—At least one of the indi-
14 viduals appointed to the Task Force from within the
15 Department of Defense shall be the surgeon general
16 of an Armed Force.

17 (4) INDIVIDUALS APPOINTED FROM OUTSIDE
18 DEPARTMENT OF DEFENSE.—The individuals ap-
19 pointed to the Task Force from outside the Depart-
20 ment of Defense—

21 (A) with the concurrence of the Secretary
22 of Veterans Affairs, shall include an officer or
23 employee of the Department of Veterans Af-
24 fairs; and

1 (B) may include individuals from other de-
2 partments or agencies of the Federal Govern-
3 ment, from State and local agencies, or from
4 the private sector.

5 (5) DEADLINE FOR APPOINTMENTS.—All origi-
6 nal appointments to the Task Force shall be made
7 not later than 120 days after the date of the enact-
8 ment of this Act.

9 (6) CO-CHAIRS.—There shall be two co-chairs
10 of the Task Force. One of the co-chairs shall be des-
11 ignated by the Secretary of Defense at the time of
12 appointment from among the individuals appointed
13 to the Task Force from within the Department of
14 Defense. The other co-chair shall be selected from
15 among the individuals appointed from outside the
16 Department of Defense by those individuals.

17 (c) REPORT REQUIRED.—

18 (1) IN GENERAL.—Not later than 12 months
19 after the date on which all members of the Task
20 Force have been appointed, the Task Force shall
21 submit to the Secretary of Defense a report. The re-
22 port shall include the following:

23 (A) The findings and conclusions of the
24 Task Force as a result of its assessment of the
25 effectiveness of the policies and programs devel-

1 oped and implemented by the Department of
2 Defense, and by each of the military depart-
3 ments, to assist and support the care, manage-
4 ment, and transition of recovering wounded, ill,
5 and injured members of the Armed Forces.

6 (B) A description of various ways in which
7 the Department of Defense and the military de-
8 partments could more effectively address mat-
9 ters relating to the care, management, and
10 transition of recovering wounded, ill, and in-
11 jured members of the Armed Forces, including
12 members of the regular components, and mem-
13 bers of the reserve components, and support for
14 their families.

15 (C) Such recommendations for other legis-
16 lative or administrative action as the Task
17 Force considers appropriate for measures to im-
18 prove the policies and programs described in
19 subparagraph (A).

20 (2) METHODOLOGY.—For purposes of the re-
21 port, the Task Force—

22 (A) shall conduct site visits and interviews
23 as the Task Force considers appropriate;

24 (B) may consider the findings and rec-
25 ommendations of previous reviews and evalua-

1 tions of the care, management, and transition
2 of recovering wounded, ill, and injured members
3 of the Armed Forces; and

4 (C) may utilize such other means for di-
5 rectly obtaining information relating to the
6 care, management, and transition of recovering
7 wounded, ill, and injured members of the
8 Armed Forces as the Task Force considers ap-
9 propriate.

10 (3) MATTERS TO BE REVIEWED AND AS-
11 SESSED.—For purposes of the report, the Task
12 Force shall review and assess the following:

13 (A) Case management, including the num-
14 bers and types of case managers (including
15 Federal Recovery Coordinators, Recovery Care
16 Coordinators, National Guard or Reserve case
17 managers, and other case managers) assigned
18 to recovering wounded, ill, and injured members
19 of the Armed Forces, the training provided
20 such case managers, and the effectiveness of
21 such case managers in providing care and sup-
22 port to recovering wounded, ill, and injured
23 members of the Armed Forces.

24 (B) The effectiveness of the Interagency
25 Program Office in achieving fully interoperable

1 electronic health records by September 30,
2 2009, in accordance with section 1635 of the
3 Wounded Warrior Act (10 U.S.C. 1071 note).

4 (C) Staffing of Army Warrior Transition
5 Units, Marine Corps Wounded Warrior Regi-
6 ments, Navy and Air Force Medical Hold or
7 Medical Holdover Units, and other service-re-
8 lated programs or units for recovering wounded,
9 ill, and injured members of the Armed Forces,
10 including the use of applicable hiring authori-
11 ties to ensure the proper staffing of such pro-
12 grams and units.

13 (D) The legal support available to recov-
14 ering wounded, ill, and injured members of the
15 Armed Forces and their families.

16 (E) The support and assistance provided
17 to recovering wounded, ill, and injured members
18 of the Armed Forces as they progress through
19 the military disability evaluation system.

20 (F) The effectiveness of any measures
21 under pilot programs to improve or enhance the
22 military disability evaluation system.

23 (G) The effectiveness of the Senior Over-
24 sight Committee in facilitating and overseeing
25 collaboration between the Department of De-

1 fense and the Department of Veterans Affairs
2 on matters relating to the care, management,
3 and transition of recovering wounded, ill, and
4 injured members of the Armed Forces.

5 (H) The establishment and effectiveness of
6 the Defense Centers of Excellence for Psycho-
7 logical Health and Traumatic Brain Injury, and
8 the centers of excellence for military eye inju-
9 ries, hearing loss and auditory system injuries,
10 and traumatic extremity injuries and amputa-
11 tions.

12 (I) The establishment and effectiveness of
13 performance and accountability standards for
14 warrior transition units and programs.

15 (J) The support available to family care-
16 givers of recovering wounded, ill, and injured
17 members of the Armed Forces.

18 (K) The availability of vocational training
19 for recovering wounded, ill, and injured mem-
20 bers of the Armed Forces seeking to transition
21 to civilian life.

22 (L) The availability of services for trau-
23 matic brain injury and post traumatic stress
24 disorder.

1 (M) The support systems in place to ease
2 the transition of recovering wounded, ill, and
3 injured members of the Armed Forces from the
4 Department of Defense to the Department of
5 Veterans Affairs.

6 (N) The effectiveness of wounded warrior
7 information resources, including the Wounded
8 Warrior Resource Center, the National Re-
9 source Directory, Military OneSource, Family
10 Assistance Centers, and Service hotlines, in pro-
11 viding meaningful information for recovering
12 wounded, ill, and injured members of the
13 Armed Forces.

14 (O) Interagency matters affecting recov-
15 ering wounded, ill, and injured members of the
16 Armed Forces in their transition to civilian life.

17 (P) Overall coordination between the De-
18 partment of Defense and the Department of
19 Veterans Affairs on the matters specified in this
20 paragraph.

21 (Q) Such other matters as the Task Force
22 considers appropriate in connection with the
23 care, management, and transition of recovering
24 wounded, ill, and injured members of the
25 Armed Forces.

1 (4) TRANSMITTAL.—Not later than 90 days
2 after receipt of the report required by paragraph (1)
3 the Secretary of Defense shall transmit the report,
4 together with the Secretary’s evaluation of the re-
5 port, to the Committees on Armed Services of the
6 Senate and the House of Representatives.

7 (d) PLAN REQUIRED.—Not later than six months
8 after the receipt under subsection (c) of the report of the
9 Task Force under that subsection, the Secretary of De-
10 fense shall, in consultation with the Secretaries of the mili-
11 tary departments, submit to the Committees on Armed
12 Services of the Senate and the House of Representatives
13 a plan to implement the recommendations of the Task
14 Force as included in the report of the Task Force under
15 subsection (c).

16 (e) ADMINISTRATIVE MATTERS.—

17 (1) COMPENSATION.—Each member of the
18 Task Force who is a member of the Armed Forces
19 or a civilian officer or employee of the United States
20 shall serve on the Task Force without compensation
21 (other than compensation to which entitled as a
22 member of the Armed Forces or an officer or em-
23 ployee of the United States, as the case may be).
24 Other members of the Task Force shall be appointed

1 in accordance with, and subject to, the provisions of
2 section 3161 of title 5, United States Code.

3 (2) OVERSIGHT.—The Under Secretary of De-
4 fense for Personnel and Readiness shall oversee the
5 Task Force. The Washington Headquarters Services
6 of the Department of Defense shall provide the Task
7 Force with personnel, facilities, and other adminis-
8 trative support as necessary for the performance of
9 the duties of the Task Force.

10 (3) VISITS TO MILITARY FACILITIES.—Any visit
11 by the Task Force to a military installation or facil-
12 ity shall be undertaken through the Deputy Under
13 Secretary of Defense for Personnel and Readiness,
14 in coordination with the Secretaries of the military
15 departments.

16 (f) TERMINATION.—The Task Force shall terminate
17 90 days after the date on which the Task Force submits
18 to the Secretary of Defense the report of the Task Force
19 under subsection (c).

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Amendments to Gen-**
6 **eral Contracting Authorities,**
7 **Procedures, and Limitations**

8 **SEC. 801. CONTRACT AUTHORITY FOR ADVANCED DEVEL-**
9 **OPMENT OF PROTOTYPE UNITS.**

10 (a) CONTRACT AUTHORITY.—

11 (1) IN GENERAL.—Chapter 139 of title 10,
12 United States Code, is amended by inserting after
13 section 2359b the following new section:

14 **“§ 2359c. Contract authority for advanced develop-**
15 **ment of prototype units**

16 “(a) AUTHORITY.—A contract initially awarded from
17 the competitive selection of a proposal resulting from a
18 broad agency announcement pursuant to section
19 2302(2)(B) of this title may contain a contract line item
20 or an option, including not-to-exceed prices, for either of
21 the following:

22 “(1) The delivery of a specified number of pro-
23 totype items to demonstrate technology developed
24 under the contract.

1 “(2) The provision, for a specified period of
2 time, of advanced component development effort or
3 effort to prototype technology developed under the
4 contract.

5 “(b) LIMITATIONS.—(1) The number of prototype
6 items specified pursuant to subsection (a)(1) may not ex-
7 ceed the minimum number required to ensure that re-
8 search and development work can continue without inter-
9 ruption during the solicitation and award of a follow-on
10 competitive contract.

11 “(2) The period of time specified under subsection
12 (a)(2) may not exceed 12 months.

13 “(3) The dollar value of the work to be performed
14 pursuant to a contract line item or option under sub-
15 section (a) may not exceed the lesser of the amounts as
16 follows:

17 “(A) The amount that is three times the dollar
18 value of the work previously performed under the
19 contract.

20 “(B) \$20,000,000.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of chapter 139 of such title
23 is amended by inserting after the item relating to
24 section 2359b the following new item:

“2359e. Contract authority for advanced development of prototype units.”.

25 (b) SUNSET.—

1 (1) IN GENERAL.—Effective on the date that is
2 five years after the date of the enactment of this
3 Act—

4 (A) section 2359c of title 10, United
5 States Code (as added by subsection (a)), is re-
6 pealed; and

7 (B) the table of sections at the beginning
8 of chapter 139 of such title (as amended by
9 subsection (a)) is further amended by striking
10 the item relating to section 2359c.

11 (2) CONTINUATION OF LINE ITEMS AND OP-
12 TIONS.—The repeal of section 2359c of title 10,
13 United States Code (as so added), by paragraph (1)
14 shall not affect the authority of the Department of
15 Defense to exercise any contract line item or option
16 included in a contract under the authority of such
17 section before the effective date of the repeal of such
18 section under paragraph (1).

19 (c) REPORT.—Not later than three years after the
20 date of the enactment of this Act, the Secretary of Defense
21 shall submit to the congressional defense committees a re-
22 port on the use of the authority provided by section 2359c
23 of title 10, United States Code (as added by subsection
24 (a)). The report shall, at a minimum—

1 (1) identify the number of times the authority
2 in section 2359c of title 10, United States Code (as
3 so added), has been used by each military depart-
4 ment and Defense Agency, and the dollar amount of
5 contract line items or options exercised pursuant to
6 such authority;

7 (2) assess the effectiveness of the authority in
8 promoting the maturation of technologies and in ad-
9 dressing potential gaps between science and tech-
10 nology projects and acquisition programs;

11 (3) assess any potential anti-competitive im-
12 pacts resulting from the use of the authority; and

13 (4) make such recommendations as the Sec-
14 retary considers appropriate.

15 **SEC. 802. JUSTIFICATION AND APPROVAL OF SOLE-SOURCE**
16 **CONTRACTS.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Secretary of Defense
19 shall modify the Department of Defense Supplement to
20 the Federal Acquisition Regulation to provide that the
21 head of an agency may not award a sole-source contract
22 for an amount exceeding \$20,000,000 unless—

23 (1) the contracting officer for the contract justi-
24 fies the use of a sole-source contract in writing; and

1 (2) the justification is approved by an official
2 designated in section 2304(f)(1)(B) of title 10,
3 United States Code, to approve contract awards for
4 dollar amounts that are comparable to the amount
5 of the sole-source contract.

6 (b) ELEMENTS OF JUSTIFICATION.—The justifica-
7 tion of a sole-source contract required pursuant to sub-
8 section (a) shall include the following:

9 (1) A description of the needs of the agency
10 concerned for the matters covered by the contract.

11 (2) A specification of the statutory provision
12 providing the exception from the requirement to use
13 competitive procedures in entering into the contract.

14 (3) A determination that the use of a sole-
15 source contract is in the best interest of the Depart-
16 ment of Defense.

17 (4) A determination that the anticipated cost of
18 the contract will be fair and reasonable.

19 (5) Such other matters as the Secretary shall
20 specify for purposes of this section.

21 (c) CONSTRUCTION WITH COMPETITION IN CON-
22 TRACTING ACT REQUIREMENTS.—In the case of any con-
23 tract for which a justification and approval is required
24 under section 2304(f) of title 10, United States Code, a
25 justification and approval meeting the requirements of

1 such section may be treated as meeting the requirements
2 of this section for purposes of the award of a sole-source
3 contract.

4 **Subtitle B—Acquisition Policy and** 5 **Management**

6 **SEC. 811. REPORTING REQUIREMENTS FOR PROGRAMS** 7 **THAT QUALIFY AS BOTH MAJOR AUTOMATED** 8 **INFORMATION SYSTEM PROGRAMS AND** 9 **MAJOR DEFENSE ACQUISITION PROGRAMS.**

10 (a) IN GENERAL.—Section 2445d of title 10, United
11 States Code, is amended by striking “of this title” and
12 all that follows and inserting “of this title, the Secretary
13 may designate the program to be treated only as a major
14 automated information system program covered by this
15 chapter or to be treated only as a major defense acqui-
16 sition program covered by such chapter 144.”.

17 (b) GUIDANCE REQUIRED.—Not later than 180 days
18 after the date of the enactment of this Act, the Secretary
19 of Defense shall issue guidance on the implementation of
20 section 2445d of title 10, United States Code (as amended
21 by subsection (a)). The guidance shall provide that, as a
22 general rule—

23 (1) a program covered by such section that re-
24 quires the development of customized hardware shall
25 be treated only as a major defense acquisition pro-

1 gram under chapter 144 of title 10, United States
2 Code; and

3 (2) a program covered by such section that does
4 not require the development of customized hardware
5 shall be treated only as a major automated informa-
6 tion system program under chapter 144A of title 10,
7 United States Code.

8 **SEC. 812. FUNDING OF DEPARTMENT OF DEFENSE ACQUI-**
9 **SION WORKFORCE DEVELOPMENT FUND.**

10 (a) **ADDITIONAL ELEMENT OF FUND.**—Subsection
11 (d) of section 1705 of title 10, United States Code, is
12 amended—

13 (1) in paragraph (1)—

14 (A) by redesignating subparagraph (B) as
15 subparagraph (C); and

16 (B) by inserting after subparagraph (A)
17 the following new subparagraph (B):

18 “(B) Amounts transferred to the Fund
19 pursuant to paragraph (3).”; and

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

22 “(3) **TRANSFER OF CERTAIN UNOBLIGATED**
23 **BALANCES.**—To the extent provided in appropria-
24 tions Acts, the Secretary of Defense may, during the
25 24-month period following the expiration of avail-

1 ability for obligation of any appropriations made to
2 the Department of Defense for procurement, re-
3 search, development, test, and evaluation, or oper-
4 ation and maintenance, transfer to the Fund any
5 unobligated balance of such appropriations. Any
6 amount so transferred shall be credited to the
7 Fund.”.

8 (b) NATURE OF EXPENDED AMOUNTS PROVIDING
9 BASIS FOR CREDIT TO FUND.—Subparagraph (A) of
10 paragraph (2) of such subsection is amended by striking
11 “, other than” and all that follows and inserting “from
12 amounts available for operation and maintenance.”.

13 (c) REMITTANCES.—Subparagraph (B) of paragraph
14 (2) of such subsection is amended by inserting “, from
15 amounts available to such military department or Defense
16 Agency, as the case may be, for operation and mainte-
17 nance,” after “remit to the Secretary of Defense”.

18 (d) ADDITIONAL MATTERS RELATING TO REMIT-
19 TANCES.—Such subsection is further amended—

20 (1) in paragraph (2)(B), by striking “Not later
21 than” and inserting “Subject to paragraph (4), not
22 later than”; and

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

1 “(4) ADDITIONAL REQUIREMENTS AND LIMITA-
2 TIONS ON REMITTANCES.—(A) In the event amounts
3 are transferred to the Fund during a fiscal year pur-
4 suant to paragraph (1)(B) or appropriated to the
5 Fund for a fiscal year pursuant to paragraph (1)(C),
6 the aggregate amount otherwise required to be re-
7 mitted to the Fund for that fiscal year pursuant to
8 paragraph (2)(B) shall be reduced by the amount
9 equal to the amounts so transferred or appropriated
10 to the Fund during or for that fiscal year. Any re-
11 duction in the aggregate amount required to be re-
12 mitted to the Fund for a fiscal year under this sub-
13 paragraph shall be allocated as provided in applica-
14 ble provisions of appropriations Acts or, absent such
15 provisions, on a pro rata basis among the military
16 departments and Defense Agencies required to make
17 remittances to the Fund for that fiscal year under
18 paragraph (2)(B).

19 “(B) Any remittance of amounts to the Fund
20 for a fiscal year under paragraph (2) shall be sub-
21 ject to the availability of appropriations for that pur-
22 pose.”.

23 (e) REMITTANCE AMOUNTS.—Paragraph (2) of such
24 subsection is further amended by striking subparagraphs

1 (C) and (D) and inserting the following new subpara-
2 graphs:

3 “(C) For purposes of this paragraph, the appli-
4 cable percentage for a fiscal year is the percentage
5 that results in the credit to the Fund in such fiscal
6 year of an amount as follows:

7 “(i) For fiscal year 2010, \$570,000,000.

8 “(ii) For fiscal year 2011, \$770,000,000.

9 “(iii) For fiscal year 2012, \$900,000,000.

10 “(iv) For fiscal year 2013,
11 \$1,180,000,000.

12 “(v) For fiscal year 2014, \$1,330,000,000.

13 “(vi) For fiscal year 2015,
14 \$1,470,000,000.

15 “(D) The Secretary of Defense may reduce a
16 percentage specified in subparagraph (C) for a fiscal
17 year if the Secretary determines that the application
18 of such percentage would result in the crediting to
19 the Fund in such fiscal year of an amount greater
20 than is reasonably needed for purposes of the Fund.
21 The percentage for a fiscal year, as so reduced, may
22 not be a percentage that will result in the credit to
23 the Fund in such fiscal year of an amount that is
24 less than 80 percent of the amount otherwise speci-
25 fied in subparagraph (C) for such fiscal year.”.

1 (f) CLARIFICATION OF LIMITATION ON PAY OF BASE
2 SALARY OF CURRENT EMPLOYEES.—Subsection (e)(5) of
3 such section is amended by striking “as of the date of
4 the enactment of the National Defense Authorization Act
5 for Fiscal Year 2008” and inserting “serving in a position
6 in the acquisition workforce as of January 28, 2008”.

7 (g) TECHNICAL AMENDMENTS.—

8 (1) Subsection (a) of such section is amended
9 by inserting “Development” after “Workforce”.

10 (2) Subsection (f) of such section is amended in
11 the matter preceding paragraph (1) by striking “be-
12 ginning with fiscal year 2008”.

13 (h) EFFECTIVE DATES.—

14 (1) FUNDING AMENDMENTS.—The amendments
15 made by subsections (a) through (e) shall take effect
16 on October 1, 2009.

17 (2) TECHNICAL AMENDMENTS.—The amend-
18 ments made by subsections (f) and (g) shall take ef-
19 fect on the date of the enactment of this Act.

20 **SEC. 813. ENHANCEMENT OF EXPEDITED HIRING AUTHOR-**
21 **ITY FOR DEFENSE ACQUISITION WORKFORCE**
22 **POSITIONS.**

23 (a) IN GENERAL.—Paragraph (1) of section 1705(h)
24 of title 10, United States Code, is amended—

1 (1) in subparagraph (A), by striking “acqui-
2 sition positions within the Department of Defense as
3 shortage category position” and inserting “acqui-
4 sition workforce positions as positions for which there
5 exists a shortage of candidates or there is a critical
6 hiring need”; and

7 (2) in subparagraph (B), by striking “highly
8 qualified” and inserting “appropriately qualified”.

9 (b) EXTENSION.—Paragraph (2) of such section is
10 amended by striking “September 30, 2012” and inserting
11 “September 30, 2015”.

12 (c) TECHNICAL AMENDMENT.—Paragraph (1) of
13 such section is further amended by striking “United
14 States Code,” in the matter preceding subparagraph (A).

15 **SEC. 814. TREATMENT OF NON-DEFENSE AGENCY PRO-**
16 **CUREMENTS UNDER JOINT PROGRAMS WITH**
17 **THE DEPARTMENT OF DEFENSE UNDER LIM-**
18 **TATIONS ON NON-DEFENSE AGENCY PRO-**
19 **CUREMENTS ON BEHALF OF THE DEPART-**
20 **MENT OF DEFENSE.**

21 Section 801(b) of the National Defense Authorization
22 Act for Fiscal Year 2008 (10 U.S.C. 2304 note) is amend-
23 ed by adding at the end the following new paragraph:

24 “(3) TREATMENT OF PROCUREMENTS UNDER
25 JOINT PROGRAMS.—For purposes of this subsection,

1 a contract entered by a non-defense agency for the
2 performance of a joint program conducted to meet
3 the needs of the Department of Defense and the
4 non-defense agency shall not be considered a pro-
5 curement of property or services for the Department
6 of Defense through a non-defense agency.”.

7 **SEC. 815. COMPTROLLER GENERAL OF THE UNITED**
8 **STATES REPORT ON TRAINING OF ACQUISI-**
9 **TION AND AUDIT PERSONNEL OF THE DE-**
10 **PARTMENT OF DEFENSE.**

11 (a) REPORT REQUIRED.—Not later than one year
12 after the date of the enactment of this Act, the Comp-
13 troller General of the United States shall submit to the
14 congressional defense committees a report setting forth an
15 assessment of the efficacy of Department of Defense train-
16 ing for acquisition and audit personnel of the Department
17 of Defense.

18 (b) ELEMENTS.—The report required by subsection
19 (a) shall include, at a minimum, the following:

20 (1) An assessment of the nature and efficacy of
21 training (including training materials and methods)
22 required for acquisition and audit personnel of the
23 Department of Defense.

1 (2) An assessment of the timeliness and man-
2 ner in which the Department of Defense provides
3 training for such personnel.

4 (3) An assessment of the extent to which such
5 training reaches appropriate acquisition personnel,
6 including personnel outside the acquisition workforce
7 who exercise significant acquisition responsibilities.

8 (4) An assessment of the extent to which each
9 of the Department of Defense and the Department
10 of the Army have implemented the recommendations
11 of the Commission on Army Acquisition and Pro-
12 gram Management in Expeditionary Operations re-
13 lating to training of acquisition personnel.

14 (5) Such recommendations as the Comptroller
15 General considers appropriate regarding training of
16 acquisition and audit personnel of the Department
17 of Defense, including recommendations regarding
18 best practices and objectives for improved training of
19 such acquisition and audit personnel.

20 **Subtitle C—Contractor Matters**

21 **SEC. 821. AUTHORITY FOR GOVERNMENT SUPPORT CON-**
22 **TRACTORS TO HAVE ACCESS TO TECHNICAL**
23 **DATA BELONGING TO PRIME CONTRACTORS.**

24 (a) AUTHORITY.—

1 (1) ACCESS TO TECHNICAL DATA.—Subsection
2 (c) of section 2320 of title 10, United States Code,
3 is amended—

4 (A) in paragraph (1), by striking “or” at
5 the end;

6 (B) by redesignating paragraph (2) as
7 paragraph (3); and

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

10 “(2) notwithstanding any limitation upon the li-
11 cense rights conveyed under subsection (a), allowing
12 a covered Government support contractor access to
13 and use of any technical data delivered under a con-
14 tract for the sole purpose of furnishing independent
15 and impartial advice or technical assistance directly
16 to the Government in support of the Government’s
17 management and oversight of the program or effort
18 to which such technical data relates; or”.

19 (2) COVERED GOVERNMENT SUPPORT CON-
20 TRACTOR DEFINED.—Such section is further amend-
21 ed by adding at the end the following new sub-
22 section:

23 “(f) In this section, the term ‘covered Government
24 support contractor’ means a contractor under a contract
25 the primary purpose of which is to furnish independent

1 and impartial advice or technical assistance directly to the
2 Government in support of the Government’s management
3 and oversight of a program or effort (rather than to di-
4 rectly furnish an end item or service to accomplish a pro-
5 gram or effort), which contractor—

6 “(1) is not affiliated with the prime contractor
7 or a first-tier subcontractor on the program or ef-
8 fort, or with any direct competitor of such prime
9 contractor or any such first-tier subcontractor in
10 furnishing end items or services of the type devel-
11 oped or produced on the program or effort; and

12 “(2) executes a contract with the Government
13 agreeing to and acknowledging—

14 “(A) that proprietary or nonpublic tech-
15 nical data furnished will be accessed and used
16 only for the purposes stated in that contract;

17 “(B) that a breach of that contract by the
18 covered Government support contractor with re-
19 gard to a third party’s ownership or rights in
20 such technical data may subject the covered
21 Government support contractor—

22 “(i) to criminal, civil, administrative,
23 and contractual actions in law and equity
24 for penalties, damages, and other appro-
25 priate remedies by the United States; and

1 “(ii) to civil actions for damages and
 2 other appropriate remedies by the con-
 3 tractor or subcontractor whose technical
 4 data is affected by the breach;

5 “(C) that such technical data provided to
 6 the covered Government support contractor
 7 under the authority of this section shall not be
 8 used by the covered Government support con-
 9 tractor to compete against the third party for
 10 Government or non-Government contracts; and

11 “(D) that any breach of the nondisclosure
 12 obligations under subparagraphs (A) through
 13 (C) may constitute a violation of section 1905
 14 of title 18.”.

15 (b) CRIMINAL PENALTY.—Section 1905 of title 18,
 16 United States Code, is amended by inserting “or being
 17 an officer, agent, or employee of a private sector organiza-
 18 tion having a contractual nondisclosure agreement under
 19 the authority of section 2320(f)(2) of title 10,” after
 20 “Antitrust Civil Process Act (15 U.S.C. 1311-1314),”.

21 **SEC. 822. EXTENSION AND ENHANCEMENT OF AUTHORI-**
 22 **TIES ON THE COMMISSION ON WARTIME CON-**
 23 **TRACTING IN IRAQ AND AFGHANISTAN.**

24 (a) DATE OF FINAL REPORT.—Subsection (d)(3) of
 25 section 841 of the National Defense Authorization Act for

1 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 230)
2 is amended by striking “two years” and inserting “three
3 years”.

4 (b) ASSISTANCE FROM FEDERAL AGENCIES.—Such
5 section is further amended—

6 (1) by redesignating subsections (f) and (g) as
7 subsections (g) and (h), respectively; and

8 (2) by inserting after subsection (e) the fol-
9 lowing new subsection (f):

10 “(f) ASSISTANCE FROM FEDERAL AGENCIES.—

11 “(1) DEPARTMENT OF DEFENSE.—The Sec-
12 retary of Defense shall provide to the Commission
13 administrative support for the performance of the
14 Commission’s functions in carrying out the require-
15 ments of this section.

16 “(2) TRAVEL AND LODGING IN COMBAT THEA-
17 TERS.—The administrative support provided the
18 Commission under paragraph (1) shall include travel
19 and lodging undertaken in combat theaters, which
20 support shall be provided on a non-reimbursable
21 basis.

22 “(3) OTHER DEPARTMENTS AND AGENCIES.—
23 In addition to the support required by paragraph
24 (1), any department or agency of the Federal Gov-
25 ernment may provide to the Commission such serv-

1 ices, funds, facilities, staff, and other support serv-
2 ices for the performance of the Commission's func-
3 tions as the head of such department or agency con-
4 siders advisable, or as may otherwise be authorized
5 by law.".

6 **SEC. 823. PROHIBITION ON INTERROGATION OF DETAIN-**
7 **EES BY CONTRACTOR PERSONNEL.**

8 (a) REGULATIONS REQUIRED.—Effective as of the
9 date that is one year after the date of the enactment of
10 this Act, the Department of Defense manpower mix cri-
11 teria and the Department of Defense Supplement to the
12 Federal Acquisition Regulation shall be modified to pro-
13 vide the following:

14 (1) That the interrogation of enemy prisoners
15 of war, civilian internees, retained persons, other de-
16 tainees, terrorists, and criminals when captured,
17 transferred, confined, or detained during or in the
18 aftermath of hostilities is an inherently govern-
19 mental function and cannot be transferred to con-
20 tractor personnel.

21 (2) That contractor personnel with proper
22 training and security clearances may be used as lin-
23 guists, interpreters, report writers, information tech-
24 nology technicians, and other employees filling ancil-
25 lary positions in interrogations of persons as de-

1 scribed in paragraph (1) if such personnel are sub-
2 ject to the same rules, procedures, policies, and laws
3 pertaining to detainee operations and interrogations
4 as apply to government personnel in such positions
5 in such interrogations.

6 (b) DISCHARGE BY GOVERNMENT PERSONNEL.—The
7 Secretary of Defense shall take appropriate actions to en-
8 sure that, by not later than one year after the date of
9 the enactment of this Act, the Department of Defense has
10 the resources needed to ensure that interrogations de-
11 scribed in subsection (a)(1) are conducted by appro-
12 priately qualified government personnel.

13 **Subtitle D—Other Matters**

14 **SEC. 831. ENHANCED AUTHORITY TO ACQUIRE PRODUCTS** 15 **AND SERVICES PRODUCED IN CENTRAL ASIA,** 16 **PAKISTAN, AND THE SOUTH CAUCASUS.**

17 (a) IN GENERAL.—In the case of a product or service
18 to be acquired in support of military operations or stability
19 operations (including security, transition, reconstruction,
20 and humanitarian relief activities) in Afghanistan for
21 which the Secretary of Defense makes a determination de-
22 scribed in subsection (b), the Secretary may conduct a
23 procurement in which—

1 (1) competition is limited to products or serv-
2 ices that are from Central Asia, Pakistan, or the
3 South Caucasus;

4 (2) procedures other than competitive proce-
5 dures are used to award a contract to a particular
6 source or sources from Central Asia, Pakistan, or
7 the South Caucasus; or

8 (3) a preference is provided for products or
9 services that are from Central Asia, Pakistan, or the
10 South Caucasus.

11 (b) DETERMINATION.—A determination described in
12 this subsection is a determination by the Secretary that—

13 (1) the product or service concerned is to be
14 used only by military forces, police, or other security
15 personnel of Afghanistan; or

16 (2) it is in the national security interest of the
17 United States to limit competition, use procedures
18 other than competitive procedures, or provide a pref-
19 erence as described in subsection (a) because—

20 (A) such limitation, procedure, or pref-
21 erence is necessary—

22 (i) to improve local market and trans-
23 portation infrastructure in Central Asia,
24 Pakistan, or the South Caucasus in order
25 to reduce overall United States transpor-

1 tation costs and risks in shipping goods in
2 support of operations in Afghanistan; or

3 (ii) to encourage states of Central
4 Asia, Pakistan, or the South Caucasus to
5 cooperate in expanding supply routes
6 through their territory in support of oper-
7 ations in Afghanistan; and

8 (B) such limitation, procedure, or pref-
9 erence will not adversely affect—

10 (i) operations in Afghanistan; or

11 (ii) the United States industrial base.

12 (c) PRODUCTS, SERVICES, AND SOURCES FROM CEN-
13 TRAL ASIA, PAKISTAN, OR THE SOUTH CAUCASUS.—For
14 the purposes of this section:

15 (1) A product is from the Central Asia, Paki-
16 stan, or the South Caucasus if it is mined, produced,
17 or manufactured in Georgia, the Kyrgyz Republic,
18 Pakistan, the Republic of Armenia, the Republic of
19 Azerbaijan, the Republic of Kazakhstan, the Repub-
20 lic of Tajikistan, the Republic of Uzbekistan, or
21 Turkmenistan.

22 (2) A service is from Central Asia, Pakistan, or
23 the South Caucasus if it is performed in Georgia,
24 the Kyrgyz Republic, Pakistan, the Republic of Ar-
25 menia, the Republic of Azerbaijan, the Republic of

1 Kazakhstan, the Republic of Tajikistan, the Republic of
2 Uzbekistan, or Turkmenistan by citizens or
3 permanent resident aliens of Georgia, the Kyrgyz
4 Republic, Pakistan, the Republic of Armenia, the
5 Republic of Azerbaijan, the Republic of Kazakhstan,
6 the Republic of Tajikistan, the Republic of
7 Uzbekistan, or Turkmenistan.

8 (3) A source is from Central Asia, Pakistan, or
9 the South Caucasus if it—

10 (A) is located in Georgia, the Kyrgyz Re-
11 public, Pakistan, the Republic of Armenia, the
12 Republic of Azerbaijan, the Republic of
13 Kazakhstan, the Republic of Tajikistan, the Re-
14 public of Uzbekistan, or Turkmenistan; and

15 (B) offers products or services that are
16 from Georgia, the Kyrgyz Republic, Pakistan,
17 the Republic of Armenia, the Republic of Azer-
18 baijan, the Republic of Kazakhstan, the Repub-
19 lic of Tajikistan, the Republic of Uzbekistan, or
20 Turkmenistan.

21 (d) CONSTRUCTION WITH OTHER AUTHORITY.—The
22 authority in subsection (a) is in addition to the authority
23 in section 886 of the National Defense Authorization Act
24 for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
25 266; 10 U.S.C. 2302 note).

1 (e) ANNUAL REPORT.—

2 (1) IN GENERAL.—Not later than December 31
3 each year, the Secretary shall submit to Congress a
4 report on the exercise of the authority in subsection
5 (a) during the preceding fiscal year.

6 (2) ELEMENTS.—Each report under this sub-
7 section shall include, for the fiscal year covered by
8 such report, the following:

9 (A) A statement of the number of occa-
10 sions on which the Secretary made a determina-
11 tion under subsection (a) with respect to the ex-
12 ercise of the authority in subsection (a), regard-
13 less of whether or not the determination re-
14 sulted in the exercise of such authority.

15 (B) The total amount of all procurements
16 pursuant to the exercise of such authority, and
17 the total amount of procurements for each
18 country with respect to which such authority
19 was exercised.

20 (C) A description and assessment of the
21 extent to which procurements pursuant to the
22 exercise of such authority furthered the na-
23 tional security interest of the United States.

1 (f) SUNSET.—The authority in subsection (a) shall
2 expire on the date that is three years after the date of
3 the enactment of this Act.

4 **SEC. 832. SMALL ARMS PRODUCTION INDUSTRIAL BASE**
5 **MATTERS.**

6 (a) AUTHORITY TO MODIFY DEFINITION OF “SMALL
7 ARMS PRODUCTION INDUSTRIAL BASE”.—Section
8 2473(c) of title 10, United States Code, is amended by
9 inserting before the period at the end the following: “, and
10 any subsequent modifications to such list of firms pursu-
11 ant to a review by the Secretary of Defense”.

12 (b) REVIEW OF SMALL ARMS PRODUCTION INDUS-
13 TRIAL BASE.—

14 (1) REVIEW.—Not later than March 31, 2010,
15 the Secretary of Defense shall review and determine,
16 based upon manufacturing capability and capacity—

17 (A) whether any firms included in the
18 small arms production industrial base (as that
19 term is defined in section 2473(c) of title 10,
20 United States Code) should be eliminated or
21 modified and whether any additional firms
22 should be included; and

23 (B) whether any of the small arms listed
24 in section 2473(d) of title 10, United States
25 Code, should be eliminated from the list or

1 modified on the list, and whether any additional
2 small arms should be included in the list.

3 (2) REPORT.—Not later than March 31, 2010,
4 the Secretary of Defense shall submit to the con-
5 gressional defense committees a report on the review
6 conducted under this subsection, including any rec-
7 ommendations for changes to the list maintained
8 pursuant to subsection (c) of section 2473(d) of title
9 10, United States Code, or the list under subsection
10 (d) of such section.

11 **SEC. 833. EXTENSION OF SBIR AND STTR PROGRAMS OF**
12 **THE DEPARTMENT OF DEFENSE.**

13 (a) SBIR EXTENSION.—Section 9(m) of the Small
14 Business Act (15 U.S.C. 638(m)) is amended—

15 (1) by striking “The authorization” and insert-
16 ing the following:

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), the authorization”; and

19 (2) by adding at the end the following:

20 “(2) EXCEPTION FOR DEPARTMENT OF DE-
21 FENSE.—The Secretary of Defense and the Sec-
22 retary of each military department is authorized to
23 carry out the Small Business Innovation Research
24 Program of the Department of Defense until Sep-
25 tember 30, 2023.”.

1 (b) STTR REAUTHORIZATION.—Section 9(n)(1)(A)
2 of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is
3 amended—

4 (1) by striking “With respect” and inserting
5 the following:

6 “(i) FEDERAL AGENCIES GEN-
7 ERALLY.—Except as provided in clause (i),
8 with respect”; and

9 (2) by adding at the end the following:

10 “(ii) DEPARTMENT OF DEFENSE.—
11 The Secretary of Defense and the Sec-
12 retary of each military department shall
13 carry out clause (i) with respect to each
14 fiscal year through fiscal year 2023.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on July 30, 2009.

17 **SEC. 834. EXPANSION AND PERMANENT AUTHORITY FOR**
18 **SMALL BUSINESS INNOVATION RESEARCH**
19 **COMMERCIALIZATION PROGRAM.**

20 (a) EXPANSION TO INCLUDE SMALL BUSINESS
21 TECHNOLOGY TRANSFER PROGRAM.—Section 9(y) of the
22 Small Business Act (15 U.S.C. 638(y)) is amended in
23 paragraphs (1), (2), and (4) by inserting “and the Small
24 Business Technology Transfer Program” after “Small
25 Business Innovation Research Program”.

1 (b) PERMANENT AUTHORITY.—

2 (1) IN GENERAL.—Such section is further
3 amended by striking paragraph (6).

4 (2) CONFORMING AMENDMENTS.—Such section
5 is further amended—

6 (A) in the subsection heading, by striking
7 “PILOT”; and

8 (B) by striking “Pilot” each place it ap-
9 pears.

10 **SEC. 835. MEASURES TO ENSURE THE SAFETY OF FACILI-**
11 **TIES, INFRASTRUCTURE, AND EQUIPMENT**
12 **FOR MILITARY OPERATIONS.**

13 (a) POLICY.—It shall be the policy of the Department
14 of Defense to incorporate generally accepted industry
15 standards for the safety and health of personnel, to the
16 maximum extent practicable, into requirements for facili-
17 ties, infrastructure, and equipment that are intended for
18 use by military or civilian personnel of the Department
19 in current and future contingency operations.

20 (b) CONTRACTS.—Not later than 120 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall submit to the congressional defense committees a re-
23 port describing that actions that the Department of De-
24 fense has taken, or plans to take, to ensure that each con-
25 tract or task or delivery order entered into for the con-

1 struction, installation, repair, maintenance, or operation
2 of facilities for use by military or civilian personnel of the
3 Department in current and future contingency operations
4 complies with the policy established in subsection (a).

5 (c) **GENERALLY ACCEPTED INDUSTRY STANDARDS**
6 **FOR SAFETY.**—For the purposes of this section, generally
7 accepted industry standards for the safety of personnel in-
8 clude—

9 (1) appropriate standards with respect to fire
10 protection and structural integrity; and

11 (2) standards with respect to electrical systems,
12 water treatment, and telecommunications networks.

13 **SEC. 836. REPEAL OF REQUIREMENTS RELATING TO THE**
14 **MILITARY SYSTEM ESSENTIAL ITEM BREAK-**
15 **OUT LIST.**

16 Section 813 of the National Defense Authorization
17 Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat.
18 1543) is repealed.

19 **SEC. 837. DEFENSE SCIENCE BOARD REPORT ON RARE**
20 **EARTH MATERIALS IN THE DEFENSE SUPPLY**
21 **CHAIN.**

22 (a) **REPORT REQUIRED.**—Not later than one year
23 after the date of the enactment of this Act, the Defense
24 Science Board shall submit to the Committees on Armed
25 Services of the Senate and the House of Representatives

1 a report on the usage of rare earth materials in the supply
2 chain of the Department of Defense.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall address, at a minimum, the following:

5 (1) The current and projected domestic and
6 world-wide availability of rare earth materials for
7 use by the Department of Defense in its weapon sys-
8 tems.

9 (2) The extent to which weapon systems ac-
10 quired by the Department of Defense are currently
11 dependent on, or are projected to become dependent
12 on, rare earth materials supplied by sources that
13 could be interrupted.

14 (3) The risk to national security, if any, of de-
15 pendence on such sources for rare earth materials.

16 (4) Any steps that the Department of Defense
17 has taken or is planning to take to address any such
18 risk to national security.

19 (5) Such recommendations for further action to
20 address the matters covered by the report as the De-
21 fense Science Board considers appropriate.

22 (c) DEFINITIONS.—In this section:

23 (1) The term “rare earth” means the chemical
24 elements in the periodic table beginning with lan-

1 thanum and continuing to lutetium, and any associ-
2 ated elements.

3 (2) The term “rare earth material” includes
4 rare earth ores, semi-finished rare earth products,
5 and components containing rare earth materials.

6 **TITLE IX—DEPARTMENT OF DE-**
7 **FENSE ORGANIZATION AND**
8 **MANAGEMENT**

9 **Subtitle A—Department of Defense**
10 **Management**

11 **SEC. 901. DEPUTY UNDER SECRETARIES OF DEFENSE AND**
12 **ASSISTANT SECRETARIES OF DEFENSE.**

13 (a) DEPUTY UNDER SECRETARIES OF DEFENSE.—
14 Chapter 4 of title 10, United States Code, is amended by
15 adding after section 137 the following new section:

16 **“§ 137a. Deputy Under Secretaries of Defense**

17 “(a)(1) There are five Deputy Under Secretaries of
18 Defense.

19 “(2)(A) The Deputy Under Secretaries of Defense re-
20 ferred to in paragraphs (1) through (3) of subsection (c)
21 shall be appointed as provided in the applicable paragraph.

22 “(B) The Deputy Under Secretaries of Defense re-
23 ferred to in paragraphs (4) and (5) of subsection (c) shall
24 be appointed from civilian life by the President, by and
25 with the advice and consent of the Senate.

1 “(3) The five Deputy Under Secretaries of Defense
2 authorized by this section are the only Deputy Under Sec-
3 retaries of Defense.

4 “(b) Each Deputy Under Secretary of Defense shall
5 be the first assistant to an Under Secretary of Defense
6 and shall assist such Under Secretary in the performance
7 of the duties of the position of such Under Secretary and
8 shall act for, and exercise the powers of, such Under Sec-
9 retary when such Under Secretary is absent or disabled.

10 “(c)(1) One of the Deputy Under Secretaries is the
11 Principal Deputy Under Secretary of Defense for Acquisi-
12 tion, Technology, and Logistics appointed pursuant to sec-
13 tion 133a of this title.

14 “(2) One of the Deputy Under Secretaries is the
15 Principal Deputy Under Secretary of Defense for Policy
16 appointed pursuant to section 134a of this title.

17 “(3) One of the Deputy Under Secretaries is the
18 Principal Deputy Under Secretary of Defense for Per-
19 sonnel and Readiness appointed pursuant to section 136a
20 of this title.

21 “(4) One of the Deputy Under Secretaries shall be
22 the Principal Deputy Under Secretary of Defense (Comp-
23 troller).

1 “(5) One of the Deputy Under Secretaries shall be
2 the Principal Deputy Under Secretary of Defense for In-
3 telligence.

4 “(d) The Deputy Under Secretaries of Defense take
5 precedence in the Department of Defense after the Sec-
6 retary of Defense, the Deputy Secretary of Defense, the
7 Secretaries of the military departments, the Under Secre-
8 taries of Defense, and the Deputy Chief Management Offi-
9 cer of the Department of Defense.”.

10 (b) ASSISTANT SECRETARIES OF DEFENSE.—

11 (1) REDESIGNATION OF DEPUTY UNDER SEC-
12 RETARY FOR LOGISTICS AND MATERIEL READINESS
13 AS ASSISTANT SECRETARY.—Chapter 4 of such title
14 is further amended—

15 (A) by transferring section 133b to appear
16 after section 138 and redesignating such sec-
17 tion, as so transferred, as section 138a; and

18 (B) in such section, as so transferred and
19 redesignated, by striking “Deputy Under Sec-
20 retary” each place it appears and inserting “As-
21 sistant Secretary”.

22 (2) ADDITIONAL ASSISTANT SECRETARIES.—
23 Section 138 of such title is amended—

24 (A) by striking subsection (a) and insert-
25 ing the following new subsection (a):

1 “(a)(1) There are 16 Assistant Secretaries of De-
2 fense.

3 “(2)(A) The Assistant Secretary of Defense referred
4 to in subsection (b)(7) shall be appointed as provided in
5 that subsection.

6 “(B) The other Assistant Secretaries of Defense shall
7 be appointed from civilian life by the President, by and
8 with the advice and consent of the Senate.”; and

9 (B) in subsection (b), by adding the fol-
10 lowing new paragraphs:

11 “(6) One of the Assistant Secretaries shall be the As-
12 sistant Secretary of Defense for Acquisition. The Assist-
13 ant Secretary of Defense for Acquisition is the principal
14 adviser to the Secretary of Defense and the Under Sec-
15 retary of Defense for Acquisition, Technology, and Logis-
16 tics on matters relating to acquisition.

17 “(7) One of the Assistant Secretaries is the Assistant
18 Secretary of Defense for Logistics and Materiel Readiness
19 appointed pursuant to section 138a of this title. In addi-
20 tion to any duties and powers prescribed under paragraph
21 (1), the Assistant Secretary of Defense for Logistics and
22 Materiel Readiness shall have the duties specified in sec-
23 tion 138a of this title.

24 “(8) One of the Assistant Secretaries shall be the As-
25 sistant Secretary of Defense for Installations and Environ-

1 ment. The Assistant Secretary of Defense for Installations
2 and Environment is the principal adviser to the Secretary
3 of Defense and the Under Secretary of Defense for Acqui-
4 sition, Technology, and Logistics on matters relating to
5 Department of Defense installations and environmental
6 policy.

7 “(9) One of the Assistant Secretaries shall be the As-
8 sistant Secretary of Defense for Manufacturing and In-
9 dustrial Base. The Assistant Secretary of Defense for
10 Manufacturing and Industrial Base is the principal ad-
11 viser to the Secretary of Defense and the Under Secretary
12 of Defense for Acquisition, Technology, and Logistics on
13 policies relating to the defense industrial base, carrying
14 out the requirements of chapter 148 of this title, and exe-
15 cuting the authorities provided by the Defense Production
16 Act of 1950 (50 U.S.C. App. 2061 et seq.).

17 “(10) One of the Assistant Secretaries shall be the
18 Assistant Secretary of Defense for Readiness. The Assist-
19 ant Secretary of Defense for Readiness is the principal
20 adviser to the Secretary of Defense and the Under Sec-
21 retary of Defense for Personnel and Readiness on matters
22 relating to military readiness.

23 “(11) One of the Assistant Secretaries shall be the
24 Assistant Secretary of Defense for Strategy, Plans, and
25 Forces. The Assistant Secretary of Defense for Strategy,

1 Plans, and Forces is the principal adviser to the Secretary
2 of Defense and the Under Secretary of Defense for Policy
3 on matters relating to strategy, plans, and forces.”.

4 (c) CONFORMING AND CLERICAL AMENDMENTS.—

5 (1) CONFORMING AMENDMENTS.—

6 (A) Section 133a of such title is amend-
7 ed—

8 (i) by striking “Deputy Under Sec-
9 retary of Defense for Acquisition and
10 Technology” each place it appears and in-
11 sserting “Principal Deputy Under Secretary
12 of Defense for Acquisition, Technology,
13 and Logistics”; and

14 (ii) by striking “duties relating to ac-
15 quisition and technology” and inserting
16 “duties”.

17 (B) Section 134a of such title is amended
18 by striking “Deputy Under Secretary” each
19 place it appears and inserting “Principal Dep-
20 uty Under Secretary”.

21 (C) Section 134b of such title is repealed.

22 (D) Section 136a of such title is amended
23 by striking “Deputy Under Secretary” each
24 place it appears and inserting “Principal Dep-
25 uty Under Secretary”.

1 (2) SECTION HEADING AMENDMENTS.—

2 (A) The heading of section 133a of such
3 title is amended to read as follows:

4 **“§ 133a. Principal Deputy Under Secretary of Defense**
5 **for Acquisition, Technology, and Logis-**
6 **tics”.**

7 (B) The heading of section 134a of such
8 title is amended to read as follows:

9 **“§ 134a. Principal Deputy Under Secretary of Defense**
10 **for Policy”.**

11 (C) The heading of section 136a of such
12 title is amended to read as follows:

13 **“§ 136a. Principal Deputy Under Secretary of Defense**
14 **for Personnel and Readiness”.**

15 (D) The heading of section 138a of such
16 title, as transferred and redesignated by sub-
17 section (b)(1) of this section, is amended to
18 read as follows:

19 **“§ 138a. Assistant Secretary of Defense for Logistics**
20 **and Materiel Readiness”.**

21 (3) CLERICAL AMENDMENTS.—The table of sec-
22 tions at the beginning of chapter 4 of such title is
23 amended—

24 (A) by striking the item relating to section
25 133a and inserting the following new item:

“133a. Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics.”;

1 (B) by striking the items relating to sec-
2 tions 134a and 134b and inserting the following
3 new item:

“134a. Principal Deputy Under Secretary of Defense for Policy.”;

4 (C) by striking the item relating to section
5 136a and inserting the following new item:

“136a. Principal Deputy Under Secretary of Defense for Personnel and Readiness.”;

6 (D) by inserting after the item relating to
7 section 137 the following new item:

“137a. Deputy Under Secretaries of Defense.”; and

8 (E) by inserting after the item relating to
9 section 138 the following new item:

“138a. Assistant Secretary of Defense for Logistics and Materiel Readiness.”.

10 (d) EXECUTIVE SCHEDULE MATTERS.—

11 (1) LEVEL III.—Section 5314 of title 5, United
12 States Code, is amended by striking the item relat-
13 ing to the Deputy Under Secretary of Defense for
14 Acquisition and Technology and inserting the fol-
15 lowing new item:

16 “Principal Deputy Under Secretary of Defense
17 for Acquisition, Technology, and Logistics.”.

18 (2) LEVEL IV.—Section 5315 of such title is
19 amended—

1 (A) by striking the item relating to the As-
2 sistant Secretaries of Defense and inserting the
3 following new item:

4 “Assistant Secretaries of Defense (16).”; and

5 (B) by striking the items relating to the
6 Deputy Under Secretary of Defense for Policy,
7 the Deputy Under Secretary of Defense for
8 Personnel and Readiness, and the Deputy
9 Under Secretary of Defense for Logistics and
10 Materiel Readiness and inserting the following
11 new items:

12 “Principal Deputy Under Secretary of Defense
13 for Policy.

14 “Principal Deputy Under Secretary of Defense
15 for Personnel and Readiness.

16 “Principal Deputy Under Secretary of Defense
17 (Comptroller).

18 “Principal Deputy Under Secretary of Defense
19 for Intelligence.”.

1 **SEC. 902. REPEAL OF CERTAIN LIMITATIONS ON PER-**
2 **SONNEL AND CONSOLIDATION OF REPORTS**
3 **ON MAJOR DEPARTMENT OF DEFENSE HEAD-**
4 **QUARTERS ACTIVITIES.**

5 (a) REPEAL OF CERTAIN LIMITATIONS ON PER-
6 SONNEL ASSIGNED TO MAJOR HEADQUARTERS ACTIVI-
7 TIES.—

8 (1) REPEALS.—The following provisions of law
9 are repealed:

10 (A) Section 143 of title 10, United States
11 Code.

12 (B) Section 194 of such title.

13 (C) Sections 3014(f), 5014(f), and 8014(f)
14 of such title.

15 (D) Section 601 of the Goldwater-Nichols
16 Department of Defense Reorganization Act of
17 1986 (10 U.S.C. 194 note).

18 (2) CLERICAL AMENDMENTS.—

19 (A) The table of sections at the beginning
20 of chapter 4 of title 10, United States Code, is
21 amended by striking the item relating to section
22 143.

23 (B) The table of sections at the beginning
24 of subchapter I of chapter 8 of such title is
25 amended by striking the item relating to section
26 194.

1 (b) CONSOLIDATED ANNUAL REPORT.—

2 (1) INCLUSION IN ANNUAL DEFENSE MAPOWER
3 REQUIREMENTS REPORT.—Section 115a of such title
4 is amended by inserting after subsection (e) the fol-
5 lowing new subsection:

6 “(f) The Secretary shall also include in each such re-
7 port the following information with respect to personnel
8 assigned to or supporting major Department of Defense
9 headquarters activities:

10 “(1) The military end strength and civilian full-
11 time equivalents assigned to major Department of
12 Defense headquarters activities for the preceding fis-
13 cal year and estimates of such numbers for the cur-
14 rent fiscal year and the budget fiscal year.

15 “(2) A summary of the replacement during the
16 preceding fiscal year of contract workyears providing
17 support to major Department of Defense head-
18 quarters activities with military end strength or ci-
19 vilian full-time equivalents, including an estimate of
20 the number associated with the replacement of con-
21 tracts performing inherently governmental or exempt
22 functions.

23 “(3) The plan for the continued review of con-
24 tract personnel supporting major Department of De-
25 fense headquarters activities for possible conversion

1 to military or civilian performance in accordance
2 with section 2463 of this title.”.

3 (2) TECHNICAL AMENDMENTS TO REFLECT
4 NAME OF REPORT.—

5 (A) Subsection (a) of such section is
6 amended by inserting “defense” before “man-
7 power requirements report”.

8 (B)(i) The heading of such section is
9 amended to read as follows:

10 **“§ 115a. Annual defense manpower requirements re-
11 port”.**

12 (ii) The item relating to such section in the
13 table of sections at the beginning of chapter 2
14 of such title is amended to read as follows:

“115a. Annual defense manpower requirements report.”.

15 (3) CONFORMING REPEALS.—The following pro-
16 visions of law are repealed:

17 (A) Subsections (b) and (c) of section 901
18 of the National Defense Authorization Act for
19 Fiscal Year 2008 (Public Law 110–181; 122
20 Stat. 272).

21 (B) Section 1111 of the Duncan Hunter
22 National Defense Authorization Act for Fiscal
23 Year 2009 (Public Law 110–417; 122 Stat.
24 4619).

1 **SEC. 903. SENSE OF SENATE ON THE WESTERN HEMI-**
2 **SPHERE INSTITUTE FOR SECURITY CO-**
3 **OPERATION.**

4 (a) FINDINGS.—The Senate makes the following
5 findings:

6 (1) The Western Hemisphere Institute for Se-
7 curity Cooperation was established by section 911 of
8 the Floyd D. Spence National Defense Authorization
9 Act for Fiscal Year 2001 (as enacted into law by
10 Public Law 106–398; 114 Stat. 1654A–226).

11 (2) The Western Hemisphere Institute for Se-
12 curity Cooperation provides professional education
13 and training to military personnel, law enforcement
14 officials, and civilian personnel in support of the
15 democratic principles set forth in the Charter of the
16 Organization of American States. The Institute ef-
17 fectively promotes mutual knowledge, transparency,
18 confidence, and cooperation among participating na-
19 tions. It also effectively builds strategic partnerships
20 to address the great security challenges in the region
21 while encouraging democratic values, respect for
22 human rights, subordination to civilian authority,
23 and understanding of United States customs and
24 traditions.

25 (3) The Western Hemisphere Institute for Se-
26 curity Cooperation supports the Security Coopera-

1 tion Guidance of the Secretary of Defense by ad-
2 dressing the building partner capacity education and
3 training needs of the United States Southern Com-
4 mand and the United States Northern Command.

5 (4) In a joint letter, dated April 9, 2009, Gen-
6 eral Renuart, the Commander of the United States
7 Northern Command, and Admiral Stavridis, the
8 Commander of the United States Southern Com-
9 mand, write “[t]he outstanding service that
10 WHINSEC provides directly supports the United
11 States Southern Command’s and United States
12 Northern Command’s strategic objective of fostering
13 lasting partnerships that will ensure security, en-
14 hance stability, and enable prosperity throughout the
15 Americas” and notes that the Institute provides
16 “culturally-sensitive training, with a strong emphasis
17 on the values of democracy and human rights”.

18 (5) In establishing the Western Hemisphere In-
19 stitute for Security Cooperation, Congress mandates
20 that participants at the Institute receive a minimum
21 of 8 hours of instruction on human rights, due proc-
22 ess, the rule of law, the role of the Armed Forces
23 in a democratic society, and civilian control of the
24 military. Every course devotes at least 10 percent of
25 its course work to democracy, ethics, and human

1 rights issues. The Institute is also required to de-
2 velop a curriculum that includes leadership develop-
3 ment, counterdrug operations, peacekeeping, re-
4 source management, and disaster relief planning. In
5 fiscal year 2008, the Institute presented 39 courses
6 and hosted 1,196 students in residence at Fort
7 Benning, Georgia, of whom 292 were police per-
8 sonnel, and trained an additional 280 students
9 through the Mobile Training Team programs of the
10 Institute.

11 (6) Congress mandated the formation of a Fed-
12 eral advisory committee—an oversight committee
13 unique to the Western Hemisphere Institute for Se-
14 curity Cooperation. It provides recommendations and
15 an independent review of the Institute and its cur-
16 riculum to ensure the uniform adherence of the In-
17 stitute to United States law, regulations, and poli-
18 cies. The Board of Visitors of the Institute includes
19 the Chairman and Ranking Member of the Com-
20 mittee on Armed Services of the Senate, the Chair-
21 man and Ranking Member of the Committee on
22 Armed Services of the House of Representatives, the
23 Secretary of State, the Commander of the United
24 States Southern Command, the Commander of the
25 United States Northern Command, the Commander

1 of the United States Training and Doctrine Com-
2 mand, and six members designated by the Secretary
3 of Defense. The six members designated by the Sec-
4 retary of Defense include, to the extent practicable,
5 individuals from academia and the religious and
6 human rights communities. In addition to the 13
7 members of the Board of Visitors, advisors and sub-
8 ject matter experts assist the Board in areas the
9 Board considers necessary and appropriate.

10 (7) The Western Hemisphere Institute for Se-
11 curity Cooperation operates in accordance with sec-
12 tion 8130 of the Department of Defense Appropria-
13 tions Act, 1999 (Public Law 105–262; 112 Stat.
14 2335) that prohibits United States military assist-
15 ance to foreign military units that violate human
16 rights, including security assistance programs fund-
17 ed through appropriations available for foreign oper-
18 ations and training programs funded through appro-
19 priations made available for the Department of De-
20 fense.

21 (8) The Western Hemisphere Institute for Se-
22 curity Cooperation does not select students for par-
23 ticipation in its courses. A partner nation nominates
24 students to attend the Institute, and in accordance
25 with the law of the United States and the policies

1 of the Department of Defense and the Department
2 of State, the United States Embassy in such partner
3 nation screens and conducts background checks on
4 such nominees. The vetting process of nominees for
5 participation in the Institute includes a background
6 check by United States embassies in partner na-
7 tions, as well as checks by the Bureau of Western
8 Hemisphere Affairs and the Bureau of Democracy,
9 Human Rights, and Labor at the Department of
10 State. The Department of State also uses the Abuse
11 Case Evaluation System, a central database that ag-
12 gregates human rights abuse data into a single,
13 searchable location, to ensure nominees have not
14 been accused of any human rights abuses.

15 (9) The training provided by the Western
16 Hemisphere Institute for Security Cooperation is
17 transparent and the Institute is open to visitors at
18 any time. Visitors are welcome to sit in on classes,
19 talk with students and faculty, and review instruc-
20 tional materials. Every year, the Institute hosts
21 more than a thousand visiting students, faculty, ci-
22 vilian, and military officials.

23 (b) SENSE OF SENATE.—It is the sense of the Senate
24 that—

1 (1) the Western Hemisphere Institute for Secu-
2 rity Cooperation—

3 (A) offers quality professional military bi-
4 lingual instruction for military officers and non-
5 commissioned officers that promotes democracy,
6 subordination to civilian authority, and respect
7 for human rights; and

8 (B) is uniquely positioned to support the
9 modernization of Latin America security forces
10 as they work to transcend their own controver-
11 sial pasts;

12 (2) the Western Hemisphere Institute for Secu-
13 rity Cooperation is building partner capacity which
14 enhances regional and global security while encour-
15 aging respect for human rights and promoting
16 democratic principles among eligible military per-
17 sonnel, law enforcement officials, and civilians of na-
18 tions of the Western Hemisphere;

19 (3) the Western Hemisphere Institute for Secu-
20 rity Cooperation is an invaluable education and
21 training facility whose curriculum is not duplicated
22 in any of the military departments and is not re-
23 placeable by professional military education funded
24 by appropriations for International Military Edu-
25 cation and Training (IMET), which education is not

1 conducted in Spanish and does not concentrate on
2 regional challenges; and

3 (4) the Western Hemisphere Institute for Secu-
4 rity Cooperation is an essential tool to educate fu-
5 ture generations of Latin American leaders and im-
6 prove United States relationships with partner na-
7 tions that are working with the United States to
8 promote democracy, prosperity, and stability in the
9 Western Hemisphere.

10 **Subtitle B—Space Matters**

11 **SEC. 911. PROVISION OF SPACE SITUATIONAL AWARENESS**

12 **SERVICES AND INFORMATION TO NON-** 13 **UNITED STATES GOVERNMENT ENTITIES.**

14 (a) IN GENERAL.—Section 2274 of title 10, United
15 States Code, is amended to read as follows:

16 **“§ 2274. Space situational awareness services and in-** 17 **formation: provision to non-United States** 18 **Government entities**

19 “(a) AUTHORITY.—The Secretary of Defense may
20 provide space situational awareness services and informa-
21 tion to, and may obtain space situational awareness data
22 and information from, non-United States Government en-
23 tities in accordance with this section. Any such action may
24 be taken only if the Secretary determines that such action

1 is consistent with the national security interests of the
2 United States.

3 “(b) ELIGIBLE ENTITIES.—The Secretary may pro-
4 vide services and information under subsection (a) to, and
5 may obtain data and information under subsection (a)
6 from, any non-United States Government entity, including
7 any of the following:

8 “(1) A State.

9 “(2) A political subdivision of a State.

10 “(3) A United States commercial entity.

11 “(4) The government of a foreign country.

12 “(5) A foreign commercial entity.

13 “(c) AGREEMENT.—The Secretary may not provide
14 space situational awareness services and information
15 under subsection (a) to a non-United States Government
16 entity unless that entity enters into an agreement with the
17 Secretary under which the entity—

18 “(1) agrees to pay an amount that may be
19 charged by the Secretary under subsection (d);

20 “(2) agrees not to transfer any data or tech-
21 nical information received under the agreement, in-
22 cluding the analysis of data, to any other entity
23 without the express approval of the Secretary; and

24 “(3) agrees to any other terms and conditions
25 considered necessary by the Secretary.

1 “(d) CHARGES.—(1) As a condition of an agreement
2 under subsection (c), the Secretary may (except as pro-
3 vided in paragraph (2)) require the non-United States
4 Government entity entering into the agreement to pay to
5 the Department of Defense such amounts as the Secretary
6 determines appropriate to reimburse the Department for
7 the costs to the Department of providing space situational
8 awareness services or information under the agreement.

9 “(2) The Secretary may not require the government
10 of a State, or of a political subdivision of a State, to pay
11 any amount under paragraph (1).

12 “(e) CREDITING OF FUNDS RECEIVED.—(1) Funds
13 received for the provision of space situational awareness
14 services or information pursuant to an agreement under
15 this section shall be credited, at the election of the Sec-
16 retary, to the following:

17 “(A) The appropriation, fund, or account used
18 in incurring the obligation.

19 “(B) An appropriate appropriation, fund, or ac-
20 count currently available for the purposes for which
21 the expenditures were made.

22 “(2) Funds credited under paragraph (1) shall be
23 merged with, and remain available for obligation with, the
24 funds in the appropriation, fund, or account to which cred-
25 ited.

1 “(f) PROCEDURES.—The Secretary shall establish
2 procedures by which the authority under this section shall
3 be carried out. As part of those procedures, the Secretary
4 may allow space situational awareness services or informa-
5 tion to be provided through a contractor of the Depart-
6 ment of Defense.

7 “(g) NONDISCLOSURE.—Any information received
8 under subsection (a), records of agreements entered into
9 under subsection (c), and analyses or data provided as a
10 part of the provision of services or information under this
11 section shall be exempt from disclosure under section
12 552(b)(3) of title 5.

13 “(h) IMMUNITY.—The United States, any agencies
14 and instrumentalities thereof, and any individuals, firms,
15 corporations, and other persons acting for the United
16 States, shall be immune from any suit in any court for
17 any cause of action arising from the provision or receipt
18 of space situational awareness services or information,
19 whether or not provided in accordance with this section,
20 or any related action or omission.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of chapter 135 of such title is amended
23 by striking the item relating to section 2274 and inserting
24 the following new item:

“2274. Space situational awareness services and information: provision to non-
United States Government entities.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 2009, or the
3 date of the enactment of this Act, whichever is later.

4 **SEC. 912. PLAN FOR MANAGEMENT AND FUNDING OF NA-**
5 **TIONAL POLAR-ORBITING OPERATIONAL EN-**
6 **VIRONMENTAL SATELLITE SYSTEM PRO-**
7 **GRAM.**

8 (a) IN GENERAL.—The Secretary of Defense, the
9 Secretary of Commerce, and the Administrator of the Na-
10 tional Aeronautics and Space Administration shall jointly
11 develop a plan for the management and funding of the
12 National Polar-Orbiting Operational Environmental Sat-
13 ellite System Program (in this section referred to as the
14 “Program”) by the Department of Defense, the Depart-
15 ment of Commerce, and the National Aeronautics and
16 Space Administration.

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

19 (1) Requirements for the Program.

20 (2) The management structure of the Program.

21 (3) A funding profile for the Program for each
22 year of the Program for the Department of Defense,
23 the Department of Commerce, and the National Aer-
24 onautics and Space Administration.

1 (c) LIMITATION ON USE OF FUNDS.—Of the
2 amounts authorized to be appropriated for fiscal year
3 2010 by section 201(a)(3) for research, development, test,
4 and evaluation for the Air Force and available for the Pro-
5 gram, not more than 50 percent of such amounts may be
6 obligated or expended before the date on which the plan
7 developed under subsection (a) is submitted to the con-
8 gressional defense committees, the Committee on Com-
9 merce, Science, and Transportation of the Senate, and the
10 Committee on Energy and Commerce of the House of
11 Representatives.

12 (d) SENSE OF SENATE.—It is the sense of the Senate
13 that—

14 (1) the National Polar-Orbiting Operational
15 Environmental Satellite System Program, including
16 the sensors, satellites, and orbits included in the
17 Program, should be maintained;

18 (2) the National Polar-Orbiting Operational
19 Environmental Satellite System preparatory project
20 should be managed and treated as an operational
21 satellite;

22 (3) the responsibility of Department of Defense
23 milestone decision authority for the Program should
24 be delegated to the Department of Defense Execu-
25 tive Agent for Space, and the Department of De-

1 fense Executive Agent for Space should become the
2 member of the Tri-Agency Executive Committee
3 from the Department of Defense;

4 (4) the Program Executive Office of the Pro-
5 gram should report directly to and take direction ex-
6 clusively from the Tri-Agency Executive Committee;

7 (5) the acquisition procedures of the Depart-
8 ment of Defense should continue to be used in the
9 Program;

10 (6) the Administrator of the National Aero-
11 nautics and Space Administration and the Secretary
12 of the Air Force should make support from the God-
13 dard Space Flight Center and the Space and Missile
14 Systems Center, respectively, available for the Pro-
15 gram, as needed;

16 (7) the budget for the Program should not be
17 less than the estimate of the Cost Analysis Improve-
18 ment Group of the Department of Defense for the
19 Program;

20 (8) the Program should continue to be managed
21 by a single program manager;

22 (9) the Program should be managed as a long-
23 term operational program; and

24 (10) once all requirements for the Program are
25 fully agreed to by the Secretary of Defense, the Sec-

1 retary of Commerce, and the Administrator of the
 2 National Aeronautics and Space Administration, the
 3 Program should be executed with no modifications to
 4 those requirements that would increase the cost, or
 5 extend the schedule, of the Program.

6 **Subtitle C—Intelligence Matters**

7 **SEC. 921. INCLUSION OF DEFENSE INTELLIGENCE AGENCY** 8 **IN AUTHORITY TO USE PROCEEDS FROM** 9 **COUNTERINTELLIGENCE OPERATIONS.**

10 (a) IN GENERAL.—Section 423 of title 10, United
 11 States Code, is amended by inserting “and the Defense
 12 Intelligence Agency” after “the military departments”
 13 each place it appears in subsections (a) and (c).

14 (b) CONFORMING AMENDMENTS.—

15 (1) HEADING AMENDMENT.—The heading of
 16 such section is amended to read as follows:

17 **“§ 423. Authority to use proceeds from counterintel-**
 18 **ligence operations of the military depart-**
 19 **ments and the Defense Intelligence Agen-**
 20 **cy”.**

21 (2) TABLE OF SECTIONS.—The table of sections
 22 at the beginning of chapter 21 of such title is
 23 amended by striking the item relating to section 423
 24 and inserting the following new item:

“423. Authority to use proceeds from counterintelligence operations of the mili-
 tary departments and the Defense Intelligence Agency.”.

1 **Subtitle D—Other Matters**

2 **SEC. 931. UNITED STATES MILITARY CANCER INSTITUTE.**

3 (a) ESTABLISHMENT.—Chapter 104 of title 10,
4 United States Code, is amended by adding at the end the
5 following new section:

6 **“§ 2118. United States Military Cancer Institute**

7 “(a) ESTABLISHMENT.—The Secretary of Defense
8 shall establish in the University the United States Military
9 Cancer Institute. The Institute shall be established pursu-
10 ant to regulations prescribed by the Secretary.

11 “(b) PURPOSES.—The purposes of the Institute are
12 as follows:

13 “(1) To establish and maintain a clearinghouse
14 of data on the incidence and prevalence of cancer
15 among members and former members of the armed
16 forces.

17 “(2) To conduct research that contributes to
18 the detection or treatment of cancer among the
19 members and former members of the armed forces.

20 “(c) HEAD OF INSTITUTE.—The Director of the
21 United States Military Cancer Institute is the head of the
22 Institute. The Director shall report to the President of the
23 University regarding matters relating to the Institute.

24 “(d) ELEMENTS.—(1) The Institute is composed of
25 clinical and basic scientists in the Department of Defense

1 who have an expertise in research, patient care, and edu-
2 cation relating to oncology and who meet applicable cri-
3 teria for affiliation with the Institute.

4 “(2) The components of the Institute include military
5 treatment and research facilities that meet applicable cri-
6 teria and are designated as affiliates of the Institute.

7 “(e) RESEARCH.—(1) The Director of the United
8 States Military Cancer Institute shall carry out research
9 studies on the following:

10 “(A) The epidemiological features of cancer, in-
11 cluding assessments of the carcinogenic effect of ge-
12 netic and environmental factors, and of disparities in
13 health, inherent or common among populations of
14 various ethnic origins within the members of the
15 armed forces.

16 “(B) The prevention and early detection of can-
17 cer among members and former members of the
18 armed forces.

19 “(C) Basic, translational, and clinical investiga-
20 tion matters relating to the matters described in
21 subparagraphs (A) and (B).

22 “(2) The research studies under paragraph (1) shall
23 include complementary research on oncologic nursing.

24 “(f) COLLABORATIVE RESEARCH.—The Director of
25 the United States Military Cancer Institute shall carry out

1 the research studies under subsection (e) in collaboration
2 with other cancer research organizations and entities se-
3 lected by the Institute for purposes of the research studies.

4 “(g) ANNUAL REPORT.—(1) Not later than Novem-
5 ber 1 each year, the Director of the United States Military
6 Cancer Institute shall submit to the President of the Uni-
7 versity a report on the current status of the research stud-
8 ies being carried out by the Institute under subsection (e).

9 “(2) Not later than 60 days after receiving a report
10 under paragraph (1), the President of the University shall
11 transmit such report to the Secretary of Defense and to
12 Congress.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 104 of such title is amended
15 by adding at the end the following new item:

“2118. United States Military Cancer Institute.”.

16 **SEC. 932. INSTRUCTION OF PRIVATE SECTOR EMPLOYEES**
17 **IN CYBER SECURITY COURSES OF THE DE-**
18 **FENSE CYBER INVESTIGATIONS TRAINING**
19 **ACADEMY.**

20 (a) AUTHORITY TO RECEIVE INSTRUCTION.—

21 (1) IN GENERAL.—The Secretary of Defense
22 may permit eligible private sector employees to en-
23 roll in and receive instruction at the Defense Cyber
24 Investigations Training Academy operated under the
25 direction of the Defense Cyber Crime Center.

1 (2) LIMITATION.—Not more than the equiva-
2 lent of 200 full-time student positions at the De-
3 fense Cyber Investigations Training Academy may
4 be filled at any one time by private sector employees
5 enrolled under this section.

6 (3) CERTIFICATION.—Upon successful comple-
7 tion of a course of instruction at the Defense Cyber
8 Investigations Training Academy under this section,
9 a private sector employee may be awarded an appro-
10 priate certification or diploma.

11 (b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—

12 (1) IN GENERAL.—For purposes of this section,
13 an eligible private sector employee is an individual
14 employed by a private entity, as determined by the
15 Secretary—

16 (A) that is engaged in providing to the De-
17 partment of Defense or other departments or
18 agencies of the Federal Government significant
19 and substantial defense-related systems, prod-
20 ucts, or services; or

21 (B) whose work product is relevant to na-
22 tional security policy or strategy.

23 (2) DURATION OF TREATMENT.—An individual
24 is eligible for treatment as a private sector employee
25 for purposes of this section only so long as the indi-

1 vidual remains employed by a private entity de-
2 scribed in paragraph (1).

3 (c) CURRICULA OPEN TO ENROLLEES.—The cur-
4 ricula of instruction for which eligible private sector em-
5 ployees may enroll at the Defense Cyber Investigations
6 Training Academy under this section may only include
7 curricula of instruction otherwise offered by the Academy
8 that, as determined by the Secretary, are not readily avail-
9 able through other educational institutions.

10 (d) TUITION.—A private sector employee enrolled at
11 the Defense Cyber Investigations Training Academy under
12 this section shall be charged tuition at a rate equal to the
13 rate charged for civilian employees of the Federal Govern-
14 ment at the Academy.

15 (e) STANDARDS OF CONDUCT.—While receiving in-
16 struction at the Defense Cyber Investigations Training
17 Academy under this section, private sector employees en-
18 rolled at the Academy under this section shall, to the ex-
19 tent practicable, be subject to the same regulations gov-
20 erning academic performance, attendance, norms of be-
21 havior, and enrollment as apply to civilian employees of
22 the Federal Government receiving instruction at the Acad-
23 emy.

24 (f) USE OF FUNDS.—Notwithstanding section 3302
25 of title 31, United States Code, or any other provision of

1 law, amounts received by the Defense Cyber Investigations
2 Training Academy for the instruction of private sector em-
3 ployees enrolled under this section shall be retained by the
4 Academy to defray the costs of such instruction. The
5 source and disposition of funds so retained and utilized
6 shall be specifically identified in records of the Academy.

7 **TITLE X—GENERAL PROVISIONS**

8 **Subtitle A—Financial Matters**

9 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

10 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

11 (1) **AUTHORITY.**—Upon determination by the
12 Secretary of Defense that such action is necessary in
13 the national interest, the Secretary may transfer
14 amounts of authorizations made available to the De-
15 partment of Defense in this division for fiscal year
16 2010 between any such authorizations for that fiscal
17 year (or any subdivisions thereof). Amounts of au-
18 thorizations so transferred shall be merged with and
19 be available for the same purposes as the authoriza-
20 tion to which transferred.

21 (2) **LIMITATION.**—Except as provided in para-
22 graph (3), the total amount of authorizations that
23 the Secretary may transfer under the authority of
24 this section may not exceed \$4,000,000,000.

1 (3) EXCEPTION FOR TRANSFERS BETWEEN
2 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
3 fer of funds between military personnel authoriza-
4 tions under title IV shall not be counted toward the
5 dollar limitation in paragraph (2).

6 (b) LIMITATIONS.—The authority provided by this
7 section to transfer authorizations—

8 (1) may only be used to provide authority for
9 items that have a higher priority than the items
10 from which authority is transferred; and

11 (2) may not be used to provide authority for an
12 item that has been denied authorization by Con-
13 gress.

14 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
15 transfer made from one account to another under the au-
16 thority of this section shall be deemed to increase the
17 amount authorized for the account to which the amount
18 is transferred by an amount equal to the amount trans-
19 ferred.

20 (d) NOTICE TO CONGRESS.—The Secretary shall
21 promptly notify Congress of each transfer made under
22 subsection (a)

1 **SEC. 1002. AUDIT READINESS OF FINANCIAL STATEMENTS**
2 **OF THE DEPARTMENT OF DEFENSE.**

3 (a) **AUDIT READINESS OBJECTIVES.**—It shall be the
4 objective of the Department of Defense to ensure that—

5 (1) the financial statements of the Department
6 of the Army are validated as ready for audit by not
7 later than March 31, 2017;

8 (2) the financial statements of the Department
9 of the Navy are validated as ready for audit by not
10 later than March 31, 2016;

11 (3) the financial statements of the Department
12 of the Air Force are validated as ready for audit by
13 not later than September 30, 2016;

14 (4) the financial statements of the Defense Lo-
15 gistics Agency are validated as ready for audit by
16 not later than September 30, 2017; and

17 (5) the financial statements of the Department
18 of Defense are validated as ready for audit by not
19 later than September 30, 2017.

20 (b) **ADJUSTMENT OF DEADLINE FOR OBJECTIVES.**—

21 (1) **IN GENERAL.**—In the event that the appro-
22 priate chief management officer determines that the
23 Department of Defense, a military department, or
24 the Defense Logistics Agency will be unable to meet
25 the deadline for an objective as specified in sub-

1 section (a), the chief management officer may adjust
2 the deadline for meeting such objective.

3 (2) REPORT.—Not later than 30 days after ad-
4 justing the deadline for an objective pursuant to
5 paragraph (1), the chief management officer con-
6 cerned shall submit to the congressional defense
7 committees a report setting forth—

8 (A) a statement of the reasons why the
9 Department of Defense, the military depart-
10 ment, or the Defense Logistics Agency, as ap-
11 plicable, will be unable to meet the deadline for
12 such objective;

13 (B) a proposed completion date for the
14 achievement of compliance with such objective;
15 and

16 (C) a description of the actions that have
17 been taken and are planned to be taken by the
18 Department of Defense, the military depart-
19 ment, or the Defense Logistics Agency, as ap-
20 plicable, to meet such objective.

21 (3) APPROPRIATE CHIEF MANAGEMENT OFFI-
22 CER.—For the purposes of this subsection, the ap-
23 propriate chief management officer is as follows:

24 (A) For the objective in subsection (a)(1),
25 the Chief Management Officer of the Army.

1 (B) For the objective in subsection (a)(2),
2 the Chief Management Officer of the Navy.

3 (C) For the objective in subsection (a)(3),
4 the Chief Management Officer of the Air Force.

5 (D) For the objective in subsection (a)(4),
6 the Deputy Chief Management Officer of the
7 Department of Defense.

8 (E) For the objective in subsection (a)(5),
9 the Chief Management Officer of the Depart-
10 ment of Defense.

11 (c) FINANCIAL IMPROVEMENT AUDIT READINESS
12 PLAN.—

13 (1) IN GENERAL.—The Chief Management Offi-
14 cer of the Department of Defense shall, in consulta-
15 tion with the Under Secretary of Defense (Comp-
16 troller), develop and maintain a plan to be known as
17 the “Financial Improvement and Audit Readiness
18 Plan”.

19 (2) ELEMENTS.—The plan required by para-
20 graph (1) shall—

21 (A) describe specific actions to be taken
22 to—

23 (i) correct financial management defi-
24 ciencies that impair the ability of the De-
25 partment of Defense to prepare timely, re-

1 liable, and complete financial management
2 information; and

3 (ii) meet the objectives specified in
4 subsection (a); and

5 (B) systematically tie the actions described
6 under subparagraph (A) to process and control
7 improvements and business systems moderniza-
8 tion efforts described in the business enterprise
9 architecture and transition plan required by
10 section 2222 of title 10, United States Code.

11 (d) SEMI-ANNUAL REPORTS ON FINANCIAL IM-
12 PROVEMENT AND AUDIT READINESS PLAN.—

13 (1) IN GENERAL.—Not later than May 15 and
14 November 15 each year, the Under Secretary of De-
15 fense (Comptroller) shall submit to the congressional
16 defense committees a report on the status of the im-
17 plementation by the Department of Defense of the
18 Financial Improvement and Audit Readiness Plan
19 required by subsection (c).

20 (2) ELEMENTS.—Each report under paragraph
21 (1) shall include, at a minimum—

22 (A) an overview of the steps the Depart-
23 ment has taken or plans to take to meet the ob-
24 jectives specified in subsection (a), including

1 any interim objectives established by the De-
2 partment for that purpose; and

3 (B) a description of any impediments iden-
4 tified in the efforts of the Department to meet
5 such objectives, and of the actions the Depart-
6 ment has taken or plans to take to address
7 such impediments.

8 (3) ADDITIONAL ISSUES TO BE ADDRESSED IN
9 FIRST REPORT.—The first report submitted under
10 paragraph (1) after the date of the enactment of
11 this Act shall address, in addition to the elements
12 required by paragraph (2), the actions taken or to
13 be taken by the Department as follows:

14 (A) To develop standardized guidance for
15 financial improvement plans by components of
16 the Department.

17 (B) To establish a baseline of financial
18 management capabilities and weaknesses at the
19 component level of the Department.

20 (C) To provide results-oriented metrics for
21 measuring and reporting quantifiable results to-
22 ward addressing financial management defi-
23 ciencies.

24 (D) To define the oversight roles of the
25 Chief Management Officer of the Department

1 of Defense, the chief management officers of
2 the military departments, and other appropriate
3 elements of the Department to ensure that the
4 requirements of the Financial Improvement and
5 Audit Readiness Plan are carried out.

6 (E) To assign accountability for carrying
7 out specific elements of the Financial Improve-
8 ment and Audit Readiness Plan to appropriate
9 officials and organizations at the component
10 level of the Department.

11 (F) To develop mechanisms to track budg-
12 ets and expenditures for the implementation of
13 the requirements of the Financial Improvement
14 and Audit Readiness Plan.

15 (e) RELATIONSHIP TO EXISTING LAW.—The require-
16 ments of this section shall be implemented in a manner
17 that is consistent with the requirements of section 1008
18 of the National Defense Authorization Act for Fiscal Year
19 2002 (Public Law 107–107; 115 Stat. 1204; 10 U.S.C.
20 2222 note).

1 **Subtitle B—Naval Vessels and**
2 **Shipyards**

3 **SEC. 1011. TEMPORARY REDUCTION IN MINIMUM NUMBER**
4 **OF AIRCRAFT CARRIERS IN ACTIVE SERVICE.**

5 Notwithstanding section 5062(b) of title 10, United
6 States Code, during the period beginning on the date of
7 the decommissioning of the U.S.S. Enterprise (CVN 65)
8 and ending on the date of the commissioning into active
9 service of the U.S.S. Gerald R. Ford (CVN 78), the num-
10 ber of operational aircraft carriers in the naval combat
11 forces of the Navy may be 10.

12 **SEC. 1012. REPEAL OF POLICY RELATING TO THE MAJOR**
13 **COMBATANT VESSELS OF THE STRIKE**
14 **FORCES OF THE UNITED STATES NAVY.**

15 Section 1012 of the National Defense Authorization
16 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
17 303) is repealed.

18 **SEC. 1013. SENSE OF SENATE ON THE MAINTENANCE OF A**
19 **313-SHIP NAVY.**

20 (a) FINDINGS.—The Senate makes the following
21 findings:

22 (1) The Department of the Navy has a stated
23 requirement for a 313-ship fleet.

24 (2) The Navy can better meet this require-
25 ment—

1 (A) by procuring sufficient numbers of new
2 ships; and

3 (B) by ensuring the sound material condi-
4 tion of existing ships that will enable the Navy
5 to utilize them for their full planned service
6 lives.

7 (3) When procuring new classes of ships, the
8 Navy must exercise greater caution than it has ex-
9 hibited to date in proceeding from one stage of the
10 acquisition cycle to the next before a ship program
11 has achieved a level of maturity that significantly
12 lowers the risk of cost growth and schedule slippage.

13 (4) In retaining existing assets, the Navy can
14 do a much better job of achieving the full planned
15 service lives of ships and extending the service lives
16 of certain ships so as to keep their unique capabili-
17 ties in the fleet while the Navy takes the time nec-
18 essary to develop and field next-generation capabili-
19 ties under a low risk program.

20 (5) The Navy can undertake certain develop-
21 ment approaches that can help the Navy control the
22 total costs of ownership of a ship or class of ships,
23 including emphasizing common hull designs, open
24 architecture combat systems, and other common

1 ship systems in order to achieve efficiency in acquir-
2 ing and supporting various classes of ships.

3 (6) The Navy needs to continue its efforts to-
4 ward achieving an open architecture for existing
5 combat systems, as this will have great benefit in re-
6 ducing the costs and risks of fielding new classes of
7 ships, and will yield recurring savings from reducing
8 the costs of buying later ships in a program and re-
9 ducing life cycle support costs for ships and classes
10 of ships.

11 (7) The Navy can also undertake other meas-
12 ures to acquire new ships and maintain the current
13 fleet with greater efficiency, including—

14 (A) greater use of fixed-price contracts;

15 (B) maximizing competition (or the option
16 of competition) throughout the life cycle of its
17 ships;

18 (C) entering into multiyear contracts when
19 warranted; and

20 (D) employing an incremental approach to
21 developing new technologies.

22 (b) SENSE OF SENATE.—It is the sense of the Senate
23 that—

24 (1) the Navy should meet its requirement for a
25 313-ship fleet;

1 (2) the Navy should take greater care to
2 achieve the full planned service life of existing ships
3 and reduce the incidence of early ship decommis-
4 sioning;

5 (3) the Navy should exercise greater restraint
6 on the acquisition process for ships in order to
7 achieve on-time, on-cost shipbuilding programs; and

8 (4) Congress should support the Navy when it
9 is acting responsibly to undertake measures that can
10 help the Navy achieve the requirement for a 313-
11 ship fleet and maintain a fleet that is adequate to
12 meet the national security needs of the United
13 States.

14 **SEC. 1014. DESIGNATION OF U.S.S. CONSTITUTION AS**
15 **AMERICA'S SHIP OF STATE.**

16 (a) FINDINGS.—Congress makes the following find-
17 ings:

18 (1) The 3rd Congress authorized, in the Act en-
19 titled “An Act to Provide a Naval Armament”, ap-
20 proved on March 27, 1794 (1 Stat. 350, Chap. XII),
21 the construction of six frigates as the first ships to
22 be built for the United States Navy.

23 (2) One of the six frigates was built in Boston
24 between 1794 and 1797, and is the only one of the
25 original six ships to survive.

1 (3) President George Washington named this
2 frigate “Constitution” to represent the Nation’s
3 founding document.

4 (4) President Thomas Jefferson, asserting the
5 right of the United States to trade on the high seas,
6 dispatched the frigate Constitution in 1803 as the
7 flagship of the Mediterranean Squadron to end the
8 depredations of the Barbary States against United
9 States ships and shipping, which led to a treaty
10 being signed with the Bashaw of Tripoli in the Cap-
11 tain’s cabin aboard the frigate Constitution on June
12 4, 1805.

13 (5) The frigate Constitution, with her defeat of
14 HMS Guerriere, secured the first major victory by
15 the young United States Navy against the Royal
16 Navy during the War of 1812, gaining in the proc-
17 ess the nickname “Old Ironsides”, which she has
18 proudly carried since.

19 (6) Congress awarded gold medals to four of
20 the ship’s commanding officers (Preble, Hull, Stew-
21 art, and Bainbridge), a record unmatched by any
22 other United States Navy vessel.

23 (7) The frigate Constitution emerged from the
24 War of 1812 undefeated, having secured victories
25 over three additional ships of the Royal Navy.

1 (8) As early as May 1815, the frigate Constitu-
2 tion had already been adopted as a symbol of the
3 young Republic, as attested by the [Washington]
4 National Intelligencer which proclaimed, “Let us
5 keep ‘Old Ironsides’ at home. She has, literally be-
6 come the Nation’s Ship . . . and should thus be pre-
7 served . . . in honorable pomp, as a glorious Monu-
8 ment of her own, and our other Naval Victories.”.

9 (9) Rumors in 1830 that “Old Ironsides,” an
10 aging frigate, was about to be scrapped resulted in
11 a public uproar demanding that the ship be restored
12 and preserved, spurred by Oliver Wendell Holmes’
13 immortal poem “Old Ironsides”.

14 (10) “Old Ironsides” circumnavigated the world
15 between 1844 and 1846, showing the American flag
16 as she searched for future coaling stations that
17 would eventually fuel the steam-powered navy of the
18 United States.

19 (11) The first Pope to set foot on United States
20 sovereign territory was Pius IX onboard the frigate
21 Constitution in 1849.

22 (12) “Old Ironsides” helped evacuate the
23 United States Naval Academy from Annapolis,
24 Maryland, to Newport, Rhode Island, in 1860 to

1 prevent this esteemed ship from falling into Confed-
2 erate hands.

3 (13) Congressman John F. “Honey Fitz” Fitz-
4 gerald introduced legislation in 1896 to return “Old
5 Ironsides” from the Portsmouth (New Hampshire)
6 Naval Shipyard, where she was moored pier side and
7 largely forgotten, to Boston for her 100th birthday.

8 (14) Thousands of school children contributed
9 pennies between 1925 an 1927 to help fund a much
10 needed restoration for “Old Ironsides”.

11 (15) Between 1931 and 1934, more than
12 4,500,000 Americans gained inspiration, at the
13 depth of the Great Depression, by going aboard
14 “Old Ironsides” as she was towed to 76 ports on the
15 Atlantic, Gulf, and Pacific coasts.

16 (16) The 83rd Congress enacted the Act of
17 July 23, 1954 (68 Stat. 527, chapter 565), which
18 directed the Secretary of the Navy to transfer to the
19 States and appropriate commissions four other his-
20 toric ships then on the Navy inventory, and to repair
21 and equip U.S.S. Constitution, as much as prac-
22 ticable, to her original condition, but not for active
23 service.

24 (17) Queen Elizabeth II paid a formal visit to
25 U.S.S. Constitution in 1976, at the start of her

1 state visit marking the Bicentennial of the United
2 States.

3 (18) The U.S.S. Constitution, in celebration of
4 her bicentennial, returned to sea under sail on July
5 21, 1997 for the first time since 1881, proudly set-
6 ting sails purchased by the contributions of thou-
7 sands of pennies given by school children across the
8 United States.

9 (19) The U.S.S. Constitution is the oldest com-
10 missioned warship afloat in the world.

11 (20) The U.S.S. Constitution is a National His-
12 toric Landmark.

13 (21) The U.S.S. Constitution continues to per-
14 form official, ceremonial duties, including in recent
15 years hosting a congressional dinner honoring the
16 late Senator John Chafee of Rhode Island, a special
17 salute for the dedication of the John Moakley Fed-
18 eral Courthouse, a luncheon honoring British Am-
19 bassador Sir David Manning, and a special under-
20 way demonstration during which 60 Medal of Honor
21 recipients each received a personal Medal of Honor
22 flag.

23 (22) The U.S.S. Constitution celebrated on Oc-
24 tober 21, 2007, the 210th anniversary of her launch-
25 ing.

1 (23) The U.S.S. Constitution will remain a
2 commissioned ship in the United States Navy, with
3 the Navy retaining control of the ship, its material
4 condition, and its employment.

5 (24) The U.S.S. Constitution's primary mission
6 will remain education and public outreach, and any
7 Ship of State functions will be an adjunct to the
8 ship's primary mission.

9 (b) DESIGNATION AS AMERICA'S SHIP OF STATE.—

10 (1) IN GENERAL.—The U.S.S. Constitution is
11 hereby designated as “America's Ship of State”.

12 (2) REFERENCES.—The U.S.S. Constitution
13 may be known or referred to as “America's Ship of
14 State”.

15 (3) SENSE OF CONGRESS.—It is the sense of
16 Congress that the President, Vice President, execu-
17 tive branch officials, and members of Congress
18 should utilize the U.S.S. Constitution for the con-
19 ducting of pertinent matters of state, such as
20 hosting visiting heads of state, signing legislation re-
21 lating to the Armed Forces, and signing maritime
22 related treaties.

23 (4) FEE OR REIMBURSEMENT STRUCTURE FOR
24 NON-DEPARTMENT OF THE NAVY USE.—The Sec-
25 retary of the Navy shall determine an appropriate

1 fee or reimbursement structure for any non-Depart-
2 ment of the Navy entities using the U.S.S. Constitu-
3 tion for Ship of State purposes.

4 **Subtitle C—Counter-Drug** 5 **Activities**

6 **SEC. 1021. EXTENSION AND MODIFICATION OF AUTHORITY**
7 **TO PROVIDE ADDITIONAL SUPPORT FOR**
8 **COUNTER-DRUG ACTIVITIES OF CERTAIN**
9 **FOREIGN GOVERNMENTS.**

10 (a) EXTENSION OF AUTHORITY.—Subsection (a)(2)
11 of section 1033 of the National Defense Authorization Act
12 for Fiscal Year 1998 (Public Law 105–85; 111 Stat.
13 1881), as amended by section 1021 of the National De-
14 fense Authorization Act for Fiscal Year 2004 (Public Law
15 108–136; 117 Stat. 1593), section 1022 of the John War-
16 ner National Defense Authorization Act for Fiscal Year
17 2007 (Public Law 109–364; 120 Stat. 2137), section
18 1022 of the National Defense Authorization Act for Fiscal
19 Year 2008 (Public Law 110–181; 122 Stat. 304), and sec-
20 tion 1024 of the Duncan Hunter National Defense Au-
21 thorization Act for Fiscal Year 2009 (Public Law 110–
22 417; 122 Stat. 4587), is further amended by striking
23 “2009” and inserting “2010”.

24 (b) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Sub-
25 section (e)(2) of such section is amended—

1 (1) by striking “or” before “\$75,000,000”; and

2 (2) by striking the period at the end and insert-
3 ing “, or \$100,000,000 during fiscal year 2010.”.

4 (c) CONDITIONS ON PROVISION OF SUPPORT.—Sub-
5 section (f)(2) of such section is amended in the matter
6 preceding subparagraph (A) by striking “for fiscal year
7 2009 to carry out this section and the first fiscal year in
8 which the support is to be provided” and inserting “and
9 available for support”.

10 (d) COUNTER-DRUG PLAN.—Subsection (h) of such
11 section is amended—

12 (1) in the matter preceding paragraph (1), by
13 striking “fiscal year 2009” and inserting “for each
14 fiscal year”; and

15 (2) in paragraph (7), by striking “fiscal year
16 2009, and thereafter, for the first fiscal year in
17 which support is to be provided” and inserting “each
18 fiscal year in which support is to be provided a gov-
19 ernment”.

20 **SEC. 1022. ONE-YEAR EXTENSION OF AUTHORITY FOR**
21 **JOINT TASK FORCES SUPPORT TO LAW EN-**
22 **FORCEMENT AGENCIES CONDUCTING**
23 **COUNTER-TERRORISM ACTIVITIES.**

24 (a) ONE-YEAR EXTENSION.—Subsection (b) of sec-
25 tion 1022 of the National Defense Authorization Act for

1 Fiscal Year 2004 (10 U.S.C. 371 note) is amended by
2 striking “2009” and inserting “2010”.

3 (b) ANNUAL REPORT.—Subsection (c) of such section
4 is amended to read as follows:

5 “(c) ANNUAL REPORT.—Not later than December 31
6 of each year after 2008 in which the authority in sub-
7 section (a) is in effect, the Secretary of Defense shall sub-
8 mit to the congressional defense committees a report set-
9 ting forth, for the one-year period ending on the date of
10 such report, the following:

11 “(1) An assessment of the effect on counter-
12 drug and counter-terrorism activities and objectives
13 of using counter-drug funds of a joint task force to
14 provide counterterrorism support authorized by sub-
15 section (a).

16 “(2) A description of the type of support and
17 any recipient of support provided under subsection
18 (a).

19 “(3) A list of current joint task forces con-
20 ducting counter-drug operations.”.

1 **SEC. 1023. ONE-YEAR EXTENSION OF AUTHORITY TO SUP-**
 2 **PORT UNIFIED COUNTER-DRUG AND**
 3 **COUNTERTERRORISM CAMPAIGN IN COLOM-**
 4 **BIA.**

5 Section 1021 of the Ronald W. Reagan National De-
 6 fense Authorization Act for Fiscal Year 2005 (Public Law
 7 108–375; 118 Stat. 2042), as amended by section 1023
 8 of the John Warner National Defense Authorization Act
 9 for Fiscal Year 2007 (Public Law 109–364; 120 Stat.
 10 2382) and section 1023 of the Duncan Hunter National
 11 Defense Authorization Act for Fiscal Year 2009 (Public
 12 Law 110–417; 122 Stat. 4586), is further amended—

13 (1) in subsection (a)(1), by striking “2009” and
 14 inserting “2010”; and

15 (2) in subsection (c), by striking “2009” and
 16 inserting “2010”.

17 **Subtitle D—Military Commissions**

18 **SEC. 1031. MILITARY COMMISSIONS.**

19 (a) IN GENERAL.—Chapter 47A of title 10, United
 20 States Code, is amended to read as follows:

21 **“CHAPTER 47A—MILITARY COMMISSIONS**

“SUBCHAPTER	Sec.
“I. General Provisions	948a.
“II. Composition of Military Commissions	948h.
“III. Pre-Trial Procedure	948q.
“IV. Trial Procedure	949a.
“V. Sentences	949s.
“VI. Post-Trial Procedure and Review of Military Commissions	950a.
“VII. Punitive Matters	950p.

1 “SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“948a. Definitions.

“948b. Military commissions generally.

“948c. Persons subject to military commissions.

“948d. Jurisdiction of military commissions.

2 **“§ 948a. Definitions**

3 “In this chapter:

4 “(1) ALIEN.—The term ‘alien’ means an indi-
5 vidual who is not a citizen of the United States.6 “(2) CLASSIFIED INFORMATION.—The term
7 ‘classified information’ means the following:8 “(A) Any information or material that has
9 been determined by the United States Govern-
10 ment pursuant to statute, Executive order, or
11 regulation to require protection against unau-
12 thorized disclosure for reasons of national secu-
13 rity.14 “(B) Any restricted data, as that term is
15 defined in section 11 y. of the Atomic Energy
16 Act of 1954 (42 U.S.C. 2014(y)).17 “(3) COALITION PARTNER.—The term ‘coalition
18 partner’, with respect to hostilities engaged in by the
19 United States, means any State or armed force di-
20 rectly engaged along with the United States in such
21 hostilities or providing direct operational support to
22 the United States in connection with such hostilities.

1 “(4) GENEVA CONVENTION RELATIVE TO THE
2 TREATMENT OF PRISONERS OF WAR.—The term
3 ‘Geneva Convention Relative to the Treatment of
4 Prisoners of War’ means the Convention Relative to
5 the Treatment of Prisoners of War, done at Geneva
6 August 12, 1949 (6 UST 3316).

7 “(5) GENEVA CONVENTIONS.—The term ‘Gene-
8 va Conventions’ means the international conventions
9 signed at Geneva on August 12, 1949.

10 “(6) PRIVILEGED BELLIGERENT.—The term
11 ‘privileged belligerent’ means an individual belonging
12 to one of the eight categories enumerated in Article
13 4 of the Geneva Convention Relative to the Treat-
14 ment of Prisoners of War.

15 “(7) UNPRIVILEGED ENEMY BELLIGERENT.—
16 The term ‘unprivileged enemy belligerent’ means an
17 individual (other than a privileged belligerent) who—

18 “(A) has engaged in hostilities against the
19 United States or its coalition partners; or

20 “(B) has purposefully and materially sup-
21 ported hostilities against the United States or
22 its coalition partners.

23 **“§ 948b. Military commissions generally**

24 “(a) PURPOSE.—This chapter establishes procedures
25 governing the use of military commissions to try alien

1 unprivileged enemy belligerents for violations of the law
2 of war and other offenses triable by military commission.

3 “(b) AUTHORITY FOR MILITARY COMMISSIONS
4 UNDER THIS CHAPTER.—The President is authorized to
5 establish military commissions under this chapter for of-
6 fenses triable by military commission as provided in this
7 chapter.

8 “(c) CONSTRUCTION OF PROVISIONS.—The proce-
9 dures for military commissions set forth in this chapter
10 are based upon the procedures for trial by general courts-
11 martial under chapter 47 of this title (the Uniform Code
12 of Military Justice). Chapter 47 of this title does not, by
13 its terms, apply to trial by military commission except as
14 specifically provided therein or in this chapter, and many
15 of the provisions of chapter 47 of this title are by their
16 terms inapplicable to military commissions. The judicial
17 construction and application of chapter 47 of this title,
18 while instructive, is therefore not of its own force binding
19 on military commissions established under this chapter.

20 “(d) INAPPLICABILITY OF CERTAIN PROVISIONS.—
21 (1) The following provisions of this title shall not apply
22 to trial by military commission under this chapter:

23 “(A) Section 810 (article 10 of the Uniform
24 Code of Military Justice), relating to speedy trial,

1 including any rule of courts-martial relating to
2 speedy trial.

3 “(B) Sections 831(a), (b), and (d) (articles
4 31(a), (b), and (d) of the Uniform Code of Military
5 Justice), relating to compulsory self-incrimination.

6 “(C) Section 832 (article 32 of the Uniform
7 Code of Military Justice), relating to pretrial inves-
8 tigation.

9 “(2) Other provisions of chapter 47 of this title shall
10 apply to trial by military commission under this chapter
11 only to the extent provided by the terms of such provisions
12 or by this chapter.

13 “(e) TREATMENT OF RULINGS AND PRECEDENTS.—
14 The findings, holdings, interpretations, and other prece-
15 dents of military commissions under this chapter may not
16 be introduced or considered in any hearing, trial, or other
17 proceeding of a court-martial convened under chapter 47
18 of this title. The findings, holdings, interpretations, and
19 other precedents of military commissions under this chap-
20 ter may not form the basis of any holding, decision, or
21 other determination of a court-martial convened under
22 that chapter.

23 “(f) GENEVA CONVENTIONS NOT ESTABLISHING
24 PRIVATE RIGHT OF ACTION.—No alien unprivileged
25 enemy belligerent subject to trial by military commission

1 under this chapter may invoke the Geneva Conventions as
 2 a basis for a private right of action.

3 **“§ 948c. Persons subject to military commissions**

4 “Any alien unprivileged enemy belligerent having en-
 5 gaged in hostilities or having supported hostilities against
 6 the United States is subject to trial by military commis-
 7 sion as set forth in this chapter.

8 **“§ 948d. Jurisdiction of military commissions**

9 “A military commission under this chapter shall have
 10 jurisdiction to try persons subject to this chapter for any
 11 offense made punishable by this chapter, sections 904 and
 12 906 of this title (articles 104 and 106 of the Uniform Code
 13 of Military Justice), or the law of war, and may, under
 14 such limitations as the President may prescribe, adjudge
 15 any punishment not forbidden by this chapter, including
 16 the penalty of death when specifically authorized under
 17 this chapter. A military commission is a competent tri-
 18 bunal to make a finding sufficient for jurisdiction.

19 **“SUBCHAPTER II—COMPOSITION OF MILITARY**
 20 **COMMISSIONS**

“Sec.

“948h. Who may convene military commissions.

“948i. Who may serve on military commissions.

“948j. Military judge of a military commission.

“948k. Detail of trial counsel and defense counsel.

“948l. Detail or employment of reporters and interpreters.

“948m. Number of members; excuse of members; absent and additional mem-
 bers.

1 **“§ 948h. Who may convene military commissions**

2 “Military commissions under this chapter may be
3 convened by the Secretary of Defense or by any officer
4 or official of the United States designated by the Secretary
5 for that purpose.

6 **“§ 948i. Who may serve on military commissions**

7 “(a) IN GENERAL.—Any commissioned officer of the
8 armed forces on active duty is eligible to serve on a mili-
9 tary commission under this chapter, including commis-
10 sioned officers of the reserve components of the armed
11 forces on active duty, commissioned officers of the Na-
12 tional Guard on active duty in Federal service, or retired
13 commissioned officers recalled to active duty.

14 “(b) DETAIL OF MEMBERS.—When convening a mili-
15 tary commission under this chapter, the convening author-
16 ity shall detail as members thereof such members of the
17 armed forces eligible under subsection (a) who, as in the
18 opinion of the convening authority, are best qualified for
19 the duty by reason of age, education, training, experience,
20 length of service, and judicial temperament. No member
21 of an armed force is eligible to serve as a member of a
22 military commission when such member is the accuser or
23 a witness for the prosecution or has acted as an investi-
24 gator or counsel in the same case.

25 “(c) EXCUSE OF MEMBERS.—Before a military com-
26 mission under this chapter is assembled for the trial of

1 a case, the convening authority may excuse a member
2 from participating in the case.

3 **“§ 948j. Military judge of a military commission**

4 “(a) **DETAIL OF MILITARY JUDGE.**—A military judge
5 shall be detailed to each military commission under this
6 chapter. The Secretary of Defense shall prescribe regula-
7 tions providing for the manner in which military judges
8 are so detailed to military commissions. The military judge
9 shall preside over each military commission to which he
10 has been detailed.

11 “(b) **ELIGIBILITY.**—A military judge shall be a com-
12 missioned officer of the armed forces who is a member
13 of the bar of a Federal court, or a member of the bar
14 of the highest court of a State, and who is certified to
15 be qualified for duty under section 826 of this title (article
16 26 of the Uniform Code of Military Justice) as a military
17 judge in general courts-martial by the Judge Advocate
18 General of the armed force of which such military judge
19 is a member.

20 “(c) **INELIGIBILITY OF CERTAIN INDIVIDUALS.**—No
21 person is eligible to act as military judge in a case of a
22 military commission under this chapter if he is the accuser
23 or a witness or has acted as investigator or a counsel in
24 the same case.

1 “(d) CONSULTATION WITH MEMBERS; INELIGI-
2 BILITY TO VOTE.—A military judge detailed to a military
3 commission under this chapter may not consult with the
4 members except in the presence of the accused (except as
5 otherwise provided in section 949d of this title), trial coun-
6 sel, and defense counsel, nor may he vote with the mem-
7 bers.

8 “(e) OTHER DUTIES.—A commissioned officer who
9 is certified to be qualified for duty as a military judge of
10 a military commission under this chapter may perform
11 such other duties as are assigned to him by or with the
12 approval of the Judge Advocate General of the armed
13 force of which such officer is a member or the designee
14 of such Judge Advocate General.

15 “(f) PROHIBITION ON EVALUATION OF FITNESS BY
16 CONVENING AUTHORITY.—The convening authority of a
17 military commission under this chapter shall not prepare
18 or review any report concerning the effectiveness, fitness,
19 or efficiency of a military judge detailed to the military
20 commission which relates to his performance of duty as
21 a military judge on the military commission.

22 **“§ 948k. Detail of trial counsel and defense counsel**

23 “(a) DETAIL OF COUNSEL GENERALLY.—(1) Trial
24 counsel and military defense counsel shall be detailed for
25 each military commission under this chapter.

1 “(2) Assistant trial counsel and assistant and asso-
2 ciate defense counsel may be detailed for a military com-
3 mission under this chapter.

4 “(3) Military defense counsel for a military commis-
5 sion under this chapter shall be detailed as soon as prac-
6 ticable.

7 “(4) The Secretary of Defense shall prescribe regula-
8 tions providing for the manner in which trial counsel and
9 military defense counsel are detailed for military commis-
10 sions under this chapter and for the persons who are au-
11 thorized to detail such counsel for such military commis-
12 sions.

13 “(b) TRIAL COUNSEL.—Subject to subsection (e),
14 trial counsel detailed for a military commission under this
15 chapter must be—

16 “(1) a judge advocate (as that term is defined
17 in section 801 of this title (article 1 of the Uniform
18 Code of Military Justice)) who is—

19 “(A) a graduate of an accredited law
20 school or is a member of the bar of a Federal
21 court or of the highest court of a State; and

22 “(B) certified as competent to perform du-
23 ties as trial counsel before general courts-mar-
24 tial by the Judge Advocate General of the
25 armed force of which he is a member; or

1 “(2) a civilian who is—

2 “(A) a member of the bar of a Federal
3 court or of the highest court of a State; and

4 “(B) otherwise qualified to practice before
5 the military commission pursuant to regulations
6 prescribed by the Secretary of Defense.

7 “(c) MILITARY DEFENSE COUNSEL.—Subject to sub-
8 section (e), military defense counsel detailed for a military
9 commission under this chapter must be a judge advocate
10 (as so defined) who is—

11 “(1) a graduate of an accredited law school or
12 is a member of the bar of a Federal court or of the
13 highest court of a State; and

14 “(2) certified as competent to perform duties as
15 defense counsel before general courts-martial by the
16 Judge Advocate General of the armed force of which
17 he is a member.

18 “(d) CHIEF PROSECUTOR; CHIEF DEFENSE COUN-
19 SEL.—(1) The Chief Prosecutor in a military commission
20 under this chapter shall meet the requirements set forth
21 in subsection (b)(1).

22 “(2) The Chief Defense Counsel in a military com-
23 mission under this chapter shall meet the requirements set
24 forth in subsection (c)(1).

1 “(e) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No
2 person who has acted as an investigator, military judge,
3 or member of a military commission under this chapter
4 in any case may act later as trial counsel or military de-
5 fense counsel in the same case. No person who has acted
6 for the prosecution before a military commission under
7 this chapter may act later in the same case for the de-
8 fense, nor may any person who has acted for the defense
9 before a military commission under this chapter act later
10 in the same case for the prosecution.

11 **“§ 948l. Detail or employment of reporters and inter-**
12 **preters**

13 “(a) COURT REPORTERS.—Under such regulations
14 as the Secretary of Defense may prescribe, the convening
15 authority of a military commission under this chapter
16 shall detail to or employ for the military commission quali-
17 fied court reporters, who shall prepare a verbatim record
18 of the proceedings of and testimony taken before the mili-
19 tary commission.

20 “(b) INTERPRETERS.—Under such regulations as the
21 Secretary of Defense may prescribe, the convening author-
22 ity of a military commission under this chapter may detail
23 to or employ for the military commission interpreters who
24 shall interpret for the military commission, and, as nec-

1 essary, for trial counsel and defense counsel for the mili-
 2 tary commission, and for the accused.

3 “(c) TRANSCRIPT; RECORD.—The transcript of a
 4 military commission under this chapter shall be under the
 5 control of the convening authority of the military commis-
 6 sion, who shall also be responsible for preparing the record
 7 of the proceedings of the military commission.

8 **“§ 948m. Number of members; excuse of members; ab-**
 9 **sent and additional members**

10 “(a) NUMBER OF MEMBERS.—(1) A military com-
 11 mission under this chapter shall, except as provided in
 12 paragraph (2), have at least five members.

13 “(2) In a case in which the accused before a military
 14 commission under this chapter may be sentenced to a pen-
 15 alty of death, the military commission shall have the num-
 16 ber of members prescribed by section 949m(c) of this title.

17 “(b) EXCUSE OF MEMBERS.—No member of a mili-
 18 tary commission under this chapter may be absent or ex-
 19 cused after the military commission has been assembled
 20 for the trial of a case unless excused—

21 “(1) as a result of challenge;

22 “(2) by the military judge for physical disability
 23 or other good cause; or

24 “(3) by order of the convening authority for
 25 good cause.

1 “(c) ABSENT AND ADDITIONAL MEMBERS.—When-
 2 ever a military commission under this chapter is reduced
 3 below the number of members required by subsection (a),
 4 the trial may not proceed unless the convening authority
 5 details new members sufficient to provide not less than
 6 such number. The trial may proceed with the new mem-
 7 bers present after the recorded evidence previously intro-
 8 duced before the members has been read to the military
 9 commission in the presence of the military judge, the ac-
 10 cused (except as provided in section 949d of this title),
 11 and counsel for both sides.

12 “SUBCHAPTER III—PRE-TRIAL PROCEDURE

“Sec.

“948q. Charges and specifications.

“948r. Compulsory self-incrimination prohibited; statements obtained by torture
 or cruel, inhuman, or degrading treatment.

“948s. Service of charges.

13 “§ 948q. Charges and specifications

14 “(a) CHARGES AND SPECIFICATIONS.—Charges and
 15 specifications against an accused in a military commission
 16 under this chapter shall be signed by a person subject to
 17 chapter 47 of this title under oath before a commissioned
 18 officer of the armed forces authorized to administer oaths
 19 and shall state—

20 “(1) that the signer has personal knowledge of,
 21 or reason to believe, the matters set forth therein;
 22 and

1 “(2) that they are true in fact to the best of his
2 knowledge and belief.

3 “(b) NOTICE TO ACCUSED.—Upon the swearing of
4 the charges and specifications in accordance with sub-
5 section (a), the accused shall be informed of the charges
6 and specifications against him as soon as practicable.

7 **“§ 948r. Compulsory self-incrimination prohibited;
8 statements obtained by torture or cruel,
9 inhuman, or degrading treatment**

10 “(a) IN GENERAL.—No person shall be required to
11 testify against himself at a proceeding of a military com-
12 mission under this chapter.

13 “(b) STATEMENTS OBTAINED BY TORTURE.—A
14 statement obtained by use of torture, whether or not under
15 color of law, shall not be admissible in a trial by military
16 commission under this chapter, except against a person
17 accused of torture as evidence the statement was made.

18 “(c) STATEMENTS OBTAINED THROUGH CRUEL, IN-
19 HUMAN, OR DEGRADING TREATMENT.—A statement in
20 which the degree of coercion is disputed may be admissible
21 in a trial by military commission under this chapter only
22 if the military judge finds that—

23 “(1) the totality of the circumstances renders
24 the statement reliable and possessing sufficient pro-
25 bative value;

1 “(2) the interests of justice would best be
2 served by admission of the statement into evidence;
3 and

4 “(3) the interrogation methods used to obtain
5 the statement do not amount to cruel, inhuman, or
6 degrading treatment prohibited by section 1003 of
7 the Detainee Treatment Act of 2005 (42 U.S.C.
8 2000dd).

9 **“§ 948s. Service of charges**

10 “The trial counsel assigned to a case before a military
11 commission under this chapter shall cause to be served
12 upon the accused and military defense counsel a copy of
13 the charges upon which trial is to be had in English and,
14 if appropriate, in another language that the accused un-
15 derstands, sufficiently in advance of trial to prepare a de-
16 fense.

17 **“SUBCHAPTER IV—TRIAL PROCEDURE**

“Sec.

“949a. Rules.

“949b. Unlawfully influencing action of military commission.

“949c. Duties of trial counsel and defense counsel.

“949d. Sessions.

“949e. Continuances.

“949f. Challenges.

“949g. Oaths.

“949h. Former jeopardy.

“949i. Pleas of the accused.

“949j. Opportunity to obtain witnesses and other evidence.

“949k. Defense of lack of mental responsibility.

“949l. Voting and rulings.

“949m. Number of votes required.

“949n. Military commission to announce action.

“949o. Record of trial.

1 **“§ 949a. Rules**

2 “(a) PROCEDURES AND RULES OF EVIDENCE.—Pre-
3 trial, trial, and post-trial procedures, including elements
4 and modes of proof, for cases triable by military commis-
5 sion under this chapter may be prescribed by the Secretary
6 of Defense. Such procedures may not be contrary to or
7 inconsistent with this chapter. Except as otherwise pro-
8 vided in this chapter or chapter 47 of this title, the proce-
9 dures and rules of evidence applicable in trials by general
10 courts-martial of the United States shall apply in trials
11 by military commission under this chapter.

12 “(b) EXCEPTIONS.—(1) The Secretary of Defense, in
13 consultation with the Attorney General, may make such
14 exceptions in the applicability in trials by military commis-
15 sion under this chapter from the procedures and rules of
16 evidence otherwise applicable in general courts-martial as
17 may be required by the unique circumstances of the con-
18 duct of military and intelligence operations during hos-
19 tilities or by other practical need.

20 “(2) Notwithstanding any exceptions authorized by
21 paragraph (1), the procedures and rules of evidence in
22 trials by military commission under this chapter shall in-
23 clude, at a minimum, the following rights:

24 “(A) To present evidence in his defense, to
25 cross-examine the witnesses who testify against him,
26 and to examine and respond to all evidence admitted

1 against him on the issue of guilt or innocence and
2 for sentencing, as provided for by this chapter.

3 “(B) To be present at all sessions of the mili-
4 tary commission (other than those for deliberations
5 or voting), except when excluded under section 949d
6 of this title.

7 “(C) To be represented before a military com-
8 mission by civilian counsel if provided at no expense
9 to the Government, and by either the defense coun-
10 sel detailed or by military counsel of the accused’s
11 own selection, if reasonably available.

12 “(D) To self-representation, if the accused
13 knowingly and competently waives the assistance of
14 counsel, subject to the provisions of paragraph (4).

15 “(E) To the suppression of evidence that is not
16 reliable or probative.

17 “(F) To the suppression of evidence the pro-
18 bative value of which is substantially outweighed
19 by—

20 “(i) the danger of unfair prejudice, confu-
21 sion of the issues, or misleading the members;

22 or

23 “(ii) considerations of undue delay, waste
24 of time, or needless presentation of cumulative
25 evidence.

1 “(3) In making exceptions in the applicability in
2 trials by military commission under this chapter from the
3 procedures and rules otherwise applicable in general
4 courts-martial, the Secretary of Defense may provide the
5 following:

6 “(A) Evidence seized outside the United States
7 shall not be excluded from trial by military commis-
8 sion on the grounds that the evidence was not seized
9 pursuant to a search warrant or authorization.

10 “(B) A statement of the accused that is other-
11 wise admissible shall not be excluded from trial by
12 military commission on grounds of alleged coercion
13 or compulsory self-incrimination so long as the evi-
14 dence complies with the provisions of section 948r of
15 this title.

16 “(C) Evidence shall be admitted as authentic so
17 long as—

18 “(i) the military judge of the military com-
19 mission determines that there is sufficient evi-
20 dence that the evidence is what it is claimed to
21 be; and

22 “(ii) the military judge instructs the mem-
23 bers that they may consider any issue as to au-
24 thentication or identification of evidence in de-

1 termining the weight, if any, to be given to the
2 evidence.

3 “(D) Hearsay evidence not otherwise admissible
4 under the rules of evidence applicable in trial by
5 general courts-martial may be admitted in a trial by
6 military commission only if—

7 “(i) the proponent of the evidence makes
8 known to the adverse party, sufficiently in ad-
9 vance to provide the adverse party with a fair
10 opportunity to meet the evidence, the pro-
11 ponent’s intention to offer the evidence, and the
12 particulars of the evidence (including informa-
13 tion on the circumstances under which the evi-
14 dence was obtained); and

15 “(ii) the military judge, after taking into
16 account all of the circumstances surrounding
17 the taking of the statement, the degree to which
18 the statement is corroborated, and the indicia
19 of reliability within the statement itself, deter-
20 mines that—

21 “(I) the statement is offered as evi-
22 dence of a material fact;

23 “(II) either—

24 “(aa) direct testimony from the
25 witness is not available as a practical

1 matter, taking into consideration the
2 physical location of the witness and
3 the unique circumstances of the con-
4 duct of military and intelligence oper-
5 ations during hostilities; or

6 “(bb) the production of the wit-
7 ness would have an adverse impact on
8 military or intelligence operations; and

9 “(III) the general purposes of the
10 rules of evidence and the interests of jus-
11 tice will best be served by admission of the
12 statement into evidence.

13 “(4)(A) The accused in a military commission under
14 this chapter who exercises the right to self-representation
15 under paragraph (2)(D) shall conform his deportment and
16 the conduct of the defense to the rules of evidence, proce-
17 dure, and decorum applicable to trials by military commis-
18 sion.

19 “(B) Failure of the accused to conform to the rules
20 described in subparagraph (A) may result in a partial or
21 total revocation by the military judge of the right of self-
22 representation under paragraph (2)(D). In such case, the
23 military counsel of the accused or an appropriately author-
24 ized civilian counsel shall perform the functions necessary
25 for the defense.

1 “(c) DELEGATION OF AUTHORITY TO PRESCRIBE
2 REGULATIONS.—The Secretary of Defense may delegate
3 the authority of the Secretary to prescribe regulations
4 under this chapter.

5 “§ 949b. **Unlawfully influencing action of military**
6 **commission**

7 “(a) IN GENERAL.—(1) No authority convening a
8 military commission under this chapter may censure, rep-
9 rimand, or admonish the military commission, or any
10 member, military judge, or counsel thereof, with respect
11 to the findings or sentence adjudged by the military com-
12 mission, or with respect to any other exercises of its or
13 their functions in the conduct of the proceedings.

14 “(2) No person may attempt to coerce or, by any un-
15 authorized means, influence—

16 “(A) the action of a military commission under
17 this chapter, or any member thereof, in reaching the
18 findings or sentence in any case;

19 “(B) the action of any convening, approving, or
20 reviewing authority with respect to their judicial
21 acts; or

22 “(C) the exercise of professional judgment by
23 trial counsel or defense counsel.

24 “(3) The provisions of this subsection shall not apply
25 with respect to—

1 “(A) general instructional or informational
2 courses in military justice if such courses are de-
3 signed solely for the purpose of instructing members
4 of a command in the substantive and procedural as-
5 pects of military commissions; or

6 “(B) statements and instructions given in open
7 proceedings by a military judge or counsel.

8 “(b) PROHIBITION ON CONSIDERATION OF ACTIONS
9 ON COMMISSION IN EVALUATION OF FITNESS.—In the
10 preparation of an effectiveness, fitness, or efficiency report
11 or any other report or document used in whole or in part
12 for the purpose of determining whether a commissioned
13 officer of the armed forces is qualified to be advanced in
14 grade, or in determining the assignment or transfer of any
15 such officer or whether any such officer should be retained
16 on active duty, no person may—

17 “(1) consider or evaluate the performance of
18 duty of any member of a military commission under
19 this chapter; or

20 “(2) give a less favorable rating or evaluation
21 to any commissioned officer because of the zeal with
22 which such officer, in acting as counsel, represented
23 any accused before a military commission under this
24 chapter.

1 **“§ 949c. Duties of trial counsel and defense counsel**

2 “(a) TRIAL COUNSEL.—The trial counsel of a mili-
3 tary commission under this chapter shall prosecute in the
4 name of the United States.

5 “(b) DEFENSE COUNSEL.—(1) The accused shall be
6 represented in his defense before a military commission
7 under this chapter as provided in this subsection.

8 “(2) The accused may be represented by military
9 counsel detailed under section 948k of this title or by mili-
10 tary counsel of the accused’s own selection, if reasonably
11 available.

12 “(3) The accused may be represented by civilian
13 counsel if retained by the accused, provided that such civil-
14 ian counsel—

15 “(A) is a United States citizen;

16 “(B) is admitted to the practice of law in a
17 State, district, or possession of the United States, or
18 before a Federal court;

19 “(C) has not been the subject of any sanction
20 of disciplinary action by any court, bar, or other
21 competent governmental authority for relevant mis-
22 conduct;

23 “(D) has been determined to be eligible for ac-
24 cess to information classified at the level Secret or
25 higher; and

1 “(E) has signed a written agreement to comply
2 with all applicable regulations or instructions for
3 counsel, including any rules of court for conduct
4 during the proceedings.

5 “(4) If the accused is represented by civilian counsel,
6 military counsel shall act as associate counsel.

7 “(5) The accused is not entitled to be represented by
8 more than one military counsel. However, the person au-
9 thorized under regulations prescribed under section 948k
10 of this title to detail counsel, in such person’s sole discre-
11 tion, may detail additional military counsel to represent
12 the accused.

13 “(6) Defense counsel may cross-examine each witness
14 for the prosecution who testifies before a military commis-
15 sion under this chapter.

16 “(7) Civilian defense counsel shall protect any classi-
17 fied information received during the course of representa-
18 tion of the accused in accordance with all applicable law
19 governing the protection of classified information, and
20 may not divulge such information to any person not au-
21 thorized to receive it.

22 **“§ 949d. Sessions**

23 “(a) SESSIONS WITHOUT PRESENCE OF MEM-
24 BERS.—(1) At any time after the service of charges which
25 have been referred for trial by military commission under

1 this chapter, the military judge may call the military com-
2 mission into session without the presence of the members
3 for the purpose of—

4 “(A) hearing and determining motions raising
5 defenses or objections which are capable of deter-
6 mination without trial of the issues raised by a plea
7 of not guilty;

8 “(B) hearing and ruling upon any matter which
9 may be ruled upon by the military judge under this
10 chapter, whether or not the matter is appropriate for
11 later consideration or decision by the members;

12 “(C) if permitted by regulations prescribed by
13 the Secretary of Defense, receiving the pleas of the
14 accused; and

15 “(D) performing any other procedural function
16 which may be performed by the military judge under
17 this chapter or under rules prescribed pursuant to
18 section 949a of this title and which does not require
19 the presence of the members.

20 “(2) Except as provided in subsections (b), (c), and
21 (d), any proceedings under paragraph (1) shall be con-
22 ducted in the presence of the accused, defense counsel, and
23 trial counsel, and shall be made part of the record.

1 “(b) DELIBERATION OR VOTE OF MEMBERS.—When
2 the members of a military commission under this chapter
3 deliberate or vote, only the members may be present.

4 “(c) CLOSURE OF PROCEEDINGS.—(1) The military
5 judge may close to the public all or part of the proceedings
6 of a military commission under this chapter.

7 “(2) The military judge may close to the public all
8 or a portion of the proceedings under paragraph (1) only
9 upon making a specific finding that such closure is nec-
10 essary to—

11 “(A) protect information the disclosure of which
12 could reasonably be expected to cause damage to the
13 national security, including intelligence or law en-
14 forcement sources, methods, or activities; or

15 “(B) ensure the physical safety of individuals.

16 “(3) A finding under paragraph (2) may be based
17 upon a presentation, including a presentation ex parte or
18 in camera, by either trial counsel or defense counsel.

19 “(4)(A) Subject to the provisions of this paragraph,
20 classified information shall be handled in accordance with
21 rules applicable in trials by general courts-martial of the
22 United States.

23 “(B) Classified information shall be protected and is
24 privileged from disclosure if disclosure would be detri-
25 mental to the national security. Under no circumstances

1 may a military judge order the release of classified infor-
2 mation to any person not authorized to receive such infor-
3 mation. This subparagraph applies to all stages of pro-
4 ceedings of military commissions under this chapter.

5 “(C) After the original classification authority or
6 head of the agency concerned has certified in writing that
7 evidence and the sources thereof have been declassified to
8 the maximum extent possible, consistent with the require-
9 ments of national security, the military judge may, to the
10 extent practicable in accordance with the rules applicable
11 in trials by court-martial, authorize—

12 “(i) the deletion of specified items of classified
13 information from documents sought by or made
14 available to the accused;

15 “(ii) the substitution of a portion or summary
16 of the information for such classified documents; or

17 “(iii) the substitution of a statement admitting
18 relevant facts that the classified information would
19 tend to prove.

20 “(D) The military judge shall order the use of a
21 statement, portion, or summary under subparagraph (C)
22 if the military judge determines that the use of the state-
23 ment, portion, or summary is consistent with affording the
24 accused a fair trial.

1 “(E) A claim of privilege under this paragraph, and
2 any materials in support thereof, shall, upon the request
3 of the Government, be considered by the military judge
4 in camera and shall not be disclosed to the accused. Such
5 a claim may be considered on an *ex parte* basis, at the
6 discretion of the military judge.

7 “(F) A certification of declassification by the original
8 classification authority or head of an agency pursuant to
9 subparagraph (C) shall not be subject to review by a mili-
10 tary commission or upon appeal.

11 “(d) EXCLUSION OF ACCUSED FROM CERTAIN PRO-
12 CEEDINGS.—The military judge may exclude the accused
13 from any portion of a proceeding upon a determination
14 that, after being warned by the military judge, the accused
15 persists in conduct that justifies exclusion from the court-
16 room—

17 “(1) to ensure the physical safety of individuals;
18 or

19 “(2) to prevent disruption of the proceedings by
20 the accused.

21 **“§ 949e. Continuances**

22 “The military judge in a military commission under
23 this chapter may, for reasonable cause, grant a continu-
24 ance to any party for such time, and as often, as may
25 appear to be just.

1 “§ 949f. Challenges

2 “(a) CHALLENGES AUTHORIZED.—The military
3 judge and members of a military commission under this
4 chapter may be challenged by the accused or trial counsel
5 for cause stated to the military commission. The military
6 judge shall determine the relevance and validity of chal-
7 lenges for cause, and may not receive a challenge to more
8 than one person at a time. Challenges by trial counsel
9 shall ordinarily be presented and decided before those by
10 the accused are offered.

11 “(b) PEREMPTORY CHALLENGES.—The accused and
12 trial counsel are each entitled to one peremptory challenge,
13 but the military judge may not be challenged except for
14 cause.

15 “(c) CHALLENGES AGAINST ADDITIONAL MEM-
16 BERS.—Whenever additional members are detailed to a
17 military commission under this chapter, and after any
18 challenges for cause against such additional members are
19 presented and decided, the accused and trial counsel are
20 each entitled to one peremptory challenge against mem-
21 bers not previously subject to peremptory challenge.

22 “§ 949g. Oaths

23 “(a) IN GENERAL.—(1) Before performing their re-
24 spective duties in a military commission under this chap-
25 ter, military judges, members, trial counsel, defense coun-

1 sel, reporters, and interpreters shall take an oath to per-
2 form their duties faithfully.

3 “(2) The form of the oath required by paragraph (1),
4 the time and place of the taking thereof, the manner of
5 recording thereof, and whether the oath shall be taken for
6 all cases in which duties are to be performed or for a par-
7 ticular case, shall be as provided in regulations prescribed
8 by the Secretary of Defense. The regulations may provide
9 that—

10 “(A) an oath to perform faithfully duties as a
11 military judge, trial counsel, or defense counsel may
12 be taken at any time by any judge advocate or other
13 person certified to be qualified or competent for the
14 duty; and

15 “(B) if such an oath is taken, such oath need
16 not again be taken at the time the judge advocate
17 or other person is detailed to that duty.

18 “(b) WITNESSES.—Each witness before a military
19 commission under this chapter shall be examined on oath.

20 “(c) OATH DEFINED.—In this section, the term
21 ‘oath’ includes an affirmation.

22 **“§ 949h. Former jeopardy**

23 “(a) IN GENERAL.—No person may, without his con-
24 sent, be tried by a military commission under this chapter
25 a second time for the same offense.

1 “(b) SCOPE OF TRIAL.—No proceeding in which the
2 accused has been found guilty by military commission
3 under this chapter upon any charge or specification is a
4 trial in the sense of this section until the finding of guilty
5 has become final after review of the case has been fully
6 completed.

7 **“§ 949i. Pleas of the accused**

8 “(a) PLEA OF NOT GUILTY.—If an accused in a mili-
9 tary commission under this chapter after a plea of guilty
10 sets up matter inconsistent with the plea, or if it appears
11 that the accused has entered the plea of guilty through
12 lack of understanding of its meaning and effect, or if the
13 accused fails or refuses to plead, a plea of not guilty shall
14 be entered in the record, and the military commission shall
15 proceed as though the accused had pleaded not guilty.

16 “(b) FINDING OF GUILT AFTER GUILTY PLEA.—
17 With respect to any charge or specification to which a plea
18 of guilty has been made by the accused in a military com-
19 mission under this chapter and accepted by the military
20 judge, a finding of guilty of the charge or specification
21 may be entered immediately without a vote. The finding
22 shall constitute the finding of the military commission un-
23 less the plea of guilty is withdrawn prior to announcement
24 of the sentence, in which event the proceedings shall con-
25 tinue as though the accused had pleaded not guilty.

1 **“§ 949j. Opportunity to obtain witnesses and other**
2 **evidence**

3 “(a) IN GENERAL.—(1) Defense counsel in a military
4 commission under this chapter shall have a reasonable op-
5 portunity to obtain witnesses and other evidence as pro-
6 vided in regulations prescribed by the Secretary of De-
7 fense.

8 “(2) Process issued in military commissions under
9 this chapter to compel witnesses to appear and testify and
10 to compel the production of other evidence—

11 “(A) shall be similar to that which courts of the
12 United States having criminal jurisdiction may law-
13 fully issue; and

14 “(B) shall run to any place where the United
15 States shall have jurisdiction thereof.

16 “(b) DISCLOSURE OF EXCULPATORY EVIDENCE.—
17 (1) As soon as practicable, trial counsel in a military com-
18 mission under this chapter shall disclose to the defense
19 the existence of any evidence that reasonably tends to—

20 “(A) negate the guilt of the accused of an of-
21 fense charged; or

22 “(B) reduce the degree of guilt of the accused
23 with respect to an offense charged.

24 “(2) The trial counsel shall, as soon as practicable,
25 disclose to the defense the existence of evidence that rea-

1 sonably tends to impeach the credibility of a witness whom
2 the government intends to call at trial.

3 “(3) The trial counsel shall, as soon as practicable
4 upon a finding of guilt, disclose to the defense the exist-
5 ence of evidence that is not subject to paragraph (1) or
6 paragraph (2) but that reasonably may be viewed as miti-
7 gation evidence at sentencing.

8 “(4) The disclosure obligations under this subsection
9 encompass evidence that is known or reasonably should
10 be known to any government officials who participated in
11 the investigation and prosecution of the case against the
12 defendant.

13 “(5) Classified information falling within the scope
14 of the disclosure requirements in this subsection shall be
15 treated in accordance with the requirements of subsection
16 (c).

17 “(c) TREATMENT OF CERTAIN ITEMS.—(1) In ac-
18 cordance with the rules applicable in trials by general
19 courts-martial in the United States, the military judge in
20 a military commission under this chapter may authorize
21 trial counsel, in making documents available to the ac-
22 cused pursuant to subsections (a) and (b)—

23 “(A) to delete specified items of classified infor-
24 mation from such documents;

1 “(B) to substitute an unclassified summary of
2 the classified information in such documents; or

3 “(C) to substitute an unclassified statement ad-
4 mitting relevant facts that classified information in
5 such documents would tend to prove.

6 “(2) The military judge shall authorize the disclosure
7 of a statement, portion, or summary under paragraph (1)
8 if the military judge determines that the use of the state-
9 ment, portion, or summary is consistent with affording the
10 accused a fair trial.

11 **“§ 949k. Defense of lack of mental responsibility**

12 “(a) AFFIRMATIVE DEFENSE.—It is an affirmative
13 defense in a trial by military commission under this chap-
14 ter that, at the time of the commission of the acts consti-
15 tuting the offense, the accused, as a result of a severe
16 mental disease or defect, was unable to appreciate the na-
17 ture and quality or the wrongfulness of the acts. Mental
18 disease or defect does not otherwise constitute a defense.

19 “(b) BURDEN OF PROOF.—The accused in a military
20 commission under this chapter has the burden of proving
21 the defense of lack of mental responsibility by clear and
22 convincing evidence.

23 “(c) FINDINGS FOLLOWING ASSERTION OF DE-
24 FENSE.—Whenever lack of mental responsibility of the ac-
25 cused with respect to an offense is properly at issue in

1 a military commission under this chapter, the military
2 judge shall instruct the members as to the defense of lack
3 of mental responsibility under this section and shall
4 charge the members to find the accused—

5 “(1) guilty;

6 “(2) not guilty; or

7 “(3) subject to subsection (d), not guilty by rea-
8 son of lack of mental responsibility.

9 “(d) MAJORITY VOTE REQUIRED FOR FINDING.—

10 The accused shall be found not guilty by reason of lack
11 of mental responsibility under subsection (c)(3) only if a
12 majority of the members present at the time the vote is
13 taken determines that the defense of lack of mental re-
14 sponsibility has been established.

15 **“§ 9491. Voting and rulings**

16 “(a) VOTE BY SECRET WRITTEN BALLOT.—Voting
17 by members of a military commission under this chapter
18 on the findings and on the sentence shall be by secret writ-
19 ten ballot.

20 “(b) RULINGS.—(1) The military judge in a military
21 commission under this chapter shall rule upon all ques-
22 tions of law, including the admissibility of evidence and
23 all interlocutory questions arising during the proceedings.

24 “(2) Any ruling made by the military judge upon a
25 question of law or an interlocutory question (other than

1 the factual issue of mental responsibility of the accused)
2 is conclusive and constitutes the ruling of the military
3 commission. However, a military judge may change his
4 ruling at any time during the trial.

5 “(c) INSTRUCTIONS PRIOR TO VOTE.—Before a vote
6 is taken of the findings of a military commission under
7 this chapter, the military judge shall, in the presence of
8 the accused and counsel, instruct the members as to the
9 elements of the offense and charge the members—

10 “(1) that the accused must be presumed to be
11 innocent until his guilt is established by legal and
12 competent evidence beyond a reasonable doubt;

13 “(2) that in the case being considered, if there
14 is a reasonable doubt as to the guilt of the accused,
15 the doubt must be resolved in favor of the accused
16 and he must be acquitted;

17 “(3) that, if there is reasonable doubt as to the
18 degree of guilt, the finding must be in a lower de-
19 gree as to which there is no reasonable doubt; and

20 “(4) that the burden of proof to establish the
21 guilt of the accused beyond a reasonable doubt is
22 upon the United States.

23 **“§ 949m. Number of votes required**

24 “(a) CONVICTION.—No person may be convicted by
25 a military commission under this chapter of any offense,

1 except as provided in section 949i(b) of this title or by
2 concurrence of two-thirds of the members present at the
3 time the vote is taken.

4 “(b) SENTENCES.—(1) Except as provided in para-
5 graphs (2) and (3), sentences shall be determined by a
6 military commission by the concurrence of two-thirds of
7 the members present at the time the vote is taken.

8 “(2) No person may be sentenced to death by a mili-
9 tary commission, except insofar as—

10 “(A) the penalty of death has been expressly
11 authorized under this chapter, chapter 47 of this
12 title, or the law of war for an offense of which the
13 accused has been found guilty;

14 “(B) trial counsel expressly sought the penalty
15 of death by filing an appropriate notice in advance
16 of trial;

17 “(C) the accused was convicted of the offense
18 by the concurrence of all the members present at the
19 time the vote is taken; and

20 “(D) all members present at the time the vote
21 was taken concurred in the sentence of death.

22 “(3) No person may be sentenced to life imprison-
23 ment, or to confinement for more than 10 years, by a mili-
24 tary commission under this chapter except by the concur-

1 rence of three-fourths of the members present at the time
2 the vote is taken.

3 “(c) NUMBER OF MEMBERS REQUIRED FOR PEN-
4 ALTY OF DEATH.—(1) Except as provided in paragraph
5 (2), in a case in which the penalty of death is sought, the
6 number of members of the military commission under this
7 chapter shall be not less than 12 members.

8 “(2) In any case described in paragraph (1) in which
9 12 members are not reasonably available for a military
10 commission because of physical conditions or military ex-
11 igencies, the convening authority shall specify a lesser
12 number of members for the military commission (but not
13 fewer than 5 members), and the military commission may
14 be assembled, and the trial held, with not less than the
15 number of members so specified. In any such case, the
16 convening authority shall make a detailed written state-
17 ment, to be appended to the record, stating why a greater
18 number of members were not reasonably available.

19 **“§ 949n. Military commission to announce action**

20 “A military commission under this chapter shall an-
21 nounce its findings and sentence to the parties as soon
22 as determined.

23 **“§ 949o. Record of trial**

24 “(a) RECORD; AUTHENTICATION.—Each military
25 commission under this chapter shall keep a separate, ver-

1 batim, record of the proceedings in each case brought be-
2 fore it, and the record shall be authenticated by the signa-
3 ture of the military judge. If the record cannot be authen-
4 ticated by the military judge by reason of his death, dis-
5 ability, or absence, it shall be authenticated by the signa-
6 ture of the trial counsel or by a member if the trial counsel
7 is unable to authenticate it by reason of his death, dis-
8 ability, or absence. Where appropriate, and as provided
9 in regulations prescribed by the Secretary of Defense, the
10 record of a military commission under this chapter may
11 contain a classified annex.

12 “(b) COMPLETE RECORD REQUIRED.—A complete
13 record of the proceedings and testimony shall be prepared
14 in every military commission under this chapter.

15 “(c) PROVISION OF COPY TO ACCUSED.—A copy of
16 the record of the proceedings of the military commission
17 under this chapter shall be given the accused as soon as
18 it is authenticated. If the record contains classified infor-
19 mation, or a classified annex, the accused shall receive a
20 redacted version of the record consistent with the require-
21 ments of section 949d(c)(4) of this title. Defense counsel
22 shall have access to the unredacted record, as provided
23 in regulations prescribed by the Secretary of Defense.

24 “SUBCHAPTER V—SENTENCES

“Sec.

“949s. Cruel or unusual punishments prohibited.

“949t. Maximum limits.

“949u. Execution of confinement.

1 **“§ 949s. Cruel or unusual punishments prohibited**

2 “Punishment by flogging, or by branding, marking,
3 or tattooing on the body, or any other cruel or unusual
4 punishment, may not be adjudged by a military commis-
5 sion under this chapter or inflicted under this chapter
6 upon any person subject to this chapter. The use of irons,
7 single or double, except for the purpose of safe custody,
8 is prohibited under this chapter.

9 **“§ 949t. Maximum limits**

10 “The punishment which a military commission under
11 this chapter may direct for an offense may not exceed such
12 limits as the President or Secretary of Defense may pre-
13 scribe for that offense.

14 **“§ 949u. Execution of confinement**

15 “(a) IN GENERAL.—Under such regulations as the
16 Secretary of Defense may prescribe, a sentence of confine-
17 ment adjudged by a military commission under this chap-
18 ter may be carried into execution by confinement—

19 “(1) in any place of confinement under the con-
20 trol of any of the armed forces; or

21 “(2) in any penal or correctional institution
22 under the control of the United States or its allies,
23 or which the United States may be allowed to use.

1 “(b) TREATMENT DURING CONFINEMENT BY OTHER
 2 THAN THE ARMED FORCES.—Persons confined under
 3 subsection (a)(2) in a penal or correctional institution not
 4 under the control of an armed force are subject to the
 5 same discipline and treatment as persons confined or com-
 6 mitted by the courts of the United States or of the State,
 7 District of Columbia, or place in which the institution is
 8 situated.

9 “SUBCHAPTER VI—POST-TRIAL PROCEDURE
 10 AND REVIEW OF MILITARY COMMISSIONS

“Sec.

“950a. Error of law; lesser included offense.

“950b. Review by the convening authority.

“950c. Appellate referral; waiver or withdrawal of appeal.

“950d. Appeal by the United States.

“950e. Rehearings.

“950f. Review by United States Court of Appeals for the Armed Forces and Su-
 preme Court.

“950g. Appellate counsel

“950h. Execution of sentence; suspension of sentence.

“950i. Finality of proceedings, findings, and sentences.

11 “§ 950a. **Error of law; lesser included offense**

12 “(a) ERROR OF LAW.—A finding or sentence of a
 13 military commission under this chapter may not be held
 14 incorrect on the ground of an error of law unless the error
 15 materially prejudices the substantial rights of the accused.

16 “(b) LESSER INCLUDED OFFENSE.—Any reviewing
 17 authority with the power to approve or affirm a finding
 18 of guilty by a military commission under this chapter may
 19 approve or affirm, instead, so much of the finding as in-
 20 cludes a lesser included offense.

1 **“§ 950b. Review by the convening authority**

2 “(a) NOTICE TO CONVENING AUTHORITY OF FIND-
3 INGS AND SENTENCE.—The findings and sentence of a
4 military commission under this chapter shall be reported
5 in writing promptly to the convening authority after the
6 announcement of the sentence.

7 “(b) SUBMITTAL OF MATTERS BY ACCUSED TO CON-
8 VENING AUTHORITY.—(1) The accused may submit to the
9 convening authority matters for consideration by the con-
10 vening authority with respect to the findings and the sen-
11 tence of the military commission under this chapter.

12 “(2)(A) Except as provided in subparagraph (B), a
13 submittal under paragraph (1) shall be made in writing
14 within 20 days after accused has been give an authenti-
15 cated record of trial under section 949o(c) of this title.

16 “(B) If the accused shows that additional time is re-
17 quired for the accused to make a submittal under para-
18 graph (1), the convening authority may, for good cause,
19 extend the applicable period under subparagraph (A) for
20 not more than an additional 20 days.

21 “(3) The accused may waive his right to make a sub-
22 mittal to the convening authority under paragraph (1).
23 Such a waiver shall be made in writing, and may not be
24 revoked. For the purposes of subsection (c)(2), the time
25 within which the accused may make a submittal under this
26 subsection shall be deemed to have expired upon the sub-

1 mittal of a waiver under this paragraph to the convening
2 authority.

3 “(c) ACTION BY CONVENING AUTHORITY.—(1) The
4 authority under this subsection to modify the findings and
5 sentence of a military commission under this chapter is
6 a matter of the sole discretion and prerogative of the con-
7 vening authority.

8 “(2) The convening authority is not required to take
9 action on the findings of a military commission under this
10 chapter. If the convening authority takes action on the
11 findings, the convening authority may, in his sole discre-
12 tion, only—

13 “(A) dismiss any charge or specification by set-
14 ting aside a finding of guilty thereto; or

15 “(B) change a finding of guilty to a charge to
16 a finding of guilty to an offense that is a lesser in-
17 cluded offense of the offense stated in the charge.

18 “(3)(A) The convening authority shall take action on
19 the sentence of a military commission under this chapter.

20 “(B) Subject to regulations prescribed by the Sec-
21 retary of Defense, action under this paragraph may be
22 taken only after consideration of any matters submitted
23 by the accused under subsection (b) or after the time for
24 submitting such matters expires, whichever is earlier.

1 “(C) In taking action under this paragraph, the con-
2 vening authority may, in his sole discretion, approve, dis-
3 approve, commute, or suspend the sentence in whole or
4 in part. The convening authority may not increase a sen-
5 tence beyond that which is found by the military commis-
6 sion.

7 “(4) The convening authority shall serve on the ac-
8 cused or on defense counsel notice of any action taken by
9 the convening authority under this subsection.

10 “(d) ORDER OF REVISION OR REHEARING.—(1) Sub-
11 ject to paragraphs (2) and (3), the convening authority
12 of a military commission under this chapter may, in his
13 sole discretion, order a proceeding in revision or a rehear-
14 ing.

15 “(2)(A) Except as provided in subparagraph (B), a
16 proceeding in revision may be ordered by the convening
17 authority if—

18 “(i) there is an apparent error or omission in
19 the record; or

20 “(ii) the record shows improper or inconsistent
21 action by the military commission with respect to
22 the findings or sentence that can be rectified without
23 material prejudice to the substantial rights of the
24 accused.

25 “(B) In no case may a proceeding in revision—

1 in which the final decision of a military commission under
2 this chapter (as approved by the convening authority) in-
3 cludes a finding of guilty, the convening authority shall
4 refer the case to the United States Court of Appeals for
5 the Armed Forces. Any such referral shall be made in ac-
6 cordance with procedures prescribed under regulations of
7 the Secretary.

8 “(b) WAIVER OF RIGHT OF REVIEW.—(1) Except in
9 a case in which the sentence as approved under section
10 950b of this title extends to death, an accused may file
11 with the convening authority a statement expressly
12 waiving the right of the accused to appellate review by
13 the United States Court of Appeals for the Armed Forces
14 under section 950f(a) of this title of the final decision of
15 the military commission under this chapter.

16 “(2) A waiver under paragraph (1) shall be signed
17 by both the accused and a defense counsel.

18 “(3) A waiver under paragraph (1) must be filed, if
19 at all, within 10 days after notice of the action is served
20 on the accused or on defense counsel under section
21 950b(c)(4) of this title. The convening authority, for good
22 cause, may extend the period for such filing by not more
23 than 30 days.

24 “(c) WITHDRAWAL OF APPEAL.—Except in a case in
25 which the sentence as approved under section 950b of this

1 title extends to death, the accused may withdraw an ap-
2 peal at any time.

3 “(d) EFFECT OF WAIVER OR WITHDRAWAL.—A
4 waiver of the right to appellate review or the withdrawal
5 of an appeal under this section bars review under section
6 950f of this title.

7 **“§ 950d. Appeal by the United States**

8 “(a) INTERLOCUTORY APPEAL.—(1) Except as pro-
9 vided in paragraph (2), in a trial by military commission
10 under this chapter, the United States may take an inter-
11 locutory appeal to the United States Court of Appeals for
12 the Armed Forces under section 950f of this title of any
13 order or ruling of the military judge that—

14 “(A) terminates proceedings of the military
15 commission with respect to a charge or specification;

16 “(B) excludes evidence that is substantial proof
17 of a fact material in the proceeding; or

18 “(C) relates to a matter under subsection (c) or
19 (d) of section 949d of this title.

20 “(2) The United States may not appeal under para-
21 graph (1) an order or ruling that is, or amounts to, a find-
22 ing of not guilty by the military commission with respect
23 to a charge or specification.

24 “(b) NOTICE OF APPEAL.—The United States shall
25 take an appeal of an order or ruling under subsection (a)

1 by filing a notice of appeal with the military judge within
2 five days after the date of the order or ruling.

3 “(c) APPEAL.—An appeal under this section shall be
4 forwarded, by means specified in regulations prescribed
5 the Secretary of Defense, directly to the United States
6 Court of Appeals for the Armed Forces. In ruling on an
7 appeal under this section, the Court may act only with
8 respect to matters of law.

9 **“§ 950e. Rehearings**

10 “(a) COMPOSITION OF MILITARY COMMISSION FOR
11 REHEARING.—Each rehearing under this chapter shall
12 take place before a military commission under this chapter
13 composed of members who were not members of the mili-
14 tary commission which first heard the case.

15 “(b) SCOPE OF REHEARING.—(1) Upon a rehear-
16 ing—

17 “(A) the accused may not be tried for any of-
18 fense of which he was found not guilty by the first
19 military commission; and

20 “(B) no sentence in excess of or more than the
21 original sentence may be imposed unless—

22 “(i) the sentence is based upon a finding
23 of guilty of an offense not considered upon the
24 merits in the original proceedings; or

1 “(ii) the sentence prescribed for the of-
2 fense is mandatory.

3 “(2) Upon a rehearing, if the sentence approved after
4 the first military commission was in accordance with a
5 pretrial agreement and the accused at the rehearing
6 changes his plea with respect to the charges or specifica-
7 tions upon which the pretrial agreement was based, or oth-
8 erwise does not comply with pretrial agreement, the sen-
9 tence as to those charges or specifications may include any
10 punishment not in excess of that lawfully adjudged at the
11 first military commission.

12 **“§ 950f. Review by United States Court of Appeals for**
13 **the Armed Forces and Supreme Court**

14 “(a) REVIEW BY UNITED STATES COURT OF AP-
15 PEALS FOR THE ARMED FORCES.—(1) Subject to the pro-
16 visions of this subsection, the United States Court of Ap-
17 peals for the Armed Forces shall have exclusive jurisdic-
18 tion to determine the final validity of any judgment ren-
19 dered by a military commission under this chapter.

20 “(2) In any case referred to it pursuant to section
21 950e(a) of this title, the United States Court of Appeals
22 for the Armed Forces may act only with respect to the
23 findings and sentence as approved by the convening au-
24 thority. It may affirm only such findings of guilty, and
25 the sentence or such part or amount of the sentence, as

1 it finds correct in law and fact and determines, on the
2 basis of the entire record, should be approved. In consid-
3 ering the record, it may weigh the evidence, judge the
4 credibility of witnesses, and determine controverted ques-
5 tions of fact, recognizing that the trial court saw and
6 heard the witnesses.

7 “(3) If the United States Court of Appeals for the
8 Armed Forces sets aside the findings and sentence, it may,
9 except where the setting aside is based on lack of sufficient
10 evidence in the record to support the findings, order a re-
11 hearing. If it sets aside the findings and sentence and does
12 not order a rehearing, it shall order that the charges be
13 dismissed.

14 “(b) REVIEW BY SUPREME COURT.—The Supreme
15 Court of the United States may review by writ of certiorari
16 pursuant to section 1257 of title 28 the final judgment
17 of the United States Court of Appeals for the Armed
18 Forces in a determination under subsection (a).

19 **“§ 950g. Appellate counsel**

20 “(a) APPOINTMENT.—The Secretary of Defense
21 shall, by regulation, establish procedures for the appoint-
22 ment of appellate counsel for the United States and for
23 the accused in military commissions under this chapter.
24 Appellate counsel shall meet the qualifications of counsel

1 for appearing before military commissions under this
2 chapter.

3 “(b) REPRESENTATION OF UNITED STATES.—Appel-
4 late counsel may represent the United States in any ap-
5 peal or review proceeding under this chapter. Appellate
6 Government counsel may represent the United States be-
7 fore the Supreme Court in case arising under this chapter
8 when requested to do so by the Attorney General.

9 “(c) REPRESENTATION OF ACCUSED.—The accused
10 shall be represented before the United States Court of Ap-
11 peals for the Armed Forces or the Supreme Court by mili-
12 tary appellate counsel, or by civilian counsel if retained
13 by him.

14 **“§ 950h. Execution of sentence; suspension of sen-
15 tence**

16 “(a) EXECUTION OF SENTENCE OF DEATH ONLY
17 UPON APPROVAL BY THE PRESIDENT.—If the sentence
18 of a military commission under this chapter extends to
19 death, that part of the sentence providing for death may
20 not be executed until approved by the President. In such
21 a case, the President may commute, remit, or suspend the
22 sentence, or any part thereof, as he sees fit.

23 “(b) EXECUTION OF SENTENCE OF DEATH ONLY
24 UPON FINAL JUDGMENT OF LEGALITY OF PRO-
25 CEEDINGS.—(1) If the sentence of a military commission

1 under this chapter extends to death, the sentence may not
2 be executed until there is a final judgement as to the legal-
3 ity of the proceedings (and with respect to death, approval
4 under subsection (a)).

5 “(2) A judgement as to legality of proceedings is final
6 for purposes of paragraph (1) when review is completed
7 in accordance with the judgment of the United States
8 Court of Appeals for the Armed Forces and (A) a petition
9 for a writ of certiorari is not timely filed, (B) such a peti-
10 tion is denied by the Supreme Court, or (C) review is oth-
11 erwise completed in accordance with the judgment of the
12 Supreme Court.

13 “(c) SUSPENSION OF SENTENCE.—The Secretary of
14 the Defense, or the convening authority acting on the case
15 (if other than the Secretary), may suspend the execution
16 of any sentence or part thereof in the case.

17 **“§ 950i. Finality of proceedings, findings, and sen-**
18 **tences**

19 “The appellate review of records of trial provided by
20 this chapter, and the proceedings, findings, and sentences
21 of military commissions as approved, reviewed, or affirmed
22 as required by this chapter, are final and conclusive. Or-
23 ders publishing the proceedings of military commissions
24 under this chapter are binding upon all departments,
25 courts, agencies, and officers of the United States, subject

1 only to action by the Secretary or the convening authority
2 as provided in section 950h(c) of this title and the author-
3 ity of the President.

4 “SUBCHAPTER VII—PUNITIVE MATTERS
5 **“§ 950p. Definitions; construction of certain offenses;
6 common circumstances**

7 “(a) DEFINITIONS.—In this subchapter:

8 “(1) The term ‘military objective’ means com-
9 batants and those objects during an armed conflict
10 which, by their nature, location, purpose, or use, ef-
11 fectively contribute to the war-fighting or war-sus-
12 taining capability of an opposing force and whose
13 total or partial destruction, capture, or neutraliza-
14 tion would constitute a definite military advantage
15 to the attacker under the circumstances at the time
16 of an attack.

17 “(2) The term ‘protected person’ means any
18 person entitled to protection under one or more of
19 the Geneva Conventions, including civilians not tak-
20 ing an active part in hostilities, military personnel
21 placed out of combat by sickness, wounds, or deten-
22 tion, and military medical or religious personnel.

23 “(3) The term ‘protected property’ means any
24 property specifically protected by the law of war, in-
25 cluding buildings dedicated to religion, education,

1 art, science, or charitable purposes, historic monu-
2 ments, hospitals, and places where the sick and
3 wounded are collected, but only if and to the extent
4 such property is not being used for military purposes
5 or is not otherwise a military objective. The term in-
6 cludes objects properly identified by one of the dis-
7 tinctive emblems of the Geneva Conventions, but
8 does not include civilian property that is a military
9 objective.

10 “(b) CONSTRUCTION OF CERTAIN OFFENSES.—The
11 intent required for offenses under paragraphs (1), (2), (3),
12 (4), and (12) of section 950w of this title precludes their
13 applicability with regard to collateral damage or to death,
14 damage, or injury incident to a lawful attack.

15 “(c) COMMON CIRCUMSTANCES.—An offense speci-
16 fied in this subchapter is triable by military commission
17 under this chapter only if the offense is committed in the
18 context of and associated with armed conflict.

19 “(d) OFFENSES ENCOMPASSED UNDER LAW OF
20 WAR.—To the extent that the provisions of this sub-
21 chapter codify offenses that have traditionally been triable
22 under the law of war or otherwise triable by military com-
23 mission, this subchapter does not preclude trial for of-
24 fenses that occurred before the date of the enactment of

1 the National Defense Authorization Act for Fiscal Year
2 2010.

3 **“§ 950q. Principals**

4 “Any person punishable under this chapter who—

5 “(1) commits an offense punishable by this
6 chapter, or aids, abets, counsels, commands, or pro-
7 cures its commission;

8 “(2) causes an act to be done which if directly
9 performed by him would be punishable by this chap-
10 ter; or

11 “(3) is a superior commander who, with regard
12 to acts punishable by this chapter, knew, had reason
13 to know, or should have known, that a subordinate
14 was about to commit such acts or had done so and
15 who failed to take the necessary and reasonable
16 measures to prevent such acts or to punish the per-
17 petrators thereof,

18 is a principal.

19 **“§ 950r. Accessory after the fact**

20 “Any person subject to this chapter who, knowing
21 that an offense punishable by this chapter has been com-
22 mitted, receives, comforts, or assists the offender in order
23 to hinder or prevent his apprehension, trial, or punishment
24 shall be punished as a military commission under this
25 chapter may direct.

1 **“§ 950s. Conviction of lesser offenses**

2 “An accused may be found guilty of an offense nec-
3 essarily included in the offense charged or of an attempt
4 to commit either the offense charged or an attempt to
5 commit either the offense charged or an offense nec-
6 essarily included therein.

7 **“§ 950t. Attempts**

8 “(a) IN GENERAL.—Any person subject to this chap-
9 ter who attempts to commit any offense punishable by this
10 chapter shall be punished as a military commission under
11 this chapter may direct.

12 “(b) SCOPE OF OFFENSE.—An act, done with spe-
13 cific intent to commit an offense under this chapter,
14 amounting to more than mere preparation and tending,
15 even though failing, to effect its commission, is an attempt
16 to commit that offense.

17 “(c) EFFECT OF CONSUMMATION.—Any person sub-
18 ject to this chapter may be convicted of an attempt to com-
19 mit an offense although it appears on the trial that the
20 offense was consummated.

21 **“§ 950u. Conspiracy**

22 “Any person subject to this chapter who conspires to
23 commit one or more substantive offenses triable by mili-
24 tary commission under this subchapter, and who know-
25 ingly does any overt act to effect the object of the con-
26 spiracy, shall be punished, if death results to one or more

1 of the victims, by death or such other punishment as a
2 military commission under this chapter may direct, and,
3 if death does not result to any of the victims, by such pun-
4 ishment, other than death, as a military commission under
5 this chapter may direct.

6 **“§ 950v. Solicitation**

7 “Any person subject to this chapter who solicits or
8 advises another or others to commit one or more sub-
9 stantive offenses triable by military commission under this
10 chapter shall, if the offense solicited or advised is at-
11 tempted or committed, be punished with the punishment
12 provided for the commission of the offense, but, if the of-
13 fense solicited or advised is not committed or attempted,
14 he shall be punished as a military commission under this
15 chapter may direct.

16 **“§ 950w. Crimes triable by military commissions**

17 “The following offenses shall be triable by military
18 commission under this chapter at any time without limita-
19 tion:

20 “(1) MURDER OF PROTECTED PERSONS.—Any
21 person subject to this chapter who intentionally kills
22 one or more protected persons shall be punished by
23 death or such other punishment as a military com-
24 mission under this chapter may direct.

1 “(2) ATTACKING CIVILIANS.—Any person sub-
2 ject to this chapter who intentionally engages in an
3 attack upon a civilian population as such, or indi-
4 vidual civilians not taking active part in hostilities,
5 shall be punished, if death results to one or more of
6 the victims, by death or such other punishment as
7 a military commission under this chapter may direct,
8 and, if death does not result to any of the victims,
9 by such punishment, other than death, as a military
10 commission under this chapter may direct.

11 “(3) ATTACKING CIVILIAN OBJECTS.—Any per-
12 son subject to this chapter who intentionally engages
13 in an attack upon a civilian object that is not a mili-
14 tary objective shall be punished as a military com-
15 mission under this chapter may direct.

16 “(4) ATTACKING PROTECTED PROPERTY.—Any
17 person subject to this chapter who intentionally en-
18 gages in an attack upon protected property shall be
19 punished as a military commission under this chap-
20 ter may direct.

21 “(5) PILLAGING.—Any person subject to this
22 chapter who intentionally and in the absence of mili-
23 tary necessity appropriates or seizes property for
24 private or personal use, without the consent of a
25 person with authority to permit such appropriation

1 or seizure, shall be punished as a military commis-
2 sion under this chapter may direct.

3 “(6) DENYING QUARTER.—Any person subject
4 to this chapter who, with effective command or con-
5 trol over subordinate groups, declares, orders, or
6 otherwise indicates to those groups that there shall
7 be no survivors or surrender accepted, with the in-
8 tent to threaten an adversary or to conduct hos-
9 tilities such that there would be no survivors or sur-
10 render accepted, shall be punished as a military
11 commission under this chapter may direct.

12 “(7) TAKING HOSTAGES.—Any person subject
13 to this chapter who, having knowingly seized or de-
14 tained one or more persons, threatens to kill, injure,
15 or continue to detain such person or persons with
16 the intent of compelling any nation, person other
17 than the hostage, or group of persons to act or re-
18 frain from acting as an explicit or implicit condition
19 for the safety or release of such person or persons,
20 shall be punished, if death results to one or more of
21 the victims, by death or such other punishment as
22 a military commission under this chapter may direct,
23 and, if death does not result to any of the victims,
24 by such punishment, other than death, as a military
25 commission under this chapter may direct.

1 “(8) EMPLOYING POISON OR SIMILAR WEAP-
2 ONS.—Any person subject to this chapter who inten-
3 tionally, as a method of warfare, employs a sub-
4 stance or weapon that releases a substance that
5 causes death or serious and lasting damage to health
6 in the ordinary course of events, through its asphyx-
7 iating, bacteriological, or toxic properties, shall be
8 punished, if death results to one or more of the vic-
9 tims, by death or such other punishment as a mili-
10 tary commission under this chapter may direct, and,
11 if death does not result to any of the victims, by
12 such punishment, other than death, as a military
13 commission under this chapter may direct.

14 “(9) USING PROTECTED PERSONS AS A
15 SHIELD.—Any person subject to this chapter who
16 positions, or otherwise takes advantage of, a pro-
17 tected person with the intent to shield a military ob-
18 jective from attack. or to shield, favor, or impede
19 military operations, shall be punished, if death re-
20 sults to one or more of the victims, by death or such
21 other punishment as a military commission under
22 this chapter may direct, and, if death does not result
23 to any of the victims, by such punishment, other
24 than death, as a military commission under this
25 chapter may direct.

1 “(10) USING PROTECTED PROPERTY AS A
2 SHIELD.—Any person subject to this chapter who
3 positions, or otherwise takes advantage of the loca-
4 tion of, protected property with the intent to shield
5 a military objective from attack, or to shield, favor,
6 or impede military operations, shall be punished as
7 a military commission under this chapter may direct.

8 “(11) TORTURE.—

9 “(A) OFFENSE.—Any person subject to
10 this chapter who commits an act specifically in-
11 tended to inflict severe physical or mental pain
12 or suffering (other than pain or suffering inci-
13 dental to lawful sanctions) upon another person
14 within his custody or physical control for the
15 purpose of obtaining information or a confes-
16 sion, punishment, intimidation, coercion, or any
17 reason based on discrimination of any kind,
18 shall be punished, if death results to one or
19 more of the victims, by death or such other
20 punishment as a military commission under this
21 chapter may direct, and, if death does not re-
22 sult to any of the victims, by such punishment,
23 other than death, as a military commission
24 under this chapter may direct.

1 “(B) SEVERE MENTAL PAIN OR SUF-
2 FERING DEFINED.—In this paragraph, the term
3 ‘severe mental pain or suffering’ has the mean-
4 ing given that term in section 2340(2) of title
5 18.

6 “(12) CRUEL OR INHUMAN TREATMENT.—Any
7 person subject to this chapter who subjects another
8 person in their custody or under their physical con-
9 trol, regardless of nationality or physical location, to
10 cruel or inhuman treatment that constitutes a grave
11 breach of common Article 3 of the Geneva Conven-
12 tions shall be punished, if death results to the vic-
13 tim, by death or such other punishment as a mili-
14 tary commission under this chapter may direct, and,
15 if death does not result to the victim, by such pun-
16 ishment, other than death, as a military commission
17 under this chapter may direct.

18 “(13) INTENTIONALLY CAUSING SERIOUS BOD-
19 ILY INJURY.—

20 “(A) OFFENSE.—Any person subject to
21 this chapter who intentionally causes serious
22 bodily injury to one or more persons, including
23 privileged belligerents, in violation of the law of
24 war shall be punished, if death results to one or
25 more of the victims, by death or such other

1 punishment as a military commission under this
2 chapter may direct, and, if death does not re-
3 sult to any of the victims, by such punishment,
4 other than death, as a military commission
5 under this chapter may direct.

6 “(B) SERIOUS BODILY INJURY DEFINED.—

7 In this paragraph, the term ‘serious bodily in-
8 jury’ means bodily injury which involves—

9 “(i) a substantial risk of death;

10 “(ii) extreme physical pain;

11 “(iii) protracted and obvious dis-
12 figurement; or

13 “(iv) protracted loss or impairment of
14 the function of a bodily member, organ, or
15 mental faculty.

16 “(14) MUTILATING OR MAIMING.—Any person
17 subject to this chapter who intentionally injures one
18 or more protected persons by disfiguring the person
19 or persons by any mutilation of the person or per-
20 sons, or by permanently disabling any member, limb,
21 or organ of the body of the person or persons, with-
22 out any legitimate medical or dental purpose, shall
23 be punished, if death results to one or more of the
24 victims, by death or such other punishment as a
25 military commission under this chapter may direct,

1 and, if death does not result to any of the victims,
2 by such punishment, other than death, as a military
3 commission under this chapter may direct.

4 “(15) MURDER IN VIOLATION OF THE LAW OF
5 WAR.—Any person subject to this chapter who inten-
6 tionally kills one or more persons, including privi-
7 leged belligerents, in violation of the law of war shall
8 be punished by death or such other punishment as
9 a military commission under this chapter may direct.

10 “(16) DESTRUCTION OF PROPERTY IN VIOLA-
11 TION OF THE LAW OF WAR.—Any person subject to
12 this chapter who intentionally destroys property be-
13 longing to another person in violation of the law of
14 war shall punished as a military commission under
15 this chapter may direct.

16 “(17) USING TREACHERY OR PERFIDY.—Any
17 person subject to this chapter who, after inviting the
18 confidence or belief of one or more persons that they
19 were entitled to, or obliged to accord, protection
20 under the law of war, intentionally makes use of
21 that confidence or belief in killing, injuring, or cap-
22 turing such person or persons shall be punished, if
23 death results to one or more of the victims, by death
24 or such other punishment as a military commission
25 under this chapter may direct, and, if death does not

1 result to any of the victims, by such punishment,
2 other than death, as a military commission under
3 this chapter may direct.

4 “(18) IMPROPERLY USING A FLAG OF TRUCE.—
5 Any person subject to this chapter who uses a flag
6 of truce to feign an intention to negotiate, sur-
7 render, or otherwise suspend hostilities when there is
8 no such intention shall be punished as a military
9 commission under this chapter may direct.

10 “(19) IMPROPERLY USING A DISTINCTIVE EM-
11 BLEM.—Any person subject to this chapter who in-
12 tentiously uses a distinctive emblem recognized by
13 the law of war for combatant purposes in a manner
14 prohibited by the law of war shall be punished as a
15 military commission under this chapter may direct.

16 “(20) INTENTIONALLY MISTREATING A DEAD
17 BODY.—Any person subject to this chapter who in-
18 tentiously mistreats the body of a dead person,
19 without justification by legitimate military necessary,
20 shall be punished as a military commission under
21 this chapter may direct.

22 “(21) RAPE.—Any person subject to this chap-
23 ter who forcibly or with coercion or threat of force
24 wrongfully invades the body of a person by pene-
25 trating, however slightly, the anal or genital opening

1 of the victim with any part of the body of the ac-
2 cused, or with any foreign object, shall be punished
3 as a military commission under this chapter may di-
4 rect.

5 “(22) SEXUAL ASSAULT OR ABUSE.—Any per-
6 son subject to this chapter who forcibly or with coer-
7 cion or threat of force engages in sexual contact
8 with one or more persons, or causes one or more
9 persons to engage in sexual contact, shall be pun-
10 ished as a military commission under this chapter
11 may direct

12 “(23) HIJACKING OR HAZARDING A VESSEL OR
13 AIRCRAFT.—Any person subject to this chapter who
14 intentionally seizes, exercises unauthorized control
15 over, or endangers the safe navigation of a vessel or
16 aircraft that is not a legitimate military objective
17 shall be punished, if death results to one or more of
18 the victims, by death or such other punishment as
19 a military commission under this chapter may direct,
20 and, if death does not result to any of the victims,
21 by such punishment, other than death, as a military
22 commission under this chapter may direct.

23 “(24) TERRORISM.—Any person subject to this
24 chapter who intentionally kills or inflicts great bodily
25 harm on one or more protected persons, or inten-

1 tionally engages in an act that evinces a wanton dis-
2 regard for human life, in a manner calculated to in-
3 fluence or affect the conduct of government or civil-
4 ian population by intimidation or coercion, or to re-
5 taliate against government conduct, shall be pun-
6 ished, if death results to one or more of the victims,
7 by death or such other punishment as a military
8 commission under this chapter may direct, and, if
9 death does not result to any of the victims, by such
10 punishment, other than death, as a military commis-
11 sion under this chapter may direct.

12 “(25) PROVIDING MATERIAL SUPPORT FOR
13 TERRORISM.—

14 “(A) OFFENSE.—Any person subject to
15 this chapter who provides material support or
16 resources, knowing or intending that they are to
17 be used in preparation for, or in carrying out,
18 an act of terrorism (as set forth in paragraph
19 (23) of this section), or who intentionally pro-
20 vides material support or resources to an inter-
21 national terrorist organization engaged in hos-
22 tilities against the United States, knowing that
23 such organization has engaged or engages in
24 terrorism (as so set forth), shall be punished as

1 a military commission under this chapter may
2 direct.

3 “(B) MATERIAL SUPPORT OR RESOURCES
4 DEFINED.—In this paragraph, the term ‘mate-
5 rial support or resources’ has the meaning
6 given that term in section 2339A(b) of title 18.

7 “(26) WRONGFULLY AIDING THE ENEMY.—Any
8 person subject to this chapter who, in breach of an
9 allegiance or duty to the United States, knowingly
10 and intentionally aids an enemy of the United
11 States, or one of the co-belligerents of the enemy,
12 shall be punished as a military commission under
13 this chapter may direct.

14 “(27) SPYING.—Any person subject to this
15 chapter who, in violation of the law of war and with
16 intent or reason to believe that it is to be used to
17 the injury of the United States or to the advantage
18 of a foreign power, collects or attempts to collect in-
19 formation by clandestine means or while acting
20 under false pretenses, for the purpose of conveying
21 such information to an enemy of the United States,
22 or one of the co-belligerents of the enemy, shall be
23 punished by death or such other punishment as a
24 military commission under this chapter may direct.

1 “(28) CONTEMPT.—A military commission
2 under this chapter may punish for contempt any
3 person who uses any menacing word, sign, or ges-
4 ture in its presence, or who disturbs its proceedings
5 by any riot or disorder.

6 “(29) PERJURY AND OBSTRUCTION OF JUS-
7 TICE.—A military commission under this chapter
8 may try offenses and impose such punishment as the
9 military commission may direct for perjury, false
10 testimony, or obstruction of justice related to the
11 military commission.”.

12 (b) CONFORMING AMENDMENT.—Paragraph (13) of
13 section 802 of title 10, United States Code (article 2 of
14 the Uniform Code of Military Justice), is amended to read
15 as follows:

16 “(13) Privileged belligerents (as that term is
17 defined section 948a(3) of this title) who violate the
18 law of war.”.

19 (c) PROCEEDINGS UNDER PRIOR STATUTE.—

20 (1) PRIOR CONVICTIONS.—The amendments
21 made by subsection (a) shall have no effect on the
22 validity of any conviction pursuant to chapter 47A
23 of title 10, United States Code, as such chapter was
24 in effect on the day before the date of the enactment
25 of this Act.

1 (2) COMPOSITION OF MILITARY COMMIS-
2 SIONS.—Notwithstanding the amendments made by
3 subsection (a)—

4 (A) any commission convened pursuant to
5 chapter 47A of title 10, United States Code, as
6 such chapter was in effect on the day before the
7 date of the enactment of this Act, shall be
8 deemed to have been convened pursuant to
9 chapter 47A of title 10, United States Code, as
10 amended by subsection (a);

11 (B) any member of the Armed Forces de-
12 tailed to serve on a commission pursuant to
13 chapter 47A of title 10, United States Code, as
14 in effect on the day before the date of the en-
15 actment of this Act, shall be deemed to have
16 been detailed pursuant to chapter 47A of title
17 10, United States Code, as so amended;

18 (C) any military judge detailed to a com-
19 mission pursuant to chapter 47A of title 10,
20 United States Code, as in effect on the day be-
21 fore the date of the enactment of this Act, shall
22 be deemed to have been detailed pursuant to
23 chapter 47A of title 10, United States Code, as
24 so amended;

1 (D) any trial counsel or defense counsel
2 detailed for a commission pursuant to chapter
3 47A of title 10, United States Code, as in effect
4 on the day before the date of the enactment of
5 this Act, shall be deemed to have been detailed
6 pursuant to chapter 47A of title 10, United
7 States Code, as so amended; and

8 (E) any court reporters detailed to or em-
9 ployed by a commission pursuant to chapter
10 47A of title 10, United States Code, as in effect
11 on the day before the date of the enactment of
12 this Act, shall be deemed to have been detailed
13 or employed pursuant to chapter 47A of title
14 10, United States Code, as so amended.

15 (3) CHARGES AND SPECIFICATIONS.—Notwith-
16 standing the amendments made by subsection (a)—

17 (A) any charges or specifications sworn or
18 referred pursuant to chapter 47A of title 10,
19 United States Code, as such chapter was in ef-
20 fect on the day before the date of the enact-
21 ment of this Act, shall be deemed to have been
22 sworn or referred pursuant to chapter 47A of
23 title 10, United States Code, as amended by
24 subsection (a); and

1 (B) any charges or specifications described
2 in subparagraph (A) may be amended, without
3 prejudice, as needed to properly allege jurisdic-
4 tion under chapter 47A of title 10, United
5 States Code, as so amended, and crimes triable
6 under such chapter.

7 (4) PROCEDURES AND REQUIREMENTS.—Ex-
8 cept as provided in paragraphs (1) through (3), any
9 commission convened pursuant to chapter 47A of
10 title 10, United States Code, as such chapter was in
11 effect on the day before the date of the enactment
12 of this Act, shall be conducted after the date of the
13 enactment of this Act in accordance with the proce-
14 dures and requirements of chapter 47A of title 10,
15 United States Code, as amended by subsection (a).

16 (d) NOTICE TO CONGRESS.—

17 (1) INITIAL RULES.—Not later than 90 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the Committees on
20 Armed Services of the Senate and the House of Rep-
21 resentatives a report setting for the procedures for
22 military commissions prescribed under chapter 47A
23 of title 10, United States Code, as amended by sub-
24 section (a).

1 (2) CHANGES TO PROCEDURES.—Not later than
2 60 days before the date on which any proposed
3 modification of the regulations in effect for military
4 commissions under Chapter 47A of title 10, United
5 States Code, as so amended, goes into effect, the
6 Secretary of Defense shall submit to the Committees
7 on Armed Services of the Senate and the House of
8 Representatives a report describing the modification.

9 **Subtitle E—Medical Facility**
10 **Matters**

11 **SEC. 1041. SHORT TITLE.**

12 This subtitle may be cited as the “Captain James A.
13 Lovell Federal Health Care Center Act of 2009”.

14 **SEC. 1042. EXECUTIVE AGREEMENT.**

15 (a) EXECUTIVE AGREEMENT REQUIRED.—Not later
16 than 180 days after the date of the enactment of this Act,
17 the Secretary of Defense, in consultation with the Sec-
18 retary of the Navy, and the Secretary of Veterans Affairs
19 shall execute a signed executive agreement for the joint
20 use by the Department of Defense and the Department
21 of Veterans Affairs of the following:

22 (1) A new Navy ambulatory care center (on
23 which construction commenced in July 2008), park-
24 ing structure, and supporting structures and facili-

1 ties in North Chicago, Illinois, and Great Lakes, Illi-
2 nois.

3 (2) Medical personal property and equipment
4 relating to the center, structures, and facilities de-
5 scribed in paragraph (1).

6 (b) SCOPE.—The agreement required by subsection
7 (a) shall—

8 (1) be a binding operational agreement on mat-
9 ters under the areas specified in section 706 of the
10 Duncan Hunter National Defense Authorization Act
11 for Fiscal Year 2009 (Public Law 110–417; 122
12 Stat. 4500); and

13 (2) contain additional terms and conditions as
14 required by the provisions of this title.

15 **SEC. 1043. TRANSFER OF PROPERTY.**

16 (a) TRANSFER.—

17 (1) TRANSFER AUTHORIZED.—The Secretary of
18 Defense, acting through the Administrator of Gen-
19 eral Services, may transfer, without reimbursement,
20 to the Secretary of Veterans Affairs jurisdiction over
21 the center, structures, facilities, and property and
22 equipment covered by the executive agreement under
23 section 1042.

1 (2) DATE OF TRANSFER.—The transfer author-
2 ized by paragraph (1) may not occur before the ear-
3 lier of—

4 (A) the date that is five years after the
5 date of the execution under section 1042 of the
6 executive agreement required by that section; or

7 (B) the date of the completion of such spe-
8 cific benchmarks relating to the joint use by the
9 Department of Defense and the Department of
10 Veterans Affairs of the Navy ambulatory care
11 center described in section 1042(a)(1) as the
12 Secretary of Defense (in consultation with the
13 Secretary of the Navy) and Secretary of the
14 Department of Veterans Affairs shall jointly es-
15 tablish for purposes of this section not later
16 than 180 days after the date of the enactment
17 of this Act.

18 (3) DELAY OF TRANSFER FOR COMPLETION OF
19 CONSTRUCTION.—If construction on the center,
20 structures, and facilities described in paragraph (1)
21 is not complete as of the date specified in subpara-
22 graph (A) or (B) of that paragraph, as applicable,
23 the transfer of the center, structures, and facilities
24 under that paragraph may occur thereafter upon
25 completion of the construction.

1 (4) DISCHARGE OF TRANSFER.—The Adminis-
2 trator of General Services shall effectualize and me-
3 morialize the transfer as authorized by this sub-
4 section not later than 30 days after receipt of the re-
5 quest for the transfer.

6 (5) DESIGNATION OF FACILITY.—The center,
7 structures, facilities transferred under this sub-
8 section shall be designated and known after transfer
9 under this subsection as the “Captain James A.
10 Lovell Federal Health Care Center”.

11 (b) REVERSION.—

12 (1) IN GENERAL.—If any of the real and re-
13 lated personal property transferred pursuant to sub-
14 section (a) is subsequently used for purposes other
15 than those specified in the executive agreement re-
16 quired by section 1042, or is otherwise jointly deter-
17 mined by the Secretary of Defense and the Secretary
18 of Veterans Affairs to be excess to the needs of the
19 Captain James A. Lovell Federal Health Care Cen-
20 ter, the Secretary of Veterans Affairs shall offer to
21 transfer jurisdiction over such property, without re-
22 imbursement, to the Secretary of Defense. Any such
23 transfer shall be carried out by the Administrator of
24 General Services not later than one year after the
25 acceptance of the offer of such transfer, plus such

1 additional time as the Administrator may require to
2 effectuate and memorialize such transfer.

3 (2) REVERSION IN EVENT OF LACK OF FACILI-
4 TIES INTEGRATION.—

5 (A) WITHIN INITIAL PERIOD.—During the
6 five-year period beginning on the date of the
7 transfer of real and related personal property
8 pursuant to subsection (a), if the Secretary of
9 Veterans Affairs, the Secretary of Defense, and
10 the Secretary of Navy jointly determine that
11 the integration of the facilities transferred pur-
12 suant to that subsection should not continue,
13 jurisdiction over such real and related personal
14 property shall be transferred, without reim-
15 bursement, to the Secretary of Defense. The
16 transfer under this subparagraph shall be car-
17 ried out by the Administrator of General Serv-
18 ices not later than 180 days after the date of
19 the determination by the Secretaries, plus such
20 additional time as the Administrator may re-
21 quire to effectuate and memorialize such trans-
22 fer.

23 (B) AFTER INITIAL PERIOD.—After the
24 end of the five-year period described in sub-
25 paragraph (A), if the Secretary of Veterans Af-

1 fairs or the Secretary of Defense determines
2 that the integration of the facilities transferred
3 pursuant to subsection (a) should not continue,
4 the Secretary of Veterans Affairs shall transfer,
5 without reimbursement, to the Secretary of De-
6 fense jurisdiction over the real and related per-
7 sonal property described in subparagraph (A).
8 Any transfer under this subparagraph shall be
9 carried out by the Administrator of General
10 Services not later than one year after the date
11 of the determination by the applicable Sec-
12 retary, plus such additional time as the Admin-
13 istrator may require to effectuate and memori-
14 alize such transfer.

15 (C) REVERSION PROCEDURES.—The execu-
16 tive agreement required by section 1042 shall
17 provide the following:

18 (i) Specific procedures for the rever-
19 sion of real and related personal property,
20 as appropriate, transferred pursuant to
21 subsection (a) to ensure the continuing ac-
22 complishment by the Department of De-
23 fense and the Department of Veterans Af-
24 fairs of their missions in the event that the
25 integration of facilities described trans-

1 ferred pursuant to that subsection (a) is
2 not completed or a reversion of property
3 occurs under subparagraph (A) or (B).

4 (ii) In the event of a reversion under
5 this paragraph, the transfer from the De-
6 partment of Veterans Affairs to the De-
7 partment of Defense of associated func-
8 tions including appropriate resources, civil-
9 ian positions, and personnel, in a manner
10 that will not result in adverse impact to
11 the missions of Department of Defense or
12 the Department of Veterans Affairs.

13 **SEC. 1044. TRANSFER OF CIVILIAN PERSONNEL OF THE DE-**
14 **PARTMENT OF DEFENSE.**

15 (a) **TRANSFER OF FUNCTIONS.**—The Secretary of
16 Defense and the Secretary of the Navy may transfer to
17 the Secretary of Veterans Affairs functions necessary for
18 the effective operation of the Captain James A. Lovell
19 Federal Health Care Center. The Secretary of Veterans
20 Affairs may accept any functions so transferred.

21 (b) **TERMS.**—

22 (1) **EXECUTIVE AGREEMENT.**—Any transfer of
23 functions under subsection (a) shall be carried out
24 as provided in the executive agreement required by
25 section 1042. The functions to be so transferred

1 shall be identified utilizing the provisions of section
2 3503 of title 5, United States Code.

3 (2) ELEMENTS.—In providing for the transfer
4 of functions under subsection (a), the executive
5 agreement required by section 1042 shall provide for
6 the following:

7 (A) The transfer of civilian employee posi-
8 tions of the Department of Defense identified in
9 the executive agreement to the Department of
10 Veterans Affairs, and of the incumbent civilian
11 employees in such positions, and the transition
12 of the employees so transferred to the pay, ben-
13 efits, and personnel systems that apply to em-
14 ployees of the Department of Veterans Affairs
15 (to the extent that different systems apply).

16 (B) The transition of employees so trans-
17 ferred to the pay systems of the Department of
18 Veterans Affairs in a manner which will not re-
19 sult in any reduction in an employee's regular
20 rate of compensation (including basic pay, local-
21 ity pay, any physician comparability allowance,
22 and any other fixed and recurring pay supple-
23 ment) at the time of transition.

24 (C) The continuation after transfer of the
25 same employment status for employees so

1 transferred who have already successfully com-
2 pleted or are in the process of completing a
3 one-year probationary period under title 5,
4 United States Code, notwithstanding the provi-
5 sions of section 7403(b)(1) of title 38, United
6 States Code.

7 (D) The extension of collective bargaining
8 rights under title 5, United States Code, to em-
9 ployees so transferred in positions listed in sub-
10 section 7421(b) of title 38, United States Code,
11 notwithstanding the provisions of section 7422
12 of title 38, United States Code, for a two-year
13 period beginning on the effective date of the ex-
14 ecutive agreement.

15 (E) At the end of the two-year period be-
16 ginning on the effective date of the executive
17 agreement, for the following actions by the Sec-
18 retary of Veterans Affairs with respect to the
19 extension of collective bargaining rights under
20 subparagraph (D):

21 (i) Consideration of the impact of the
22 extension of such rights.

23 (ii) Consultation with exclusive em-
24 ployee representatives of the transferred
25 employees about such impact.

1 (iii) Determination, after consultation
2 with the Secretary of Defense and the Sec-
3 retary of the Navy, whether the extension
4 of such rights should be terminated, modi-
5 fied, or kept in effect.

6 (iv) Submittal to Congress of a notice
7 regarding the determination made under
8 clause (iii).

9 (F) The recognition after transfer of each
10 transferred physician's and dentist's total num-
11 ber of years of service as a physician or dentist
12 in the Department of Defense for purposes of
13 calculating such employee's rate of base pay,
14 notwithstanding the provisions of section
15 7431(b)(3) of title 38, United States Code.

16 (G) The preservation of the seniority of the
17 employees so transferred for all pay purposes.

18 (c) RETENTION OF DEPARTMENT OF DEFENSE EM-
19 PLOYMENT AUTHORITY.—Notwithstanding subsections
20 (a) and (b), the Department of Defense may employ civil-
21 ian personnel at the Captain James Lovell Federal Health
22 Care Center if the Secretary of the Navy, or a designee
23 of the Secretary, determines it is necessary and appro-
24 priate to meet mission requirements of the Department
25 of the Navy.

1 **SEC. 1045. JOINT FUNDING AUTHORITY FOR THE CAPTAIN**
2 **JAMES A. LOVELL FEDERAL HEALTH CARE**
3 **CENTER.**

4 (a) **IN GENERAL.**—The Department of Veterans Af-
5 fairs/Department of Defense Health-Care Resources Shar-
6 ing Committee under section 8111(b) of title 38, United
7 States Code, may provide for the joint funding of the Cap-
8 tain James A. Lovell Federal Health Care Center in ac-
9 cordance with the provisions of this section.

10 (b) **HEALTH CARE CENTER FUND.**—

11 (1) **ESTABLISHMENT.**—There is established on
12 the books of the Treasury under the Department of
13 Veterans Affairs a fund to be known as the “Cap-
14 tain James A. Lovell Federal Health Care Center
15 Fund” (in this section referred to as the “Fund”).

16 (2) **ELEMENTS.**—The Fund shall consist of the
17 following:

18 (A) Amounts transferred to the Fund by
19 the Secretary of Defense, in consultation with
20 the Secretary of the Navy, from amounts au-
21 thorized to be appropriated for the Department
22 of Defense.

23 (B) Amounts transferred to the Fund by
24 the Secretary of Veterans Affairs from amounts
25 authorized to be appropriated for the Depart-
26 ment of Veterans Affairs.

1 (C) Amounts transferred to the Fund from
2 medical care collections under paragraph (4).

3 (3) DETERMINATION OF AMOUNTS TRANS-
4 FERRED GENERALLY.—The amount transferred to
5 the Fund by each of the Secretary of Defense and
6 the Secretary of Veterans Affairs under subpara-
7 graphs (A) and (B), as applicable, of paragraph (2)
8 each fiscal year shall be such amount, as determined
9 by a methodology jointly established by the Sec-
10 retary of Defense and the Secretary of Veterans Af-
11 fairs for purposes of this subsection, that reflects the
12 mission-specific activities, workload, and costs of
13 provision of health care at the Captain James A.
14 Lovell Federal Health Care Center of the Depart-
15 ment of Defense and the Department of Veterans
16 Affairs, respectively.

17 (4) TRANSFERS FROM MEDICAL CARE COLLEC-
18 TIONS.—

19 (A) IN GENERAL.—Amounts collected
20 under the authorities specified in subparagraph
21 (B) for health care provided at the Captain
22 James A. Lovell Federal Health Care Center
23 may be transferred to the Fund under para-
24 graph (2)(C).

1 (B) AUTHORITIES.—The authorities speci-
2 fied in this subparagraph are the following:

3 (i) Section 1095 of title 10, United
4 States Code.

5 (ii) Section 1729 of title 38, United
6 States Code.

7 (iii) Public Law 87–693, popularly
8 known as the “Federal Medical Care Re-
9 covery Act” (42 U.S.C. 2651 et seq.).

10 (5) ADMINISTRATION.—The Fund shall be ad-
11 ministered in accordance with such provisions of the
12 executive agreement required by section 1042 as the
13 Secretary of Defense and the Secretary of Veterans
14 Affairs shall jointly include in the executive agree-
15 ment. Such provisions shall provide for an inde-
16 pendent review of the methodology established under
17 paragraph (3).

18 (c) AVAILABILITY.—

19 (1) IN GENERAL.—Funds transferred to the
20 Fund under subsection (b) shall be available to fund
21 the operations of the Captain James A. Lovell Fed-
22 eral Health Care Center, including capital equip-
23 ment, real property maintenance, and minor con-
24 struction projects that are not required to be specifi-
25 cally authorized by law under section 2805 of title

1 10, United States Code, or section 8104 of title 38,
2 United States Code.

3 (2) LIMITATION.—The availability of funds
4 transferred to the Fund under subsection (b)(2)(C)
5 shall be subject to the provisions of section 1729A
6 of title 38, United States Code.

7 (3) PERIOD OF AVAILABILITY.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), funds transferred to the
10 Fund under subsection (b) shall be available
11 under paragraph (1) for one fiscal year after
12 transfer.

13 (B) EXCEPTION.—Of an amount trans-
14 ferred to the Fund under subsection (b), an
15 amount not to exceed two percent of such
16 amount shall be available under paragraph (1)
17 for two fiscal years after transfer.

18 (d) FINANCIAL RECONCILIATION.—The executive
19 agreement required by section 1042 shall provide for the
20 development and implementation of an integrated finan-
21 cial reconciliation process that meets the fiscal reconcili-
22 ation requirements of the Department of Defense, the De-
23 partment of the Navy, and the Department of Veterans
24 Affairs. The process shall permit each of the Department
25 of Defense, the Department of Navy, and the Department

1 of Veterans Affairs to identify their fiscal contributions
2 to the Fund, taking into consideration accounting, work-
3 load, and financial management differences.

4 (e) ANNUAL REPORT.—The Secretary of Defense, in
5 consultation with the Secretary of the Navy, and the Sec-
6 retary of Veterans Affairs shall jointly provide for an an-
7 nual independent review of the Fund for at least three
8 years after the date of the enactment of this Act. Such
9 review shall include detailed statements of the uses of
10 amounts of the Fund and an evaluation of the adequacy
11 of the proportional share contributed to the Fund by each
12 of the Secretary of Defense and the Secretary of Veterans
13 Affairs.

14 (f) TERMINATION.—The authorities in this section
15 shall terminate on September 30, 2015.

16 **SEC. 1046. ELIGIBILITY OF MEMBERS OF THE UNIFORMED**
17 **SERVICES FOR CARE AND SERVICES AT THE**
18 **CAPTAIN JAMES A. LOVELL FEDERAL**
19 **HEALTH CARE CENTER.**

20 (a) IN GENERAL.—For purposes of eligibility for
21 health care under chapter 55 of title 10, United States
22 Code, the Captain James A. Lovell Federal Health Care
23 Center may be treated as a facility of the uniformed serv-
24 ices to the extent provided under subsection (b) in the ex-
25 ecutive agreement required by section 1042.

1 (b) ADDITIONAL ELEMENTS.—The executive agree-
2 ment required by section 1042 may include provisions as
3 follows:

4 (1) To establish an integrated priority list for
5 access to health care at the Captain James A. Lovell
6 Federal Health Care Center, which list shall—

7 (A) integrate the respective health care
8 priority lists of the Secretary of Defense and
9 the Secretary of Veterans Affairs; and

10 (B) take into account categories of bene-
11 ficiaries, enrollment program status, and such
12 other matters as the Secretary of Defense and
13 the Secretary of Veterans Affairs jointly con-
14 sider appropriate.

15 (2) To incorporate any resource-related limita-
16 tions for access to health care at the Captain James
17 A. Lovell Federal Health Care Center that the Sec-
18 retary of Defense may establish for purposes of ad-
19 ministering space-available eligibility for care in fa-
20 cilities of the uniformed services under chapter 55 of
21 title 10, United States Code.

22 (3) To allocate financial responsibility for care
23 provided at the Captain James A. Lovell Federal
24 Health Care Center for individuals who are eligible

1 for care under both chapter 55 of title 10, United
2 States Code, and title 38, United States Code.

3 (4) To waive the applicability to the Captain
4 James A. Lovell Federal Health Care Center of any
5 provision of section 8111(e) of title 38, United
6 States Code, that the Secretary of Defense and the
7 Secretary of Veterans Affairs shall jointly specify.

8 **SEC. 1047. EXTENSION OF DOD-VA HEALTH CARE SHARING**
9 **INCENTIVE FUND.**

10 Section 8111(d)(3) of title 38, United States Code,
11 is amended by striking “September 30, 2010” and insert-
12 ing “September 30, 2015”.

13 **Subtitle F—Miscellaneous Require-**
14 **ments, Authorities, and Limita-**
15 **tions**

16 **SEC. 1051. CONGRESSIONAL EARMARKS RELATING TO THE**
17 **DEPARTMENT OF DEFENSE.**

18 (a) REPORT ON RECURRING EARMARKS.—

19 (1) REPORT REQUIRED.—Not later than 180
20 days after the date of the enactment of this Act, the
21 Secretary of Defense shall submit to the congress-
22 sional defense committees a report setting forth a
23 list of each congressional earmark that has been in-
24 cluded in a national defense authorization Act for

1 three or more consecutive fiscal years as of the na-
2 tional defense authorization Act for fiscal year 2010.

3 (2) ELEMENTS.—The report required by para-
4 graph (1) shall include the following:

5 (A) A description of the extent to which
6 competitive or merit-based procedures were
7 used to award funding, or to enter into a con-
8 tract, grant, or other agreement, pursuant to
9 each congressional earmark listed in the report.

10 (B) An identification of the specific con-
11 tracting vehicle used for each such earmark.

12 (C) In the case of any congressional ear-
13 mark listed in the report for which competitive
14 or merit-based procedures were not used to
15 award funding, or to enter the contract, grant,
16 or other agreement, a statement of the reasons
17 competitive or merit-based procedures were not
18 used.

19 (b) DoD INSPECTOR GENERAL AUDIT OF EAR-
20 MARKS.—The Inspector General of the Department of De-
21 fense shall conduct an audit of contracts, grants, or other
22 agreements pursuant to congressional earmarks of De-
23 partment of Defense funds to determine whether or not
24 the recipients of such earmarks are complying with re-
25 quirements of Federal law on the use of appropriated

1 funds to influence, whether directly or indirectly, congres-
2 sional action on any legislation or appropriation matter
3 pending before Congress.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “congressional earmark” means
6 any congressionally directed spending item (Senate)
7 or congressional earmark (House of Representatives)
8 on the list published in compliance with rule XLIV
9 of the Standing Rules of the Senate or rule XXI of
10 the Rules of the House of Representatives.

11 (2) The term “national defense authorization
12 Act” means an Act authorizing funds for a fiscal
13 year for the military activities of the Department of
14 Defense, and for other purposes.

15 **SEC. 1052. NATIONAL STRATEGIC FIVE-YEAR PLAN FOR IM-**
16 **PROVING THE NUCLEAR FORENSIC AND AT-**
17 **TRIBUTION CAPABILITIES OF THE UNITED**
18 **STATES.**

19 (a) IN GENERAL.—The President, with the participa-
20 tion of the officials specified in subsection (c), shall de-
21 velop a national strategic plan for improving over a five-
22 year period the nuclear forensic and attribution capabili-
23 ties of the United States and the methods, capabilities,
24 and capacity for nuclear materials forensics and attribu-
25 tion.

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

3 (1) An investment plan to support nuclear ma-
4 terials forensics and attribution.

5 (2) Recommendations with respect to—

6 (A) the allocation of roles and responsibil-
7 ities for pre-detonation, detonation, and post-
8 detonation activities; and

9 (B) methods for the attribution of nuclear
10 or radiological material to the source when such
11 material is intercepted by the United States,
12 foreign governments, or international bodies or
13 is dispersed in the course of a terrorist attack
14 or other nuclear or radiological explosion.

15 (c) OFFICIALS.—The officials specified in this sub-
16 section are the following:

17 (1) The Secretary of Homeland Security.

18 (2) The Secretary of Defense.

19 (3) The Secretary of Energy.

20 (4) The Attorney General.

21 (5) The Secretary of State.

22 (6) The Director of National Intelligence.

23 (7) Such other officials as the President con-
24 siders appropriate.

1 (d) SUBMITTAL TO CONGRESS.—Not later than 180
2 days after the date of the enactment of this Act, the Presi-
3 dent shall submit to Congress the plan required under
4 subsection (a).

5 **SEC. 1053. ONE-YEAR EXTENSION OF AUTHORITY TO OFFER**
6 **AND MAKE REWARDS FOR ASSISTANCE IN**
7 **COMBATING TERRORISM THROUGH GOVERN-**
8 **MENT PERSONNEL OF ALLIED FORCES.**

9 Section 127b(c)(3)(C) of title 10, United States
10 Code, is amended by striking “September, 30, 2009” and
11 inserting “September, 30, 2010”.

12 **SEC. 1054. BUSINESS PROCESS REENGINEERING.**

13 (a) NEW PROGRAMS.—Section 2222 of title 10,
14 United States Code, is amended—

15 (1) in subsection (a)—

16 (A) by redesignating paragraphs (1) and
17 (2) as paragraphs (2) and (3), respectively;

18 (B) by inserting before paragraph (2), as
19 redesignated by subparagraph (A) of this sub-
20 section, the following new paragraph (1):

21 “(1) the appropriate chief management officer
22 for the defense business system modernization has
23 determined whether or not—

1 “(A) the defense business system mod-
2 ernization is in compliance with the enterprise
3 architecture developed under subsection (c); and

4 “(B) appropriate business process re-
5 engineering efforts have been undertaken to en-
6 sure that—

7 “(i) the business process to be sup-
8 ported by the defense business system
9 modernization will be as streamlined and
10 efficient as practicable; and

11 “(ii) the need to tailor commercial-off-
12 the-shelf systems to meet unique require-
13 ments or incorporate unique interfaces has
14 been eliminated or reduced to the max-
15 imum extent practicable;”;

16 (C) in paragraph (2), as redesignated by
17 subparagraph (A) of this subsection, by striking
18 subparagraph (A) and inserting the following
19 new subparagraph (A):

20 “(A) has been determined by the appro-
21 priate chief management officer to be in compli-
22 ance with the requirements of paragraph (1);”;
23 and

24 (D) in paragraph (3), as redesignated by
25 subparagraph (A) of this paragraph, by striking

1 “the certification by the approval authority is”
2 and inserting “the certification by the approval
3 authority and the determination by the chief
4 management officer are”; and

5 (2) in subsection (f)—

6 (A) by redesignating paragraphs (1)
7 through (5) as subparagraphs (A) through (E),
8 respectively;

9 (B) by inserting “(1)” before “The Sec-
10 retary of Defense”;

11 (C) in subparagraph (E) of paragraph (1),
12 as designated by this paragraph, by striking
13 “paragraphs (1) through (4)” and inserting
14 “subparagraphs (A) through (D)”; and

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

17 “(2) For purposes of subsection (a), the appropriate
18 chief management officer for a defense business system
19 modernization is as follows:

20 “(A) In the case of an Army program, the Chief
21 Management Officer of the Army.

22 “(B) In the case of a Navy program, the Chief
23 Management Officer of the Navy.

24 “(C) In the case of an Air Force program, the
25 Chief Management Officer of the Air Force.

1 “(D) In the case of a program of a Defense
2 Agency, the Deputy Chief Management Officer of
3 the Department of Defense.

4 “(E) In the case of a program that will support
5 the business processes of more than one military de-
6 partment or Defense Agency, the Deputy Chief
7 Management Officer of the Department of De-
8 fense.”.

9 (b) ONGOING PROGRAMS.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the ap-
12 propriate chief management officer for each defense
13 business system modernization approved by the De-
14 fense Business Systems Management Committee be-
15 fore the date of the enactment of this Act that will
16 have a total cost in excess of \$100,000,000 shall re-
17 view such defense business system modernization to
18 determine whether or not appropriate business proc-
19 ess reengineering efforts have been undertaken to
20 ensure that—

21 (A) the business process to be supported
22 by such defense business system modernization
23 will be as streamlined and efficient as prac-
24 ticable; and

1 (B) the need to tailor commercial-off-the-
2 shelf systems to meet unique requirements or
3 incorporate unique interfaces has been elimi-
4 nated or reduced to the maximum extent prac-
5 ticable.

6 (2) ACTION ON FINDING OF LACK OF RE-
7 ENGINEERING EFFORTS.—If the appropriate chief
8 management officer determines that appropriate
9 business process reengineering efforts have not been
10 undertaken with regard to a defense business system
11 modernization as described in paragraph (1), that
12 chief management officer—

13 (A) shall develop a plan to undertake busi-
14 ness process reengineering efforts with respect
15 to the defense business system modernization;
16 and

17 (B) may direct that the defense business
18 system modernization be restructured or termi-
19 nated, if necessary to meet the requirements of
20 paragraph (1).

21 (3) DEFINITIONS.—In this subsection:

22 (A) The term “appropriate chief manage-
23 ment officer”, with respect to a defense busi-
24 ness system modernization, has the meaning
25 given that term in paragraph (2) of subsection

1 (f) of section 2222 of title 10, United States
2 Code (as amended by subsection (a)(2) of this
3 section).

4 (B) The term “defense business system
5 modernization” has the meaning given that
6 term in subsection (j)(3) of section 2222 of title
7 10, United States Code.

8 **SEC. 1055. RESPONSIBILITY FOR PREPARATION OF BIEN-**
9 **NIAL GLOBAL POSITIONING SYSTEM REPORT.**

10 (a) IN GENERAL.—Section 2281(d) of title 10,
11 United States Code, is amended—

12 (1) in paragraph (1)—

13 (A) by striking “the Secretary of Defense”
14 and inserting “the Secretary of Commerce”;
15 and

16 (B) by striking “the Committee on Armed
17 Services of the Senate and the Committee on
18 Armed Services of the House of Representa-
19 tives” and inserting “Congress”; and

20 (2) by striking paragraph (2) and inserting the
21 following new paragraph (2):

22 “(2) In preparing each report required under para-
23 graph (1), the Secretary of Commerce shall consult with
24 the Secretary of Defense, the Secretary of State, the Sec-

1 retary of Transportation, and the Secretary of Homeland
2 Security.”.

3 (b) TECHNICAL AMENDMENTS.—Paragraph
4 (1)(B)(ii) of such section is amended—

5 (1) by inserting “validated” before “perform-
6 ance requirements”; and

7 (2) by inserting “in accordance with Office of
8 Management and Budget Circular A–109” after
9 “Plan”.

10 **SEC. 1056. ADDITIONAL SUBPOENA AUTHORITY FOR THE**
11 **INSPECTOR GENERAL OF THE DEPARTMENT**
12 **OF DEFENSE.**

13 Section 8 of the Inspector General Act of 1978 (5
14 U.S.C. App. 8) is amended by adding at the end the fol-
15 lowing new subsection:

16 “(i)(1) The Inspector General of the Department of
17 Defense is authorized to require by subpoena the attend-
18 ance and testimony of witnesses necessary to carry out
19 an audit or investigation pursuant to the authorities of
20 this Act.

21 “(2) A subpoena issued under this subsection, in the
22 case of contumacy or refusal to obey, shall be enforceable
23 by order of any appropriate United States district court.

24 “(3) The Inspector General shall consult with the At-
25 torney General before issuing any subpoena under this

1 section, and shall not proceed with the issuance of such
2 a subpoena if the Attorney General objects.”.

3 **SEC. 1057. REPORTS ON BANDWIDTH REQUIREMENTS FOR**
4 **MAJOR DEFENSE ACQUISITION PROGRAMS**
5 **AND MAJOR SYSTEM ACQUISITION PRO-**
6 **GRAMS.**

7 Section 1047(d) of the Duncan Hunter National De-
8 fense Authorization Act for Fiscal Year 2009 (Public Law
9 110–417; 122 Stat. 4603; 10 U.S.C. 2366b note) is
10 amended—

11 (1) by redesignating paragraphs (1) and (2) as
12 subparagraphs (A) and (B), respectively, and by in-
13 denting such subparagraphs, as so redesignated,
14 four ems from the left margin;

15 (2) by striking “The Secretary” and inserting
16 the following:

17 “(1) IN GENERAL.—The Secretary”; and

18 (3) by adding at the end the following:

19 “(2) REPORTS.—Not later than January 1 each
20 year, the Secretary of Defense and the Director of
21 National Intelligence shall each submit to the con-
22 gressional defense committees, the Select Committee
23 on Intelligence of the Senate, and the Permanent
24 Select Committee on Intelligence of the House of
25 Representatives a report on any determinations

1 made under paragraph (1) with respect to meeting
2 the bandwidth requirements for major defense acqui-
3 sition programs and major system acquisition pro-
4 grams during the preceding fiscal year.”.

5 **SEC. 1058. MULTIYEAR CONTRACTS UNDER PILOT PRO-**
6 **GRAM ON COMMERCIAL FEE-FOR-SERVICE**
7 **AIR REFUELING SUPPORT FOR THE AIR**
8 **FORCE.**

9 (a) **MULTIYEAR CONTRACTS AUTHORIZED.**—The
10 Secretary of the Air Force may enter into one or more
11 multiyear contracts, beginning with the fiscal year 2011
12 program year, for purposes of conducting the pilot pro-
13 gram on utilizing commercial fee-for-service air refueling
14 tanker aircraft for Air Force operations required by sec-
15 tion 1081 of the National Defense Authorization Act for
16 Fiscal Year 2008 (Public Law 110–181; 122 Stat. 335).

17 (b) **COMPLIANCE WITH LAW APPLICABLE TO**
18 **MULTIYEAR CONTRACTS.**—Any contract entered into
19 under subsection (a) shall be entered into in accordance
20 with the provisions of section 2306c of title 10, United
21 States Code, except that—

22 (1) the term of the contract may not be more
23 than 8 years;

24 (2) notwithstanding subsection 2306c(b) of title
25 10, United States Code, the authority under sub-

1 section 2306c(a) of title 10, United States Code,
2 shall apply to the fee-for-service air refueling pilot
3 program;

4 (3) the contract may contain a clause setting
5 forth a cancellation ceiling in excess of
6 \$100,000,000; and

7 (4) the contract may provide for an unfunded
8 contingent liability in excess of \$20,000,000.

9 (c) COMPLIANCE WITH LAW APPLICABLE TO SERV-
10 ICE CONTRACTS.—A contract entered into under sub-
11 section (a) shall be entered into in accordance with the
12 provisions of section 2401 of title 10, United States Code,
13 except that—

14 (1) the Secretary shall not be required to cer-
15 tify to the congressional defense committees that the
16 contract is the most cost-effective means of obtain-
17 ing commercial fee-for-service air refueling tanker
18 aircraft for Air Force operations; and

19 (2) the Secretary shall not be required to cer-
20 tify to the congressional defense committees that
21 there is no alternative for meeting urgent oper-
22 ational requirements other than making the con-
23 tract.

24 (d) LIMITATION ON AMOUNT.—The amount of a con-
25 tract under subsection (a) may not exceed \$999,999,999.

1 (e) PROVISION OF GOVERNMENT INSURANCE.—A
2 commercial air operator contracting with the Department
3 of Defense under the pilot program referred to in sub-
4 section (a) shall be eligible to receive government provided
5 insurance pursuant to chapter 443 of title 49, United
6 States Code, if commercial insurance is unavailable on
7 reasonable terms and conditions.

8 **Subtitle G—Reports**

9 **SEC. 1071. NATIONAL INTELLIGENCE ESTIMATE ON NU-** 10 **CLEAR ASPIRATIONS OF NON-STATE ENTI-** 11 **TIES AND NUCLEAR WEAPONS AND RELATED** 12 **PROGRAMS IN NON-NUCLEAR-WEAPONS** 13 **STATES AND COUNTRIES NOT PARTIES TO** 14 **THE NUCLEAR NON-PROLIFERATION TREATY.**

15 (a) IN GENERAL.—The Director of National Intel-
16 ligence shall prepare a national intelligence estimate
17 (NIE) on the following:

18 (1) The nuclear weapons programs and any re-
19 lated programs of countries that are non-nuclear-
20 weapons state parties to the Treaty on Non-Pro-
21 liferation of Nuclear Weapons, done at Washington,
22 London, and Moscow July 1, 1968, and entered into
23 force March 5, 1970 (commonly known as the “Nu-
24 clear Non-Proliferation Treaty”) and countries that
25 are not parties to the Treaty.

1 (2) The nuclear weapons aspirations of such
2 non-state entities as the Director considers appro-
3 priate to include in the estimate.

4 (b) ELEMENTS.—The national intelligence estimate
5 required under subsection (a) shall include, with respect
6 to each country described in subsection (a)(1) and each
7 non-state entity referred to in subsection (a)(2), the fol-
8 lowing:

9 (1) A statement of the number of nuclear weap-
10 ons possessed by such country or non-state entity.

11 (2) An estimate of the total number of nuclear
12 weapons that such country or non-state entity seeks
13 to obtain and, in the case of such non-state entity,
14 an assessment of the extent to which such non-state
15 entity is seeking to develop a nuclear weapon or de-
16 vice or radiological dispersion device.

17 (3) A description of the technical characteristics
18 of any nuclear weapons possessed by such country or
19 non-state entity.

20 (4) A description of nuclear weapons designs
21 available to such country or non-state entity.

22 (5) A description of any sources of assistance
23 with respect to nuclear weapons design provided to
24 such country or non-state entity.

1 (6) An assessment of the annual capability of
2 such country and non-state entity to produce new or
3 newly designed nuclear weapons.

4 (7) A description of the type of fissile materials
5 used in any nuclear weapons possessed by such
6 country or non-state entity.

7 (8) An description of the location and produc-
8 tion capability of any fissile materials production fa-
9 cilities in such country or controlled by such non-
10 state entity, the current status of any such facilities,
11 and any plans by such country or non-state entity to
12 develop such facilities.

13 (9) An identification of the source of any fissile
14 materials used by such country or non-state entity,
15 if such materials are not produced in facilities re-
16 ferred to in paragraph (8).

17 (10) A description of any delivery systems avail-
18 able to such country or non-state entity and an as-
19 sessment of whether nuclear warheads have been
20 mated to any such delivery system.

21 (11) An assessment of the physical security of
22 the storage facilities for nuclear weapons in such
23 country or controlled by such non-state entity.

24 (12) An assessment of whether such country or
25 non-state entity is modernizing or otherwise improv-

1 ing the safety, security, and reliability of the nuclear
2 weapons stockpile of such country or non-state enti-
3 ty.

4 (13) In the case of a country, an assessment of
5 the policy of such country on the employment and
6 use of nuclear weapons.

7 (c) SUBMITTAL TO CONGRESS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the Director of National Intelligence shall
10 submit to the congressional defense committees, the
11 Select Committee on Intelligence of the Senate, and
12 the Permanent Select Committee on Intelligence of
13 the House of Representatives the national intel-
14 ligence estimate required under subsection (a) by
15 not later than September 1, 2010.

16 (2) NOTIFICATION OF DELAY IN SUBMITTAL.—
17 If the Director of National Intelligence determines
18 that it will not be possible for the Director to submit
19 the national intelligence estimate by September 1,
20 2010, the Director shall, not later than August 1,
21 2010, submit to the committees specified in para-
22 graph (1) a notice—

23 (A) that the national intelligence estimate
24 will not be submitted by September 1, 2010;
25 and

1 (B) setting forth the date by which the Di-
2 rector will submit the national intelligence esti-
3 mate.

4 **SEC. 1072. COMPTROLLER GENERAL OF THE UNITED**
5 **STATES ASSESSMENT OF MILITARY WHISTLE-**
6 **BLOWER PROTECTIONS.**

7 (a) REVIEW.—The Comptroller General of the United
8 States shall conduct a review of military whistleblower
9 protections afforded to members of the Armed Services by
10 the Department of Defense. The review shall include an
11 analysis of the following:

12 (1) A sample of military whistleblower cases at
13 the Office of the Inspector General of the Depart-
14 ment of Defense, as well as one or more Offices of
15 the Inspector General of a military department (as
16 selected by the Comptroller General for the purposes
17 of this section).

18 (2) Department-wide efforts to educate and in-
19 form members of the Armed Forces about the pro-
20 tections provided to them under section 1034 of title
21 10, United States Code.

22 (b) REPORT.—Not later than December 1, 2009, the
23 Comptroller General shall submit a report on the review
24 and analysis conducted under subsection (a) to the Chair-

1 man and Ranking Minority Member of each of the fol-
2 lowing:

3 (1) The Committees on Armed Services, Home-
4 land Security and Governmental Affairs, and the Ju-
5 diciary of the Senate.

6 (2) The Committees on Armed Services, Home-
7 land Security, and the Judiciary of the House of
8 Representatives.

9 **Subtitle H—Other Matters**

10 **SEC. 1081. TRANSFER OF NAVY AIRCRAFT N40VT.**

11 (a) **AUTHORITY TO TRANSFER.**—

12 (1) **AUTHORITY.**—Subject to all applicable Fed-
13 eral laws and regulations controlling the disposition
14 of Federal property, the Secretary of the Navy may
15 transfer to Piasecki Aircraft Corporation of
16 Essington, Pennsylvania (in this section referred to
17 as the “transferee”), Navy aircraft N40VT (Bureau
18 Number 163283) and associated components, test
19 equipment, and engines, previously specified as Gov-
20 ernment-furnished equipment in contract N00019-
21 00-C-0284.

22 (2) **WRITTEN AGREEMENT.**—The transfer
23 under this subsection shall be made by means of a
24 written agreement.

1 (3) APPLICABLE LAW.—The transfer or use of
2 military equipment is subject to all applicable United
3 State laws and regulations, including, but not lim-
4 ited to, the Arms Export Control Act, the Export
5 Administration Act of 1979, continued under Execu-
6 tive Order 12924, International Traffic in Arms
7 Regulations (22 C.F.R. 120 et seq.), Export Admin-
8 istration Regulations (15 C.F.R. 730 et seq.), For-
9 eign Assets Control Regulations (31 C.F.R. 500 et
10 seq.), and the Espionage Act.

11 (b) CERTIFICATION REQUIRED FOR DISPOSAL OF
12 COMBATANT MILITARY EQUIPMENT.—No military equip-
13 ment described by subsection (a) that is military equip-
14 ment of a combatant command may be transferred under
15 subsection (a) unless the Chief of Staff of the Army, the
16 Chief of Naval Operations, the Chief of Staff of the Air
17 Force, or the Commandant of the Marine Corps, as appli-
18 cable, certifies that such equipment is not essential to the
19 defense of the United States.

20 (c) CONDITION OF EQUIPMENT TO BE TRANS-
21 FERRED.—The military equipment transferred under sub-
22 section (a) shall be transferred in its current “as is” condi-
23 tion. The Secretary is not required to repair or alter the
24 condition of any military equipment before transferring
25 any interest in such equipment under subsection (a).

1 (d) TRANSFER AT NO COST TO THE UNITED
2 STATES.—The transfer of military equipment under sub-
3 section (a) shall be made at no cost to the United States.
4 Any costs associated with the transfer shall be borne by
5 the transferee.

6 (e) GOVERNMENT RIGHTS.—The Secretary shall in-
7 clude in the written agreement under subsection (a)(2)
8 such terms and conditions as the Secretary considers ap-
9 propriate—

10 (1) to permit the United States to use any fu-
11 ture technologies derived from testing of military
12 equipment transferred under subsection (a), includ-
13 ing upon the transfer of such military equipment to
14 a successor in interest of the transferee; and

15 (2) to retain for the Government all technical
16 data rights associated with military equipment
17 transferred under subsection (a).

18 (f) CONSIDERATION.—As consideration for the trans-
19 fer of military equipment under subsection (a), the trans-
20 feree shall provide compensation to the United States, the
21 value of which is equal to the fair market value of such
22 military equipment, as determined by the Secretary. The
23 Secretary may not delegate the authority to make the de-
24 termination required by the preceding sentence.

1 (g) NO LIABILITY FOR THE UNITED STATES.—Upon
2 the transfer of military equipment under subsection (a),
3 the United States shall not be liable for any death, injury,
4 loss, or damage that results from the use of such military
5 equipment by any person other than the United States.

6 (h) REVERTER UPON BREACH OF CONDITIONS.—
7 The Secretary shall include in the written agreement
8 under subsection (a)(2) the following:

9 (1) A condition that the transferee not transfer
10 any interest in, or transfer possession of, the mili-
11 tary equipment transferred under subsection (a) to
12 any other party without the prior written approval
13 of the Secretary.

14 (2) A condition that the transferee operate or
15 maintain, as applicable, the military equipment
16 transferred under subsection (a) in compliance with
17 all applicable limitations and maintenance require-
18 ments under law.

19 (3) A condition that if the Secretary determines
20 at any time that the transferee has failed to comply
21 with a condition set forth in paragraph (1) or (2),
22 all right, title, and interest in and to the military
23 equipment transferred under subsection (a), includ-
24 ing any repair or alteration of the military equip-
25 ment by the transferee or otherwise, shall revert to

1 the United States, and the United States shall have
2 the right of immediate possession of the military
3 equipment.

4 (i) LIMITATION ON TRANSFER PENDING NOTICE TO
5 CONGRESS.—

6 (1) LIMITATION.—A transfer of military equip-
7 ment under subsection (a) may not occur until—

8 (A) notice of the proposal to make the
9 transfer is sent to Congress; and

10 (B) 60 days of continuous session of Con-
11 gress have expired following the date on which
12 such notice is sent to Congress.

13 (2) CALCULATION OF CONTINUOUS SESSION.—

14 For purposes of paragraph (1)(B), the continuity of
15 a session of Congress is broken only by an adjourn-
16 ment of the Congress sine die, and the days on
17 which the either House is not in session because of
18 adjournment of more than 3 days to a day certain
19 are excluded in the computation of such 60-day pe-
20 riod.

21 (j) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
22 retary may require such additional terms and conditions
23 in connection with a transfer under subsection (a) as the
24 Secretary considers appropriate to protect the interests of
25 the United States.

1 **SEC. 1082. TRANSFER OF BIG CROW AIRCRAFT.**

2 (a) IN GENERAL.—The Secretary of the Air Force
3 may convey to an appropriate private entity the right,
4 title, and interest of the United States in and to the Big
5 Crow aircraft referred to in subsection (b) in order to per-
6 mit the continuation of the purpose of such aircraft at
7 the time of their retirement in and through such private
8 entity after conveyance if the Secretary and the Under
9 Secretary of Defense for Acquisition, Technology, and Lo-
10 gistics jointly determine that it is in the interests of the
11 Department of Defense to do so.

12 (b) COVERED BIG CROW AIRCRAFT.—The Big Crow
13 aircraft referred to in this subsection are the recently-re-
14 tired aircraft as follows:

15 (1) Big Crow aircraft NC-135E, tail number
16 55-3132.

17 (2) Big Crow aircraft NC-135B, tail number
18 63-8050.

19 (c) CONDITIONS OF CONVEYANCE.—

20 (1) IN GENERAL.—Any conveyance of Big Crow
21 aircraft under subsection (a) shall be for such con-
22 sideration as the Secretary considers appropriate.
23 The Secretary shall provide for any aircraft so con-
24 veyed to be conveyed in “as-is” condition at the time
25 of conveyance, with all classified and other sensitive

1 equipment removed from such aircraft before con-
2 veyance.

3 (2) NO LIABILITY FOR THE UNITED STATES.—
4 Notwithstanding any other provision of law, upon
5 the conveyance of a Big Crow aircraft under sub-
6 section (a), the United States shall not be liable for
7 any death, injury, loss, or damage that results from
8 the use of the aircraft by any person other than the
9 United States.

10 (d) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with a conveyance under this section
13 as the Secretary considers appropriate to protect the inter-
14 ests of the United States.

15 **TITLE XI—CIVILIAN PERSONNEL** 16 **MATTERS**

17 **SEC. 1101. REPEAL OF NATIONAL SECURITY PERSONNEL** 18 **SYSTEM; DEPARTMENT OF DEFENSE PER-** 19 **SONNEL AUTHORITIES.**

20 (a) REPEAL OF AUTHORITY TO ESTABLISH NA-
21 TIONAL SECURITY PERSONNEL SYSTEM.—Section 9902
22 of title 5, United States Code, is amended—

23 (1) by striking subsections (a), (b), (c), (d), (e),
24 (i), and (j); and

1 (2) by redesignating subsections (f), (g), and
2 (h) as subsections (d), (e), and (f) respectively.

3 (b) PERIOD FOR TERMINATION OF NATIONAL SECU-
4 RITY PERSONNEL SYSTEM.—

5 (1) APPLICABILITY OF PRIOR LAW TO UNITS IN
6 NSPS.—Notwithstanding the amendments made by
7 this section, the provisions of section 9902 of title 5,
8 United States Code, as in effect on the day before
9 the date of the enactment of this Act, shall apply to
10 organizational and functional units included in the
11 National Security Personnel System as of January
12 20, 2009, for a period of one year after the date of
13 the enactment of this Act.

14 (2) TRANSITION OF UNITS FROM NSPS.—The
15 Secretary of Defense shall ensure the orderly transi-
16 tion of all organizational and functional units cov-
17 ered by paragraph (1) from the National Security
18 Personnel System by not later than one year after
19 the date of the enactment of this Act. The Secretary
20 shall ensure that no employee is subject to a reduc-
21 tion in pay as a result of such transition.

22 (3) REMOVAL OF LIMITATION ON PAY ADJUST-
23 MENT.—Notwithstanding section 9902(e)(7) of title
24 5, United States Code (as in effect on the day before
25 the date of the enactment of this Act), at the time

1 of any annual adjustment to pay schedules pursuant
2 to section 5303 of such title during the transitional
3 period provided in paragraph (1), the rate of basic
4 pay for each employee described in section
5 9902(e)(7), as so in effect, shall be adjusted by 100
6 percent of the amount of such adjustment.

7 (4) CURRENT RULES INVALID.—Any rule or im-
8 plementing issuance adopted before the date of the
9 enactment of this Act to implement any provision of
10 section 9902 of title 5, United States Code (other
11 than subsections (d), (e), and (f) of such section (as
12 redesignated by subsection (a)(2))), shall cease to be
13 effective on the date that is one year after the date
14 of the enactment of this Act.

15 (c) AUTHORITY RELATING TO PERSONNEL MANAGE-
16 MENT AND WORKFORCE INCENTIVES.—Section 9902 of
17 such title is further amended by inserting before sub-
18 section (d), as redesignated by subsection (a)(2) of this
19 section, the following new subsections:

20 “(a) PERSONNEL MANAGEMENT.—(1) The Secretary
21 may waive the requirements of chapter 33, and the regula-
22 tions implementing such chapter, to the extent the Sec-
23 retary considers appropriate to establish and implement
24 regulations providing for the following:

1 “(A) Fair, credible, and transparent methods of
2 establishing qualification requirements for, recruit-
3 ment for, and appointments to employment posi-
4 tions.

5 “(B) Fair, credible, and transparent methods of
6 assigning, reassigning, detailing, transferring, or
7 promoting employees.

8 “(2) In implementing this subsection, the Secretary
9 shall comply with the provisions of section 2302(b)(11),
10 regarding veterans’ preference requirements, in a manner
11 comparable to that in which such provisions are applied
12 under chapter 33.

13 “(3) Any action taken by the Secretary under this
14 subsection, or to implement this subsection, shall be sub-
15 ject to the requirements subsection (c) and chapter 71.

16 “(b) PERFORMANCE MANAGEMENT AND WORK-
17 FORCE INCENTIVES.—(1) The Secretary may waive the re-
18 quirements of chapters 43 (other than sections 4302 and
19 4303(e)) and 45, and the regulations implementing such
20 chapters, to the extent the Secretary considers appropriate
21 to establish and implement regulations providing for the
22 following:

23 “(A) A fair, credible, and transparent perform-
24 ance appraisal system for employees.

1 “(B) A fair, credible, and transparent system
2 for linking employee bonuses and other performance-
3 based actions to performance appraisals of employ-
4 ees.

5 “(C) A process for ensuring ongoing perform-
6 ance feedback and dialogue among supervisors, man-
7 agers, and employees throughout the appraisal pe-
8 riod and setting timetables for review.

9 “(2)(A) The Secretary may establish a fund to be
10 known as the ‘Department of Defense Civilian Workforce
11 Incentive Fund’ (in this paragraph referred to as the
12 ‘Fund’).

13 “(B) The Fund shall consist of the following:

14 “(i) Amounts appropriated to the Fund.

15 “(ii) Amounts available for compensation of em-
16 ployees that are transferred to the Fund.

17 “(C) Amounts in the Fund shall be available as fol-
18 lows:

19 “(i) For incentive payments to employees based
20 on individual or team performance.

21 “(ii) For incentive payments to employees for
22 purposes of the employment and retention as em-
23 ployees of qualified individuals with particular com-
24 petencies or qualifications.

1 “(3) Any action taken by the Secretary under this
2 subsection, or to implement this subsection, shall be sub-
3 ject to the requirements of subsection (c) and chapter 71.

4 “(c) CRITERIA FOR USE OF NEW PERSONNEL AU-
5 THORITIES.—In establishing any new personnel manage-
6 ment system under subsection (a) or new performance
7 management and workforce incentive system under sub-
8 section (b), the Secretary shall—

9 “(1) adhere to merit principles set forth in sec-
10 tion 2301;

11 “(2) include a means for ensuring employee in-
12 volvement in the design and implementation of such
13 system;

14 “(3) provide for adequate training and retrain-
15 ing for supervisors, managers, and employees in the
16 implementation and operation of such system;

17 “(4) include effective transparency and account-
18 ability measures and safeguards to ensure that the
19 management of such system is fair, credible, and eq-
20 uitable, including appropriate independent reason-
21 ableness reviews, internal assessments, and employee
22 surveys; and

23 “(5) ensure that adequate agency resources are
24 allocated for the design, implementation, and admin-
25 istration of such system.”.

1 (d) CONFORMING CLERICAL AMENDMENTS.—

2 (1) HEADING AMENDMENT.—The heading of
3 such section is amended to read as follows:

4 **“§ 9902. Department of Defense personnel authori-**
5 **ties”.**

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of chapter 99 of such title is
8 amended by striking the item relating to section
9 9902 and inserting the following new item:

“9902. Department of Defense personnel authorities.”.

10 (e) MODIFICATION OF IMPLEMENTATION AUTHORI-
11 TIES AND LIMITATIONS.—Section 1106 of the National
12 Defense Authorization Act for Fiscal Year 2008 (Public
13 Law 110–181; 122 Stat. 349) is amended—

14 (1) by striking subsection (b);

15 (2) by redesignating subsection (c) as sub-
16 section (b); and

17 (3) in subsection (b), as redesignated by para-
18 graph (2)—

19 (A) by striking paragraph (1) and insert-
20 ing the following new paragraph (1):

21 “(1) The Comptroller General shall conduct an-
22 nual reviews in calendar years 2010, 2011, and
23 2012 of—

24 “(A) employee satisfaction with any proc-
25 esses established pursuant to regulations pro-

1 mulgated by the Secretary of Defense pursuant
2 to section 9902 of title 5, United States Code;
3 and

4 “(B) the extent to which any processes so
5 established are fair, credible, and transparent,
6 as required by such section 9902.”; and

7 (B) in paragraph (2), by striking “the Na-
8 tional Security Personnel System” and insert-
9 ing “any processes established pursuant to such
10 regulations”.

11 (f) ADDITIONAL CONFORMING AMENDMENT.—Sec-
12 tion 1108(b) of the Duncan Hunter National Defense Au-
13 thorization Act for Fiscal Year 2009 (Public Law 110-
14 417; 122 Stat. 4618; 10 U.S.C. 1580 note) is amended
15 by striking “identified in section 9902(c)(2) of title 5,
16 United States Code.” and inserting “as follows:

17 “(1) The Aviation and Missile Research Devel-
18 opment and Engineering Center.

19 “(2) The Army Research Laboratory.

20 “(3) The Medical Research and Materiel Com-
21 mand.

22 “(4) The Engineer Research and Development
23 Command.

24 “(5) The Communications–Electronics Com-
25 mand.

1 “(6) The Soldier and Biological Chemical Com-
2 mand.

3 “(7) The Naval Sea Systems Command Cen-
4 ters.

5 “(8) The Naval Research Laboratory.

6 “(9) The Office of Naval Research.

7 “(10) The Air Force Research Laboratory.”.

8 (g) WAIVER.—Subsection (a) through (f) of this sec-
9 tion and the amendments made by such subsections shall
10 not take effect if, not later than 60 days after the date
11 of the enactment of this Act, the Secretary of Defense sub-
12 mits to the Committees on Armed Services of the Senate
13 and the House of Representatives, the Committee on
14 Homeland Security and Governmental Affairs of the Sen-
15 ate, and the Committee on Oversight and Government Re-
16 form of the House of Representatives a report that in-
17 cludes—

18 (1) a certification that—

19 (A) the termination of the National Secu-
20 rity Personnel System would not be in the best
21 interest of the Department of Defense;

22 (B) the Secretary intends to implement
23 changes during fiscal year 2010 to improve the
24 fairness, credibility, and transparency of the
25 National Security Personnel System; and

1 (C) the Secretary has determined that the
2 changes to be made pursuant to subparagraph
3 (B) will result in improved employee acceptance
4 of the National Security Personnel System; and
5 (2) a description of the changes that the Sec-
6 retary intends to implement and the schedule for im-
7 plementing such changes.

8 (h) EXPANSION PROHIBITED.—If the Secretary of
9 Defense submits a report and certification under sub-
10 section (g) and the National Security Personnel System
11 is not terminated, the National Security Personnel System
12 may not be extended to organizational and functional
13 units of the Department of Defense not included in such
14 system as of June 1, 2009, unless specifically authorized
15 by statute enacted after the date of the enactment of this
16 Act.

17 **SEC. 1102. EXTENSION AND MODIFICATION OF EXPERI-**
18 **MENTAL PERSONNEL MANAGEMENT PRO-**
19 **GRAM FOR SCIENTIFIC AND TECHNICAL PER-**
20 **SONNEL.**

21 (a) THREE-YEAR EXTENSION.—Subsection (e)(1) of
22 section 1101 of the Strom Thurmond National Defense
23 Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104
24 note) is amended by striking “September 30, 2011” and
25 inserting “September 30, 2014”.

1 (b) LIMITATIONS ON ADDITIONAL PAYMENTS.—Such
2 section is further amended—

3 (1) in subsection (b)(3), by striking “under sub-
4 section (d)(1)” and inserting “under subsection
5 (d)”; and

6 (2) by striking subsection (d) and inserting the
7 following new subsection (d):

8 “(d) LIMITATIONS ON ADDITIONAL PAYMENTS.—(1)
9 Subject to paragraph (3), the total amount of additional
10 payments paid to an employee under subsection (b)(3) for
11 any 12-month period may not exceed the lesser of the
12 amounts as follows:

13 “(A) \$50,000 in fiscal year 2010, which may be
14 adjusted annually thereafter by the Secretary, with
15 a percentage increase equal to one-half of 1 percent-
16 age point less than the percentage by which the Em-
17 ployment Cost Index, published quarterly by the Bu-
18 reau of Labor Statistics, for the base quarter of the
19 year before the preceding calendar year exceeds the
20 Employment Cost Index for the base quarter of the
21 second year before the preceding calendar year.

22 “(B) The amount equal to 50 percent of the
23 employee’s annual rate of basic pay.

1 “(2) In paragraph (1), the term ‘base quarter’ has
2 the meaning given that term in section 5302(3) of title
3 5, United States Code.

4 “(3) Notwithstanding any other provision of this sec-
5 tion or section 5307 of title 5, United States Code, no
6 additional payments may be paid to an employee under
7 subsection (b)(3) in any calendar year if, or to the extent
8 that, the employee’s total annual compensation in such
9 calendar year will exceed the maximum amount of total
10 annual compensation payable at the salary set in accord-
11 ance with section 104 of title 3, United States Code.

12 “(4) An employee appointed under the program is not
13 eligible for any bonus, monetary award, or other monetary
14 incentive for service under the appointment other than
15 payments authorized by this section.”.

16 (c) REPORTING REQUIREMENTS.—Paragraph (1) of
17 subsection (g) of such section is amended to read as fol-
18 lows:

19 “(1)(A) Not later than December 31 each year in
20 which the authority under this section is in effect, the Sec-
21 retary of Defense shall submit to the committees of Con-
22 gress specified in subparagraph (B) a report on the pro-
23 gram. Each report shall cover the 12-month period pre-
24 ceding the date of the submittal of such report.

1 “(B) The committees of Congress specified in this
2 subparagraph are—

3 “(i) the Committee on Armed Services, the
4 Committee on Homeland Security and Governmental
5 Affairs, and the Committee on Appropriations of the
6 Senate; and

7 “(ii) the Committee on Armed Services, the
8 Committee on Oversight and Government Reform,
9 and the Committee on Appropriations of the House
10 of Representatives”.

11 **SEC. 1103. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
12 **ANNUAL LIMITATION ON PREMIUM PAY AND**
13 **AGGREGATE LIMITATION ON PAY FOR FED-**
14 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
15 **SEAS.**

16 (a) EXTENSION OF AUTHORITY.—Subsection (a) of
17 section 1101 of the Duncan Hunter National Defense Au-
18 thorization Act for Fiscal Year 2009 (Public Law 110-
19 417; 122 Stat. 4615) is amended by striking “calendar
20 year 2009” and inserting “calendar years 2009 and
21 2010”.

22 (b) CLARIFICATION OF EXEMPTION FROM AGGRE-
23 GATE LIMITATIONS ON PAY.—Subsection (b) of such sec-
24 tion is amended by striking “Section 5307 of title 5,

1 United States Code” and inserting “Aggregate limitations
2 on pay, whether established by law or regulation”.

3 **SEC. 1104. AVAILABILITY OF FUNDS FOR COMPENSATION**
4 **OF CERTAIN CIVILIAN EMPLOYEES OF THE**
5 **DEPARTMENT OF DEFENSE.**

6 (a) AVAILABILITY OF FUNDS.—Notwithstanding any
7 other provision of law, funds authorized to be appropriated
8 for the Department of Defense that are available for the
9 purchase of contract services to meet a requirement that
10 is anticipated to continue for five years or more shall be
11 available to provide compensation for civilian employees of
12 the Department to meet the same requirement.

13 (b) REGULATIONS.—Not later than 120 days after
14 the date of the enactment of this Act, the Secretary shall
15 prescribe regulations implementing the authority in sub-
16 section (a). Such regulations—

17 (1) shall ensure that the authority in subsection
18 (a) is utilized to build government capabilities that
19 are needed to perform inherently governmental func-
20 tions, functions closely associated with inherently
21 governmental functions, and other critical functions;

22 (2) shall include a mechanism to ensure that
23 follow-on funding to provide compensation for civil-
24 ian employees of the Department to perform func-

1 tions described in paragraph (1) is provided from
2 appropriate accounts; and

3 (3) may establish additional criteria and levels
4 of approval within the Department for the utilization
5 of funds to provide compensation for civilian employ-
6 ees of the Department pursuant to subsection (a).

7 (c) ANNUAL REPORT.—Not later than 60 days after
8 the end of each fiscal year for which the authority in sub-
9 section (a) is in effect, the Secretary shall submit to the
10 congressional defense committees a report on the use of
11 such authority. Each report shall cover the preceding fis-
12 cal year and shall identify, at a minimum, the following:

13 (1) The amount of funds used under the au-
14 thority in subsection (a) to provide compensation for
15 civilian employees.

16 (2) The source or sources of the funds so used.

17 (3) The number of civilian employees employed
18 through the use of such funds.

19 (4) The actions taken by the Secretary to en-
20 sure that follow-on funding for such civilian employ-
21 ees is provided through appropriate accounts.

22 (d) TEMPORARY AUTHORITY.—The authority in sub-
23 section (a) shall apply to funds authorized to be appro-
24 priated for the Department of Defense fiscal years 2010
25 through 2019.

1 **SEC. 1105. DEPARTMENT OF DEFENSE CIVILIAN LEADER-**
2 **SHIP PROGRAM.**

3 (a) LEADERSHIP PROGRAM REQUIRED.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Defense shall establish a program of lead-
7 ership recruitment and development for civilian em-
8 ployees of the Department of Defense, to be known
9 as the “Department of Defense Civilian Leadership
10 Program” (in this section referred to as the “pro-
11 gram”).

12 (2) OBJECTIVES.—The objectives of the pro-
13 gram shall be as follows:

14 (A) To develop a new generation of civilian
15 leaders for the Department of Defense.

16 (B) To recruit individuals with the aca-
17 demic merit, work experience, and dem-
18 onstrated leadership skills to meet the future
19 needs of the Department.

20 (C) To offer rapid advancement, competi-
21 tive compensation, and leadership opportunities
22 to highly-qualified civilian employees of the De-
23 partment.

24 (3) AVAILABLE AUTHORITIES.—In carrying out
25 the program, the Secretary may exercise any author-
26 ity available to the Office of Personnel Management

1 under section 4703 of title 5, United States Code,
2 except that the Secretary shall not be bound by the
3 limitations in subsection (d) of such section. Nothing
4 in this section shall be construed to authorize the
5 waiver of any part of chapter 71 of title 5, United
6 States Code, or any regulation implementing such
7 chapter, in the carrying out of the program.

8 (b) ELIGIBLE INDIVIDUALS.—

9 (1) IN GENERAL.—The following individuals
10 shall be eligible to participate in the program:

11 (A) Current employees of the Department
12 of Defense.

13 (B) Appropriate individuals in the private
14 sector.

15 (2) LIMITATION ON NUMBER OF ENTRANTS
16 INTO PROGRAM.—The total number of individuals
17 who may enter into the program in any fiscal year
18 may not exceed 5,000.

19 (c) ELEMENTS OF PROGRAM.—

20 (1) COMPETITIVE ENTRY.—The selection of in-
21 dividuals for entry into the program shall be made
22 on the basis of a competition conducted at least
23 twice each year. In each competition, participants in
24 the program shall be selected from among applicants
25 determined by the Secretary to be the most highly

1 qualified in terms of academic merit, work experi-
2 ence, and demonstrated leadership skills. Each com-
3 petition shall provide for entry-level participants and
4 midcareer participants in the program.

5 (2) ALLOCATION OF POSITIONS.—The Secretary
6 shall allocate positions in the program among the
7 components of the Department of Defense that—

8 (A) offer the most challenging assign-
9 ments;

10 (B) provide the greatest level of responsi-
11 bility; and

12 (C) demonstrate the greatest need for par-
13 ticipants in the program.

14 (3) ASSIGNMENTS TO POSITIONS.—Participants
15 in the program shall be assigned to components of
16 the Department that best match their skills and
17 qualifications. Participants in the program may be
18 rotated among components of the Department of
19 Defense at the discretion of the Secretary.

20 (4) INITIAL COMPENSATION.—The initial com-
21 pensation of participants in the program shall be de-
22 termined by the Secretary based on the qualifica-
23 tions of such participants and applicable market
24 conditions.

1 (5) EDUCATION AND TRAINING.—The Secretary
2 shall provide participants in the program with train-
3 ing, mentoring, and educational opportunities that
4 are appropriate to facilitate the development of such
5 participants into effective civilian leaders for the De-
6 partment of Defense.

7 (6) OBJECTIVE, MERIT-BASED PRINCIPLES FOR
8 PERSONNEL DECISIONS.—The Secretary shall make
9 personnel decisions under the program in accordance
10 with such objective, merit-based criteria as the Sec-
11 retary shall prescribe in regulations for purposes of
12 the program. Such criteria shall include, but not be
13 limited to, criteria applicable to the following:

14 (A) The selection of individuals for entry
15 into the program.

16 (B) The assignment of participants in the
17 program to positions in the Department of De-
18 fense.

19 (C) The initial compensation of partici-
20 pants in the program.

21 (D) The access of participants in the pro-
22 gram to training, mentoring, and educational
23 opportunities under the program.

24 (E) The consideration of participants in
25 the program for selection into the senior man-

1 any laboratory so reviewed would benefit from the exten-
2 sion to such laboratory of the personnel management flexi-
3 bilities available under such section 342(b), as so amend-
4 ed.

5 (b) COVERED LABORATORIES.—The laboratories cov-
6 ered by the review required by subsection (a) shall include,
7 but not be limited to, the following:

8 (1) Laboratories within the Army Research,
9 Development, and Engineering Command.

10 (2) Army Tank and Automotive Research, De-
11 velopment, and Engineering Center.

12 (3) Army Armament Research, Development,
13 and Engineering Center.

14 (4) Naval Air Warfare Center, Weapons Divi-
15 sion.

16 (5) Naval Air Warfare Center, Aircraft Divi-
17 sion.

18 (6) Space and Naval Warfare Systems Center,
19 Pacific.

20 (7) Space and Naval Warfare Systems Center,
21 Atlantic.

22 (c) REPORT.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary
25 shall submit to the appropriate committees of Con-

1 gress a report setting forth the results of the review
2 required by subsection (a).

3 (2) APPROPRIATE COMMITTEES OF CONGRESS
4 DEFINED.—In this subsection, the term “appro-
5 priate committees of Congress” means—

6 (A) the Committee on Armed Services, the
7 Committee on Homeland Security and Govern-
8 mental Affairs, and the Committee on Appro-
9 priations of the Senate; and

10 (B) the Committee on Armed Services, the
11 Committee on Oversight and Government Re-
12 form, and the Committee on Appropriations of
13 the House of Representatives.

14 **TITLE XII—MATTERS RELATING**
15 **TO FOREIGN NATIONS**
16 **Subtitle A—Assistance and**
17 **Training**

18 **SEC. 1201. INCREASE IN UNIT COST THRESHOLD FOR PUR-**
19 **CHASES USING CERTAIN FUNDS UNDER THE**
20 **COMBATANT COMMANDER INITIATIVE FUND.**

21 (a) INCREASE.—

22 (1) IN GENERAL.—Subsection (e)(1)(A) of sec-
23 tion 166a of title 10, United States Code, is amend-
24 ed by striking “\$15,000” and inserting “the invest-

1 ment unit threshold in effect under section 2245a of
2 this title”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall take effect on October 1,
5 2009, and shall apply with respect to funds available
6 under the Combatant Commander Initiative Fund
7 for fiscal years that being on or after that date.

8 (b) CLARIFYING AMENDMENTS.—

9 (1) CLERICAL AMENDMENT.—The section head-
10 ing of such section is amended to read as follows:

11 “**§ 166a. Combatant commands: funding through the**
12 **Chairman of the Joint Chiefs of Staff**
13 **from Combatant Commander Initiative**
14 **Fund”.**

15 (2) TABLE OF SECTIONS.—The table of sections
16 at the beginning of chapter 6 of such title is amend-
17 ed by striking the item relating to section 166a and
18 inserting the following new item:

“166a. Combatant commands: funding through the Chairman of the Joint
Chiefs of Staff from Combatant Commander Initiative Fund.”.

1 **SEC. 1202. AUTHORITY TO PROVIDE ADMINISTRATIVE**
2 **SERVICES AND SUPPORT TO COALITION LIAI-**
3 **SON OFFICERS OF CERTAIN FOREIGN NA-**
4 **TIONS ASSIGNED TO UNITED STATES JOINT**
5 **FORCES COMMAND.**

6 (a) **EXTENSION OF AUTHORITY.**—Subsection (a) of
7 section 1051a of title 10, United States Code, is amend-
8 ed—

9 (1) by striking “assigned temporarily” and in-
10 sserting “assigned temporarily as follows”;

11 (2) by designating the remainder of the text of
12 that subsection as paragraph (1) and indenting that
13 text two ems from the left margin;

14 (3) in paragraph (1), as so designated, by strik-
15 ing “to the headquarters” and inserting “To the
16 headquarters”; and

17 (4) by adding at the end the following new
18 paragraph:

19 “(2) To the headquarters of the combatant
20 command assigned by the Secretary of Defense the
21 mission of joint warfighting experimentation and
22 joint forces training.”.

23 (b) **EFFECTIVE DATE.**—Paragraph (2) of section
24 1051a(a) of title 10, United States Code (as added by sub-
25 section (a)), shall take effect on October 1, 2009, or the
26 date of the enactment of this Act, whichever is later.

1 **SEC. 1203. MODIFICATION OF AUTHORITIES RELATING TO**
2 **PROGRAM TO BUILD THE CAPACITY OF FOR-**
3 **EIGN MILITARY FORCES.**

4 (a) TEMPORARY LIMITATION ON AMOUNT FOR
5 BUILDING CAPACITY FOR MILITARY AND STABILITY OP-
6 ERATIONS.—Section 1206(c) of the National Defense Au-
7 thorization Act for Fiscal Year 2006 (Public Law 109–
8 163; 119 Stat. 3456), as amended by section 1206 of the
9 John Warner National Defense Authorization Act for Fis-
10 cal Year 2007 (Public Law 109–364; 120 Stat. 2418) and
11 section 1206 of the Duncan Hunter National Defense Au-
12 thorization Act for Fiscal Year 2009 (Public Law 110–
13 417; 122 Stat. 4625), is further amended by adding at
14 the end the following new paragraph:

15 “(5) TEMPORARY LIMITATION ON AMOUNT FOR
16 BUILDING CAPACITY TO PARTICIPATE IN OR SUP-
17 PORT MILITARY AND STABILITY OPERATIONS.—Of
18 the funds used to carry out a program under sub-
19 section (a), not more than \$75,000,000 may be used
20 during fiscal year 2010, and not more than
21 \$75,000,000 may be used during fiscal year 2011,
22 for purposes described in subsection (a)(1)(B).”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect on October 1, 2009, and
25 shall apply with respect to programs under section

1 1206(a) of the National Defense Authorization Act for
2 Fiscal Year 2006 that begin on or after that date.

3 **SEC. 1204. MODIFICATION OF NOTIFICATION AND REPORT-**
4 **ING REQUIREMENTS FOR USE OF AUTHORITY**
5 **FOR SUPPORT OF SPECIAL OPERATIONS TO**
6 **COMBAT TERRORISM.**

7 (a) NOTIFICATION.—Section 1208(e) of the Ronald
8 W. Reagan National Defense Authorization Act for Fiscal
9 Year 2005 (Public Law 108–375; 118 Stat. 2086), as
10 amended by section 1208(b) of the Duncan Hunter Na-
11 tional Defense Authorization Act for Fiscal Year 2009
12 (Public Law 110–417; 122 Stat. 4626), is further amend-
13 ed to read as follows:

14 “(c) NOTIFICATION.—

15 “(1) SUPPORT FOR FOREIGN FORCES.—The
16 Secretary of Defense shall notify the congressional
17 defense committees expeditiously, and in any event
18 not later than 48 hours, after—

19 “(A) using the authority provided in sub-
20 section (a) to make funds available for foreign
21 forces in support of an approved military oper-
22 ation; or

23 “(B) changing the scope or funding level of
24 any such support.

1 “(2) SUPPORT FOR IRREGULAR FORCES,
2 GROUPS, OR INDIVIDUALS.—The Secretary of De-
3 fense may not exercise the authority provided in sub-
4 section (a) to make funds available for irregular
5 forces or a group (other than foreign forces) or indi-
6 vidual in support of an approved military operation,
7 or change the scope or funding level of such support,
8 until 72 hours after notifying the congressional de-
9 fense committees of the use of such authority with
10 respect to that operation or such change in scope or
11 funding level.

12 “(3) CONTENT.—Notifications required under
13 this subsection shall include the following informa-
14 tion:

15 “(A) The type of support provided or to be
16 provided to United States special operations
17 forces.

18 “(B) The type of support provided or to be
19 provided to the recipient of the funds.

20 “(C) The intended duration of the support.

21 “(D) The amount obligated under the au-
22 thority to provide support.”.

23 (b) ANNUAL REPORT.—Section 1208(f) of the Ron-
24 ald W. Reagan National Defense Authorization Act for
25 Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2086)

1 is amended in the second sentence by striking “shall de-
2 scribe the support” and all that follows through the period
3 at the end and inserting “shall include the following infor-
4 mation:

5 “(1) A description of supported operations.

6 “(2) A summary of operations.

7 “(3) The type of recipients that received sup-
8 port, identified by authorized category (foreign
9 forces, irregular forces, groups, or individuals).

10 “(4) The total amount obligated in the previous
11 fiscal year, including budget details.

12 “(5) The total amount obligated in prior fiscal
13 years.

14 “(6) The intended duration of support.

15 “(7) A description of support or training pro-
16 vided to the recipients of support.

17 “(8) A value assessment of the operational sup-
18 port provided.”.

19 **SEC. 1205. MODIFICATION OF AUTHORITY FOR REIMBURSE-**
20 **MENT OF CERTAIN COALITION NATIONS FOR**
21 **SUPPORT PROVIDED TO UNITED STATES**
22 **MILITARY OPERATIONS.**

23 (a) EXPANSION OF AUTHORITY.—Section 1233 of
24 the National Defense Authorization Act for Fiscal Year
25 2008 (Public Law 110–181; 122 Stat. 393) is amended—

1 (1) by redesignating subsections (b), (c), and
2 (d) as subsections (c), (d), and (e), respectively; and

3 (2) by striking subsection (a) and inserting the
4 following new subsections:

5 “(a) REIMBURSEMENT.—

6 “(1) IN GENERAL.—Using applicable funds re-
7 ferred to in paragraph (2), the Secretary of Defense
8 may reimburse any key cooperating nation for the
9 following:

10 “(A) During fiscal year 2008, logistical
11 and military support provided by that nation to
12 or in connection with United States military op-
13 erations in Operation Iraqi Freedom or Oper-
14 ation Enduring Freedom.

15 “(B) During fiscal year 2010, logistical,
16 military, and other support, including access,
17 provided by that nation to or in connection with
18 United States military operations described in
19 subparagraph (A).

20 “(2) COVERED FUNDS.—The funds referred to
21 in this subsection are the following:

22 “(A) For purposes of paragraph (1)(A),
23 amounts authorized to be appropriated for fis-
24 cal year 2008 by section 1508 for operation and
25 maintenance.

1 “(B) For purposes of paragraph (1)(B),
2 amounts authorized to be appropriated for fis-
3 cal year 2010 by section 1507(5) for operation
4 and maintenance, Defense-wide activities.

5 “(b) OTHER SUPPORT.—Using funds described in
6 subsection (a)(2)(B), the Secretary of Defense may also
7 assist any key cooperating nation supporting United
8 States military operations in Operation Iraqi Freedom or
9 Operation Enduring Freedom in Afghanistan through the
10 following:

11 “(1) The provision of specializing training to
12 personnel of that nation in connection with such op-
13 erations, including training of such personnel before
14 deployment in connection with such operations.

15 “(2) The procurement and provision of supplies
16 to that nation in connection with such operations.

17 “(3) The procurement of specialized equipment
18 and the loaning of such specialized equipment to
19 that nation on a non-reimbursable basis in connec-
20 tion with such operations.”.

21 (b) AMOUNTS OF SUPPORT.—Paragraph (2) of sub-
22 section (c) of such section, as redesignated by subsection
23 (a)(1) of this section, is amended to read as follows:

24 “(2) SUPPORT.—Support authorized by sub-
25 section (b) may be provided in such amounts as the

1 Secretary of Defense, with the concurrence of the
2 Secretary of State and in consultation with the Di-
3 rector of the Office of Management and Budget,
4 considers appropriate.”.

5 (c) LIMITATIONS ON AMOUNTS DURING FISCAL
6 YEAR 2010.—Paragraph (1) of subsection (d) of such sec-
7 tion, as so redesignated, is amended to read as follows:

8 “(1) LIMITATIONS ON AMOUNTS.—(A) The
9 total amount of reimbursements made under the au-
10 thority in subsection (a) during fiscal year 2008 may
11 not exceed \$1,200,000,000.

12 “(B) The aggregate amount of reimbursements
13 made under subsection (a) and support provided
14 under subsection (b) during fiscal year 2010 may
15 not exceed \$1,600,000,000.”.

16 (d) NOTICE TO CONGRESS.—Subsection (e) of such
17 section, as so redesignated, is amended by striking
18 “shall—” and all that follows and inserting “shall notify
19 the congressional defense committees not later than 15
20 days before making any reimbursement under the author-
21 ity in subsection (a) or providing any support under the
22 authority in subsection (b).”.

23 (e) REPORTS.—Such section is further amended by
24 adding at the end the following new subsection:

1 “(f) REPORTS.—The Secretary of Defense shall sub-
2 mit to the congressional defense committees on a quarterly
3 basis a report on any reimbursements made under the au-
4 thority in subsection (a), and any support provided under
5 the authority in subsection (b), during such quarter.”.

6 (f) EXTENSION OF NOTICE ON REIMBURSEMENT OF
7 PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Sec-
8 tion 1232(b)(6) of the National Defense Authorization Act
9 for Fiscal Year 2008 (122 Stat. 393), as amended by sec-
10 tion 1217 of the Duncan Hunter National Defense Au-
11 thorization Act for Fiscal Year 2009 (Public Law 110–
12 417; 122 Stat. 4634), is further amended by striking
13 “September 30, 2010” and inserting “September 30,
14 2011”.

15 **SEC. 1206. ONE-YEAR EXTENSION AND EXPANSION OF COM-**
16 **MANDERS’ EMERGENCY RESPONSE PRO-**
17 **GRAM.**

18 (a) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the Commanders’ Emergency Response Pro-
21 gram provides United States military commanders in
22 theater a valuable tool for accomplishing the coun-
23 terinsurgency mission in Iraq and Afghanistan by
24 enabling military commanders to fund urgent hu-
25 manitarian relief and reconstruction requirements by

1 carrying out programs that will immediately assist
2 the people of those countries; and

3 (2) United States military commanders utilizing
4 Commanders' Emergency Response Program funds
5 in Afghanistan, and Provincial Reconstruction
6 Teams in Afghanistan using such funds or other
7 United States humanitarian or reconstruction assist-
8 ance, should whenever possible coordinate the fund-
9 ing of projects with local councils, particularly Com-
10 munity Development Councils established under the
11 Afghanistan National Solidarity Program, and take
12 actions that promote the importance and effective-
13 ness of local and national government entities.

14 (b) ONE-YEAR EXTENSION OF AUTHORITY.—

15 (1) AUTHORITY FOR FISCAL YEAR 2010.—Sub-
16 section (a) of section 1202 of the National Defense
17 Authorization Act for Fiscal Year 2006 (Public Law
18 109–163; 119 Stat. 3455), as amended by section
19 1205 of the National Defense Authorization Act for
20 Fiscal Year 2008 (Public Law 110–181; 122 Stat.
21 366) and section 1214 of the Duncan Hunter Na-
22 tional Defense Authorization Act for Fiscal Year
23 2009 (Public Law 110–417; 122 Stat. 4630), is fur-
24 ther amended—

1 (A) in the subsection heading, by striking
2 “FISCAL YEARS 2008 AND 2009” and inserting
3 “FISCAL YEAR 2010”;

4 (B) by striking “each of fiscal years 2008
5 and 2009” and inserting “fiscal year 2010”;

6 (C) by striking “for such fiscal year”; and

7 (D) by striking “\$1,700,000,000 in fiscal
8 year 2008 and \$1,500,000,000 in fiscal year
9 2009” and inserting “\$1,400,000,000”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by paragraph (1) shall take effect on October 1,
12 2009.

13 (c) EXTENSION OF DUE DATE FOR QUARTERLY RE-
14 PORTS.—Subsection (b)(1) of such section is amended—

15 (1) by striking “15 days” and inserting “30
16 days”; and

17 (2) by striking “fiscal years 2008 and 2009”
18 and inserting “any fiscal year during which the au-
19 thority under subsection (a) is in effect”.

20 (d) AUTHORITY TO TRANSFER FUNDS FOR SUPPORT
21 OF AFGHANISTAN NATIONAL SOLIDARITY PROGRAM.—

22 Such section is further amended—

23 (1) by redesignating subsection (g) as sub-
24 section (h); and

1 (2) by inserting after subsection (f) the fol-
2 lowing new subsection (g):

3 “(g) AUTHORITY TO TRANSFER FUNDS FOR SUP-
4 PORT OF AFGHANISTAN NATIONAL SOLIDARITY PRO-
5 GRAM.—

6 “(1) AUTHORITY.—If the Secretary of Defense
7 determines that the use of Commanders’ Emergency
8 Response Program funds to support the Afghanistan
9 National Solidarity Program would enhance counter-
10 insurgency operations or stability operations in Af-
11 ghanistan, the Secretary of Defense may transfer
12 funds, from amounts available for the Commanders’
13 Emergency Response Program for fiscal year 2010,
14 to the Secretary of State for purposes of supporting
15 the Afghanistan National Solidarity Program.

16 “(2) LIMITATION.—The amount of funds
17 transferrable under paragraph (1) may not exceed
18 \$100,000,000.

19 “(3) CONGRESSIONAL NOTIFICATION.—Not
20 later than 15 days before transferring funds under
21 paragraph (1), the Secretary of Defense shall submit
22 to the congressional defense committees a report set-
23 ting forth the Secretary’s determination pursuant to
24 paragraph (1) and a description of the amount of
25 funds to be transferred under that paragraph.”.

1 (e) TECHNICAL AMENDMENTS.—Subsections (e)(1)
2 and (f)(1) of such section are amended by striking “the
3 date of the enactment of the Duncan Hunter National De-
4 fense Authorization Act for Fiscal Year 2009” and insert-
5 ing “October 14, 2008,”.

6 **SEC. 1207. ONE-YEAR EXTENSION OF AUTHORITY FOR SE-**
7 **CURITY AND STABILIZATION ASSISTANCE.**

8 Section 1207(g) of the National Defense Authoriza-
9 tion Act for Fiscal Year 2006 (Public Law 109–163; 119
10 Stat. 3458), as amended by section 1210 of the National
11 Defense Authorization Act for Fiscal Year 2008 (Public
12 Law 110–181; 122 Stat. 369) and section 1207 of the
13 Duncan Hunter National Defense Authorization Act for
14 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4625),
15 is further amended by striking “September 30, 2009” and
16 inserting “September 30, 2010”.

17 **SEC. 1208. AUTHORITY FOR NON-RECIPROCAL EXCHANGES**
18 **OF DEFENSE PERSONNEL BETWEEN THE**
19 **UNITED STATES AND FOREIGN COUNTRIES.**

20 (a) AUTHORITY TO ENTER INTO NON-RECIPROCAL
21 INTERNATIONAL EXCHANGE AGREEMENTS.—

22 (1) IN GENERAL.—The Secretary of Defense
23 may enter into non-reciprocal international defense
24 personnel exchange agreements.

1 (2) INTERNATIONAL DEFENSE PERSONNEL EX-
2 CHANGE AGREEMENTS DEFINED.—For purposes of
3 this section, an international defense personnel ex-
4 change agreement is an agreement with the govern-
5 ment of an ally of the United States or another
6 friendly foreign country for the exchange of military
7 and civilian personnel of the defense ministry of that
8 foreign government.

9 (b) ASSIGNMENT OF PERSONNEL.—

10 (1) IN GENERAL.—Pursuant to a non-reciprocal
11 international defense personnel exchange agreement,
12 personnel of the defense ministry of a foreign gov-
13 ernment may be assigned to positions in the Depart-
14 ment of Defense.

15 (2) MUTUAL AGREEMENT REQUIRED.—An indi-
16 vidual may not be assigned to a position pursuant
17 to a non-reciprocal international defense personnel
18 exchange agreement unless the assignment is accept-
19 able to both governments.

20 (c) PAYMENT OF PERSONNEL COSTS.—

21 (1) IN GENERAL.—The foreign government
22 with which the United States has entered into a
23 non-reciprocal international defense personnel ex-
24 change agreement shall pay the salary, per diem,
25 cost of living, travel costs, cost of language or other

1 training, and other costs for its personnel in accord-
2 ance with the applicable laws and regulations of
3 such government.

4 (2) EXCLUDED COSTS.—Paragraph (1) does
5 not apply to the following costs:

6 (A) The cost of training programs con-
7 ducted to familiarize, orient, or certify ex-
8 changed personnel regarding unique aspects of
9 the assignments of the exchanged personnel.

10 (B) Costs incident to the use of facilities of
11 the United States Government in the perform-
12 ance of assigned duties.

13 (d) PROHIBITED CONDITIONS.—No personnel ex-
14 changed pursuant to a non-reciprocal agreement under
15 this section may take or be required to take an oath of
16 allegiance or to hold an official capacity in the govern-
17 ment.

18 (e) DURATION OF AUTHORITY.—The authority under
19 this section shall expire on December 31, 2011.

20 **SEC. 1209. DEFENSE COOPERATION BETWEEN THE UNITED**
21 **STATES AND IRAQ.**

22 (a) FINDINGS.—The Senate makes the following
23 findings:

24 (1) As United States forces continue their rede-
25 ployment from Iraq, the quality of the Iraqi Security

1 Forces and the nature of their training and equip-
2 ment will play an increasingly important role.

3 (2) Despite the decrease in violence in Iraq,
4 Iraq continues to face formidable threats to its na-
5 tional security.

6 (3) There are many benefits to the United
7 States and Iraq resulting from the strategic relation-
8 ship that exists between the two nations.

9 (4) Enhancing the capabilities of the Iraqi Se-
10 curity Forces and strengthening the defense co-
11 operation between the United States and Iraq will
12 help ensure that Iraq has the military strength and
13 political support necessary to enhance its internal
14 and regional security.

15 (b) AVAILABILITY OF PROFESSIONAL MILITARY
16 EDUCATION FOR IRAQ SECURITY FORCES.—The Sec-
17 retary of Defense shall endeavor to increase the number
18 of positions in professional military education courses, in-
19 cluding courses at command and general staff colleges,
20 war colleges, and the service academies, that are made
21 available annually to personnel of the security forces of
22 the Government of Iraq.

1 **SEC. 1210. REPORT ON ALTERNATIVES TO USE OF ACQUISI-**
2 **TION AND CROSS-SERVICING AGREEMENTS**
3 **TO LEND MILITARY EQUIPMENT FOR PER-**
4 **SONNEL PROTECTION AND SURVIVABILITY.**

5 (a) REPORT REQUIRED.—Not later than 90 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the congressional defense com-
8 mittees a report setting forth and assessing various alter-
9 natives to the use of acquisition and cross-servicing agree-
10 ments pursuant to the temporary authority in section
11 1202 of the John Warner National Defense Authorization
12 Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat.
13 2412), as amended by section 1252 of the National De-
14 fense Authorization Act for Fiscal Year 2008 (Public Law
15 110–181; 122 Stat. 402), for purposes of lending covered
16 military equipment to military forces of nations as follows:

17 (1) A nation participating in combined oper-
18 ations with the United States in Iraq and Afghani-
19 stan.

20 (2) A nation participating in combined oper-
21 ations with the United States as part of a peace-
22 keeping operation under the Charter of the United
23 Nations or another international agreement.

24 (b) COVERED MILITARY EQUIPMENT DEFINED.—In
25 this section, the term “covered military equipment” has
26 the meaning given that term in section 1202(d)(1) of the

1 John Warner National Defense Authorization Act for Fis-
2 cal Year 2007.

3 **Subtitle B—Reports**

4 **SEC. 1221. REPORT ON UNITED STATES ENGAGEMENT WITH**
5 **IRAN.**

6 (a) IN GENERAL.—Not later than January 31, 2010,
7 the President shall submit to Congress a report on United
8 States engagement with Iran.

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

11 (1) DIPLOMATIC ENGAGEMENT.—With respect
12 to diplomatic engagement, the following:

13 (A) A description of areas of mutual inter-
14 est to the Government of the United States and
15 the Government of the Islamic Republic of Iraq
16 in which cooperation and discussion could be of
17 mutual interest.

18 (B) A discussion and assessment of the
19 commitment of the Government of the Islamic
20 Republic of Iran to engage in good-faith discus-
21 sions with the United States to resolve matters
22 of concern through negotiation.

23 (2) SUPPORT FOR TERRORISM AND EXTRE-
24 MISM.—With respect to support for terrorism and
25 extremism, an assessment of the extent to which the

1 Government of the Islamic Republic of Iran has sup-
2 ported or provided weapons, training, funding, or
3 any other type of support or assistance for any des-
4 ignated Foreign Terrorist Organization as well as
5 regional militant groups, and specific assessments of
6 the support provided by the Government of the Is-
7 lamic Republic of Iran, or agencies under that gov-
8 ernment, for insurgents or other militant groups in
9 Iraq and Afghanistan.

10 (3) NUCLEAR ACTIVITIES.—With respect to nu-
11 clear activities, an assessment of the extent to which
12 the Government of the Islamic Republic of Iran
13 has—

14 (A) complied with United Nations Security
15 Council Resolutions 1696 (2006), 1737 (2006),
16 1747 (2007), 1803 (2008), and 1835 (2008),
17 and with any other applicable Resolutions
18 adopted by the United Nations Security Council
19 as of the date of the report;

20 (B) cooperated with the International
21 Atomic Energy Agency (IAEA), including ful-
22 filling all requests of that Agency for access to
23 information, documentation, locations, and indi-
24 viduals;

1 (C) ratified and implemented the Addi-
2 tional Protocol to Iran's Safeguards Agreement
3 with the International Atomic Energy Agency,
4 as requested by the Board of Governors of the
5 International Atomic Energy Agency and the
6 United Nations Security Council; and

7 (D) committed to stop uranium enrichment
8 activities and forego the reprocessing of spent
9 fuel, the production of heavy water, and the
10 weaponization of fissile materials on a perma-
11 nent basis.

12 (4) MISSILE ACTIVITIES.—With respect to mis-
13 sile activities, an assessment of the extent to which
14 the Government of the Islamic Republic of Iran has
15 continued development of its ballistic missile pro-
16 gram, including participation in any imports or ex-
17 ports of any items, materials, goods, and tech-
18 nologies related to that program and has complied
19 with United Nations Security Council Resolutions
20 1696, 1737, 1747, 1803, and 1835, as required by
21 the United Nations Security Council.

22 (5) SUPPORT TO ILLEGAL NARCOTICS NETWORK
23 IN AFGHANISTAN.—With respect to support to the
24 illegal narcotics network in Afghanistan, an assess-
25 ment of the extent to which the Government of the

1 Islamic Republic of Iran, or agencies under that gov-
2 ernment, has or have supported or facilitated the il-
3 legal narcotics trade in Afghanistan.

4 (6) SANCTIONS AGAINST IRAN.—With regard to
5 sanctions against Iran—

6 (A) a list of all current United States bi-
7 lateral and multilateral sanctions against Iran;

8 (B) a description and discussion of United
9 States diplomatic efforts to enforce bilateral
10 and multilateral sanctions against Iran and to
11 strengthen international efforts to enforce such
12 sanctions;

13 (C) an assessment of the impact and effec-
14 tiveness of existing bilateral and multilateral
15 sanctions against Iran in achieving United
16 States goals;

17 (D) a list of all United States and foreign
18 registered entities which the Secretary of State
19 has determined to be in violation of existing
20 United States bilateral or multilateral sanctions
21 against Iran;

22 (E) a detailed description of United States
23 efforts to enforce sanctions against Iran, includ-
24 ing—

1 (i) a list of all investigations initiated
2 in the 18-month period ending on the date
3 of the enactment of this Act that have re-
4 sulted in a determination that a violation
5 of sanctions against Iran has occurred; and

6 (ii) a description of the actions taken
7 by the United States Government pursuant
8 to each such determination; and

9 (F) a description of bilateral and multilat-
10 eral sanctions against Iran that are under con-
11 sideration, an assessment whether such addi-
12 tional sanctions against Iran would be effective,
13 and, if so, a description of the actions being un-
14 dertaken to pursue such additional sanctions.

15 (c) SUBMITTAL IN CLASSIFIED FORM.—The report
16 required by subsection (a), or any part of such report, may
17 be submitted in classified form if the President considers
18 it appropriate.

19 **Subtitle C—Other Matters**

20 **SEC. 1231. SENSE OF CONGRESS ON ESTABLISHMENT OF** 21 **MEASURES OF PROGRESS TO EVALUATE** 22 **UNITED STATES STRATEGIC OBJECTIVES IN** 23 **AFGHANISTAN AND PAKISTAN.**

24 (a) FINDINGS.—Congress makes the following find-
25 ings:

1 (1) The President announced a new strategy for
2 Afghanistan and Pakistan on March 27, 2009, that
3 calls for a commitment of more resources and a sig-
4 nificant increase in the number of United States
5 Armed Forces deployed to the region.

6 (2) It is the obligation of the United States
7 Government to the members of the Armed Forces,
8 and to all Americans, that their sacrifices be met by
9 a clear method for evaluating the progress toward
10 achieving the objectives in the new strategy of the
11 Administration.

12 (3) The President stated, with reference to the
13 strategy for Afghanistan and Pakistan, that “going
14 forward, we will not blindly stay the course. Instead,
15 we will set clear metrics to measure progress and
16 hold ourselves accountable. We’ll consistently assess
17 our efforts to train Afghan security forces and our
18 progress in combating insurgents. We will measure
19 the growth of Afghanistan’s economy, and its illicit
20 narcotics production. And we will review whether we
21 are using the right tools and tactics to make
22 progress towards accomplishing our goals”.

23 (4) Since the announcement of the new strategy
24 of the Administration on March 27, 2009, key lead-
25 ers in the Administration, including in the Depart-

1 ment of Defense and Department of State, have tes-
2 tified before Congress that progress measures were
3 needed to evaluate performance toward achieving the
4 strategic objectives of the United States in Afghani-
5 stan and Pakistan and that the Administration was
6 undertaking the process of reviewing and developing
7 measures of progress.

8 (5) Key leaders in the Administration further
9 assured Congress that the Administration would not
10 only share the measures of progress with Congress,
11 but would also invite review and comment by Con-
12 gress on proposed measures of progress.

13 (6) The establishment of both clear objectives
14 and a means to impartially measure success toward
15 those objectives will expound to the American people
16 what the United States and its partners intend to
17 accomplish in and for Afghanistan and Pakistan.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the Administration should, through the co-
21 ordination of the Departments of Defense and State,
22 expeditiously submit to Congress a comprehensive
23 list of measures of progress with regard to United
24 States strategic objectives in Afghanistan and Paki-
25 stan;

1 (2) the comprehensive list under paragraph (1)
2 should include newly-established measures of
3 progress as well as such measures of progress pre-
4 viously established pursuant to section 1230(d) of
5 the National Defense Authorization Act for Fiscal
6 Year 2008 (Public Law 110–181; 122 Stat. 385)
7 that continue to be relevant to the current United
8 States strategy for Afghanistan and Pakistan;

9 (3) the Administration should incorporate the
10 comprehensive list under paragraph (1) with each
11 report submitted under sections 1230 and 1232 of
12 the National Defense Authorization Act for Fiscal
13 Year 2008 (122 Stat. 385, 392) and should review,
14 and if necessary modify, the comprehensive list for
15 each such report; and

16 (4) upon submittal to Congress of the reports
17 required by sections 1230 and 1232 of the National
18 Defense Authorization Act for Fiscal Year 2008, the
19 Administration should provide an assessment of each
20 measure of progress by—

21 (A) setting forth the measure of progress
22 being evaluated;

23 (B) providing data used to evaluate the
24 measure of progress;

1 (C) providing an evaluation of the perform-
2 ance of the particular measure of progress; and

3 (D) providing a comprehensive assessment
4 of how the performance of the particular meas-
5 ure of progress hinders or enhances the overall
6 performance toward achieving strategic objec-
7 tives of the United States in Afghanistan and
8 Pakistan.

9 **TITLE XIII—COOPERATIVE**
10 **THREAT REDUCTION**

11 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
12 **DUCTION PROGRAMS AND FUNDS.**

13 (a) SPECIFICATION OF COOPERATIVE THREAT RE-
14 Duction Programs.—For purposes of section 301 and
15 other provisions of this Act, Cooperative Threat Reduction
16 programs are the programs specified in section 1501 of
17 the National Defense Authorization Act for Fiscal Year
18 1997 (50 U.S.C. 2362 note).

19 (b) FISCAL YEAR 2010 COOPERATIVE THREAT RE-
20 Duction Funds Defined.—As used in this title, the
21 term “fiscal year 2010 Cooperative Threat Reduction
22 funds” means the funds appropriated pursuant to the au-
23 thorization of appropriations in section 301 for Cooper-
24 tive Threat Reduction programs.

1 (c) AVAILABILITY OF FUNDS.—Funds appropriated
2 pursuant to the authorization of appropriations in section
3 301 for Cooperative Threat Reduction programs shall be
4 available for obligation for fiscal years 2010, 2011, and
5 2012.

6 **SEC. 1302. FUNDING ALLOCATIONS.**

7 (a) FUNDING FOR SPECIFIC PURPOSES.—Of the
8 \$424,093,000 authorized to be appropriated to the De-
9 partment of Defense for fiscal year 2010 in section
10 301(a)(20) for Cooperative Threat Reduction programs,
11 the following amounts may be obligated for the purposes
12 specified:

13 (1) For strategic offensive arms elimination in
14 Russia, \$73,385,000.

15 (2) For strategic nuclear arms elimination in
16 Ukraine, \$6,800,000.

17 (3) For nuclear weapons storage security in
18 Russia, \$15,090,000.

19 (4) For nuclear weapons transportation security
20 in Russia, \$46,400,000.

21 (5) For weapons of mass destruction prolifera-
22 tion prevention in the states of the former Soviet
23 Union, \$90,886,000.

24 (6) For biological threat reduction in the states
25 of the former Soviet Union, \$152,132,000.

1 (7) For chemical weapons destruction,
2 \$3,000,000.

3 (8) For defense and military contacts,
4 \$5,000,000.

5 (9) For new Cooperative Threat Reduction ini-
6 tiatives, \$10,000,000.

7 (10) For activities designated as Other Assess-
8 ments/Administrative Costs, \$21,400,000.

9 (b) REPORT ON OBLIGATION OR EXPENDITURE OF
10 FUNDS FOR OTHER PURPOSES.—No fiscal year 2010 Co-
11 operative Threat Reduction funds may be obligated or ex-
12 pended for a purpose other than a purpose listed in para-
13 graphs (1) through (10) of subsection (a) until 15 days
14 after the date that the Secretary of Defense submits to
15 Congress a report on the purpose for which the funds will
16 be obligated or expended and the amount of funds to be
17 obligated or expended. Nothing in the preceding sentence
18 shall be construed as authorizing the obligation or expend-
19 iture of fiscal year 2010 Cooperative Threat Reduction
20 funds for a purpose for which the obligation or expendi-
21 ture of such funds is specifically prohibited under this title
22 or any other provision of law.

23 (c) LIMITED AUTHORITY TO VARY INDIVIDUAL
24 AMOUNTS.—

1 (1) IN GENERAL.—Subject to paragraph (2), in
2 any case in which the Secretary of Defense deter-
3 mines that it is necessary to do so in the national
4 interest, the Secretary may obligate amounts appro-
5 priated for fiscal year 2010 for a purpose listed in
6 paragraphs (1) through (10) of subsection (a) in ex-
7 cess of the specific amount authorized for that pur-
8 pose.

9 (2) NOTICE-AND-WAIT REQUIRED.—An obliga-
10 tion of funds for a purpose stated in paragraphs (1)
11 through (10) of subsection (a) in excess of the spe-
12 cific amount authorized for such purpose may be
13 made using the authority provided in paragraph (1)
14 only after—

15 (A) the Secretary submits to Congress no-
16 tification of the intent to do so together with a
17 complete discussion of the justification for
18 doing so; and

19 (B) 15 days have elapsed following the
20 date of the notification.

21 **SEC. 1303. AUTHORITY TO ENTER INTO AGREEMENTS TO**
22 **RECEIVE CONTRIBUTIONS FOR BIOLOGICAL**
23 **THREAT REDUCTION PROGRAM.**

24 (a) IN GENERAL.—The Secretary of Defense may,
25 with the concurrence of the Secretary of State, enter into

1 one or more agreements with any person (including a for-
2 eign government, international organization, multinational
3 entity, or any other entity) that the Secretary of Defense
4 considers appropriate under which the person contributes
5 funds for purposes of the Biological Threat Reduction
6 Program of the Department of Defense.

7 (b) RETENTION AND USE OF AMOUNTS.—Notwith-
8 standing section 3302 of title 31, United States Code, and
9 subject to subsections (c) and (d), the Secretary of De-
10 fense may retain and obligate or expend amounts contrib-
11 uted pursuant to subsection (a) for purposes of the Bio-
12 logical Threat Reduction Program. Amounts so contrib-
13 uted shall be retained in a separate fund established in
14 the Treasury for that purpose and shall be available to
15 be obligated or expended without further appropriation.

16 (c) RETURN OF AMOUNTS NOT OBLIGATED OR EX-
17 PENDED WITHIN THREE YEARS.—If the Secretary of De-
18 fense does not obligate or expend an amount contributed
19 pursuant to subsection (a) by the date that is three years
20 after the date on which the contribution was made, the
21 Secretary shall return the amount to the person who made
22 the contribution.

23 (d) NOTICE TO CONGRESSIONAL DEFENSE COMMIT-
24 TEES.—

1 (1) IN GENERAL.—Not later than 30 days after
2 receiving an amount contributed pursuant to sub-
3 section (a), the Secretary shall submit to the con-
4 gressional defense committees a notice—

5 (A) specifying the value of the contribution
6 and the purpose for which the contribution was
7 made; and

8 (B) identifying the person who made the
9 contribution.

10 (2) LIMITATION ON USE OF AMOUNTS.—The
11 Secretary may not obligate or expend an amount
12 contributed pursuant to subsection (a) until the date
13 that is 15 days after the date on which the Sec-
14 retary submits the notice required by paragraph (1).

15 (e) ANNUAL REPORT.—Not later than October 31
16 each year, the Secretary of Defense shall submit to the
17 congressional defense committees a report on amounts
18 contributed pursuant to subsection (a) during the pre-
19 ceding fiscal year. Each such report shall include, for the
20 fiscal year covered by the report, the following:

21 (1) A statement of any amounts contributed
22 pursuant to subsection (a), including, for each such
23 amount, the value of the contribution and the iden-
24 tity of the person who made the contribution.

1 (2) A statement of any amounts so contributed
2 that were obligated or expended by the Secretary, in-
3 cluding, for each such amount, the purposes for
4 which the amount was obligated or expended.

5 (3) A statement of any amounts so contributed
6 that were retained but not obligated or expended, in-
7 cluding, for each such amount, the purposes (if
8 known) for which the Secretary intends to obligate
9 or expend the amount.

10 (f) **TERMINATION.**—The authority provided under
11 this section shall terminate on December 31, 2015.

12 **SEC. 1304. AUTHORIZATION OF USE OF COOPERATIVE**
13 **THREAT REDUCTION PROGRAM FUNDS FOR**
14 **BILATERAL AND MULTILATERAL NON-**
15 **PROLIFERATION AND DISARMAMENT ACTIVI-**
16 **TIES.**

17 (a) **IN GENERAL.**—Notwithstanding any other provi-
18 sion of law and subject to subsection (b), the Secretary
19 of Defense may obligate or expend not more than 10 per-
20 cent of the funds authorized to be appropriated or other-
21 wise made available for Cooperative Threat Reduction pro-
22 grams in a fiscal year to provide assistance for or to other-
23 wise carry out bilateral or multilateral activities relating
24 to nonproliferation or disarmament.

1 (b) NOTIFICATION OF CONGRESSIONAL DEFENSE
2 COMMITTEES.—The Secretary may obligate or expend
3 funds pursuant to subsection (a) if, not less than 15 days
4 before obligating or expending such funds—

5 (1) the Secretary notifies the congressional de-
6 fense committees of the intent of the Secretary to
7 obligate or expend such funds; and

8 (2) the President certifies to the congressional
9 defense committees that obligating or expending
10 such funds is necessary to support the national secu-
11 rity objectives of the United States.

12 **TITLE XIV—OTHER** 13 **AUTHORIZATIONS**

14 **Subtitle A—Military Programs**

15 **SEC. 1401. WORKING CAPITAL FUNDS.**

16 Funds are hereby authorized to be appropriated for
17 fiscal year 2010 for the use of the Armed Forces and other
18 activities and agencies of the Department of Defense for
19 providing capital for working capital and revolving funds
20 in amounts as follows:

21 (1) For the Defense Working Capital Funds,
22 \$141,388,000.

23 (2) For the Defense Working Capital Fund,
24 Defense Commissary, \$1,313,616,000.

1 **SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2010 for the National Defense Sealift Fund
4 in the amount of \$1,242,758,000.

5 **SEC. 1403. DEFENSE HEALTH PROGRAM.**

6 Funds are hereby authorized to be appropriated for
7 the Department of Defense for fiscal year 2010 for ex-
8 penses, not otherwise provided for, for the Defense Health
9 Program, in the amount of \$27,913,863,000, of which—

10 (1) \$26,993,919,000 is for Operation and
11 Maintenance;

12 (2) \$597,802,000 is for Research, Development,
13 Test, and Evaluation; and

14 (3) \$322,142,000 is for Procurement.

15 **SEC. 1404. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
16 **TION, DEFENSE.**

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
18 are hereby authorized to be appropriated for the Depart-
19 ment of Defense for fiscal year 2010 for expenses, not oth-
20 erwise provided for, for Chemical Agents and Munitions
21 Destruction, Defense, in the amount of \$1,560,760,000,
22 of which—

23 (1) \$1,146,802,000 is for Operation and Main-
24 tenance;

25 (2) \$401,269,000 is for Research, Development,
26 Test, and Evaluation; and

1 (3) \$12,689,000 is for Procurement.

2 (b) USE.—Amounts authorized to be appropriated
3 under subsection (a) are authorized for—

4 (1) the destruction of lethal chemical agents
5 and munitions in accordance with section 1412 of
6 the Department of Defense Authorization Act, 1986
7 (50 U.S.C. 1521); and

8 (2) the destruction of chemical warfare materiel
9 of the United States that is not covered by section
10 1412 of such Act.

11 **SEC. 1405. DRUG INTERDICTION AND COUNTER-DRUG AC-**
12 **TIVITIES, DEFENSE-WIDE.**

13 Funds are hereby authorized to be appropriated for
14 the Department of Defense for fiscal year 2010 for ex-
15 penses, not otherwise provided for, for Drug Interdiction
16 and Counter-Drug Activities, Defense-wide, in the amount
17 of \$1,077,784,000.

18 **SEC. 1406. DEFENSE INSPECTOR GENERAL.**

19 Funds are hereby authorized to be appropriated for
20 the Department of Defense for fiscal year 2010 for ex-
21 penses, not otherwise provided for, for the Office of the
22 Inspector General of the Department of Defense, in the
23 amount of \$288,444,000, of which—

24 (1) \$286,444,000 is for Operation and Mainte-
25 nance; and

1 (2) \$2,000,000 is for Procurement.

2 **SEC. 1407. FUNDING TABLE.**

3 The amounts authorized to be appropriated by sec-
4 tions 1401, 1402, 1403, 1404, 1405, and 1406 shall be
5 available, in accordance with the requirements of section
6 4001, for projects, programs, and activities, and in the
7 amounts, specified in the funding table in section 4401.

8 **Subtitle B—National Defense**
9 **Stockpile**

10 **SEC. 1411. EXTENSION OF PREVIOUSLY AUTHORIZED DIS-**
11 **POSAL OF COBALT FROM NATIONAL DE-**
12 **FENSE STOCKPILE.**

13 Section 3305(a)(5) of the National Defense Author-
14 ization Act for Fiscal Year 1998 (Public Law 105–85; 50
15 U.S.C. 98d note), as most recently amended by section
16 1412(b) of the Duncan Hunter National Defense Author-
17 ization Act for Fiscal Year 2009 (Public Law 110–417;
18 122 Stat. 4648), is further amended by striking “during
19 fiscal year 2009” and inserting “by the end of fiscal year
20 2011”.

1 **SEC. 1412. AUTHORIZATION FOR ACTIONS TO CORRECT**
 2 **THE INDUSTRIAL RESOURCE SHORTFALL**
 3 **FOR HIGH-PURITY BERYLLIUM METAL IN**
 4 **AMOUNTS NOT IN EXCESS OF \$80,000,000.**

5 With respect to any action taken by the President
 6 under section 303 of the Defense Production Act of 1950
 7 (50 U.S.C. App. 2093) to correct the industrial resource
 8 shortfall for high-purity beryllium metal, the limitation in
 9 subsection (a)(6)(C) of such section shall be applied by
 10 substituting “\$80,000,000” for “\$50,000,000”.

11 **Subtitle C—Armed Forces**
 12 **Retirement Home**

13 **SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR**
 14 **ARMED FORCES RETIREMENT HOME.**

15 There is authorized to be appropriated for fiscal year
 16 2010 from the Armed Forces Retirement Home Trust
 17 Fund the sum of \$134,000,000 for the operation of the
 18 Armed Forces Retirement Home.

19 **TITLE XV—OVERSEAS**
 20 **CONTINGENCY OPERATIONS**

21 **SEC. 1501. PURPOSE.**

22 The purpose of this title is to authorize appropria-
 23 tions for the Department of Defense for fiscal year 2010
 24 to provide additional funding for overseas contingency op-
 25 erations of the Department of Defense in that fiscal year.

1 **SEC. 1502. ARMY PROCUREMENT.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2010 for procurement accounts for the Army
4 in amounts as follows:

5 (1) For aircraft procurement, \$1,636,229,000.

6 (2) For missile procurement, \$531,570,000.

7 (3) For weapons and tracked combat vehicles
8 procurement, \$759,466,000.

9 (4) For ammunition procurement,
10 \$370,635,000.

11 (5) For other procurement, \$6,329,966,000.

12 (6) For the Joint Improvised Explosive Device
13 Defeat Fund, \$2,099,850,000.

14 **SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.**

15 (a) NAVY.—Funds are hereby authorized to be appro-
16 priated for fiscal year 2010 for procurement accounts for
17 the Navy in amounts as follows:

18 (1) For aircraft procurement, \$916,553,000.

19 (2) For weapons procurement, \$73,700,000.

20 (3) For other procurement, \$318,018,000.

21 (b) MARINE CORPS.—Funds are hereby authorized to
22 be appropriated for fiscal year 2010 for the procurement
23 account for the Marine Corps in the amount of
24 \$1,164,445,000.

25 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds
26 are hereby authorized to be appropriated for fiscal year

1 2010 for the procurement account for ammunition for the
2 Navy and the Marine Corps in the amount of
3 \$710,780,000.

4 **SEC. 1504. AIR FORCE PROCUREMENT.**

5 Funds are hereby authorized to be appropriated for
6 fiscal year 2010 for procurement accounts for the Air
7 Force in amounts as follows:

8 (1) For aircraft procurement, \$896,441,000.

9 (2) For missile procurement, \$36,625,000.

10 (3) For ammunition procurement,
11 \$256,819,000.

12 (4) For other procurement, \$2,321,549,000.

13 **SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

14 Funds are hereby authorized to be appropriated for
15 fiscal year 2010 for the procurement account for Defense-
16 wide activities as follows:

17 (1) For Defense-wide procurement,
18 \$491,430,000.

19 (2) For the Mine Resistant Ambush Protected
20 Vehicle Fund, \$5,456,000,000.

21 **SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
22 **TION.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2010 for the use of the Department of Defense
25 for research, development, test, and evaluation as follows:

1 (1) For the Army, \$57,962,000.

2 (2) For the Navy, \$107,180,000.

3 (3) For the Air Force, \$29,286,000.

4 (4) For Defense-wide activities, \$115,826,000.

5 **SEC. 1507. OPERATION AND MAINTENANCE.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2010 for the use of the Armed Forces for ex-
8 penses, not otherwise provided for, for operation and
9 maintenance, in amounts as follows:

10 (1) For the Army, \$52,070,661,000.

11 (2) For the Navy, \$5,650,733,000.

12 (3) For the Marine Corps, \$3,701,600,000.

13 (4) For the Air Force, \$10,026,868,000.

14 (5) For Defense-wide activities, \$7,578,300,000

15 (6) For the Army Reserve, \$204,326,000.

16 (7) For the Navy Reserve, \$68,059,000.

17 (8) For the Marine Corps Reserve,
18 \$86,667,000.

19 (9) For the Air Force Reserve, \$125,925,000.

20 (10) For the Army National Guard,
21 \$321,646,000.

22 (11) For the Air National Guard,
23 \$289,862,000.

24 (12) For the Afghanistan Security Forces
25 Fund, \$7,462,769,000.

1 (13) For the Iraq Freedom Fund,
2 \$115,300,000.

3 **SEC. 1508. MILITARY PERSONNEL.**

4 There is hereby authorized to be appropriated for fis-
5 cal year 2010 for the Department of Defense for military
6 personnel in the amount of \$13,586,341,000.

7 **SEC. 1509. WORKING CAPITAL FUNDS.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2010 for the use of the Armed Forces and other
10 activities and agencies of the Department of Defense for
11 providing capital for working capital and revolving funds
12 in the amount of \$396,915,000, for the Defense Working
13 Capital Funds.

14 **SEC. 1510. DEFENSE HEALTH PROGRAM.**

15 Funds are hereby authorized to be appropriated for
16 the Department of Defense for fiscal year 2010 for ex-
17 penses, not otherwise provided for, for the Defense Health
18 Program in the amount of \$1,155,235,000 for operation
19 and maintenance.

20 **SEC. 1511. DRUG INTERDICTION AND COUNTER-DRUG AC-**
21 **TIVITIES, DEFENSE-WIDE.**

22 Funds are hereby authorized to be appropriated for
23 the Department of Defense for fiscal year 2010 for ex-
24 penses, not otherwise provided for, for Drug Interdiction

1 and Counter-Drug Activities, Defense-wide in the amount
2 of \$324,603,000.

3 **SEC. 1512. DEFENSE INSPECTOR GENERAL.**

4 Funds are hereby authorized to be appropriated for
5 the Department of Defense for fiscal year 2010 for ex-
6 penses, not otherwise provided for, for the Office of the
7 Inspector General of the Department of Defense in the
8 amount of \$8,876,000.

9 **SEC. 1513. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

10 The amounts authorized to be appropriated by this
11 title are in addition to amounts otherwise authorized to
12 be appropriated by this Act.

13 **SEC. 1514. FUNDING TABLES.**

14 (a) AMOUNTS FOR PROCUREMENT.—The amounts
15 authorized to be appropriated by sections 1502, 1503,
16 1504, and 1505 shall be available, in accordance with the
17 requirements of section 4001, for projects, programs, and
18 activities, and in the amounts, specified in the funding
19 table in section 4102.

20 (b) AMOUNTS FOR RESEARCH, DEVELOPMENT,
21 TEST, AND EVALUATION.—The amounts authorized to be
22 appropriated by section 1506 shall be available, in accord-
23 ance with the requirements of section 4001, for projects,
24 programs, and activities, and in the amounts, specified in
25 the funding table in section 4202.

1 (c) AMOUNTS FOR OPERATION AND MAINTENANCE.—The amounts authorized to be appropriated by
2 NANCE.—The amounts authorized to be appropriated by
3 section 1507 shall be available, in accordance with the re-
4 quirements of section 4001, for projects, programs, and
5 activities, and in the amounts, specified in the funding
6 table in section 4302.

7 (d) OTHER AMOUNTS.—The amounts authorized to
8 be appropriated by sections 1509, 1510, 1511, and 1512
9 shall be available, in accordance with the requirements of
10 section 4001, for projects, programs, and activities, and
11 in the amounts, specified in the funding table in section
12 4402.

13 **SEC. 1515. SPECIAL TRANSFER AUTHORITY.**

14 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

15 (1) AUTHORITY.—Upon determination by the
16 Secretary of Defense that such action is necessary in
17 the national interest, the Secretary may transfer
18 amounts of authorizations made available to the De-
19 partment of Defense in this title for fiscal year 2010
20 between any such authorizations for that fiscal year
21 (or any subdivisions thereof). Amounts of authoriza-
22 tions so transferred shall be merged with and be
23 available for the same purposes as the authorization
24 to which transferred.

1 (2) LIMITATION.—The total amount of author-
2 izations that the Secretary may transfer under the
3 authority of this subsection may not exceed
4 \$4,500,000,000.

5 (b) TERMS AND CONDITIONS.—Transfers under this
6 section shall be subject to the same terms and conditions
7 as transfers under section 1001.

8 (c) ADDITIONAL AUTHORITY.—The transfer author-
9 ity provided by this section is in addition to the transfer
10 authority provided under section 1001.

11 **SEC. 1516. LIMITATIONS ON AVAILABILITY OF FUNDS IN AF-**
12 **GHANISTAN SECURITY FORCES FUND.**

13 Funds appropriated pursuant to the authorization of
14 appropriations for the Afghanistan Security Forces Fund
15 in section 1507(12) shall be subject to the conditions con-
16 tained in subsections (b) through (g) of section 1513 of
17 the National Defense Authorization Act for Fiscal Year
18 2008 (Public Law 110–181; 122 Stat. 428).

19 **SEC. 1517. AVAILABILITY OF FUNDS IN PAKISTAN COUN-**
20 **TERINSURGENCY FUND.**

21 (a) AVAILABILITY.—

22 (1) IN GENERAL.—Funds authorized to be ap-
23 propriated for the Department of State for fiscal
24 year 2010 that are transferred by the Secretary of
25 State to the Secretary of Defense during that fiscal

1 year for the Pakistan Counterinsurgency Fund shall
2 be merged with amounts in the Pakistan Counter-
3 insurgency Fund and available subject to the provi-
4 sions of this section.

5 (2) INITIAL ASSESSMENT REQUIRED BEFORE
6 USE OF FUNDS.—Funds available under this section
7 may not be utilized until the Secretary of Defense
8 submits to the appropriate committees of Congress
9 a report setting forth an assessment by the Sec-
10 retary as to whether the Government of Pakistan is
11 committed to confronting the threat posed by Al
12 Qaeda, the Taliban, and other militant extremists
13 based on a determination by the Government of
14 Pakistan that—

15 (A) these groups pose a threat to the na-
16 tional interests of Pakistan; and

17 (B) confronting the threat posed by these
18 groups is critical to the national interests of
19 Pakistan.

20 (b) USE OF FUNDS.—

21 (1) IN GENERAL.—Funds in the Pakistan
22 Counterinsurgency Fund pursuant to a transfer
23 under subsection (a) shall be available to the Sec-
24 retary of Defense to provide assistance to the secu-
25 rity forces of Pakistan to build the counterinsur-

1 agency capability of the Pakistan military forces and
2 the Pakistan Frontier Corps.

3 (2) TYPES OF ASSISTANCE.—Assistance pro-
4 vided under this subsection may include the provi-
5 sion of equipment, supplies, services, training, facil-
6 ity and infrastructure repair, renovation, construc-
7 tion and funding.

8 (3) URGENT HUMANITARIAN RELIEF AND RE-
9 CONSTRUCTION.—In addition to the assistance re-
10 ferred to in paragraph (2), up to \$4,000,000 of the
11 funds in the Pakistan Counterinsurgency Fund pur-
12 suant to a transfer described in subsection (a) may
13 be used for a program to respond to urgent humani-
14 tarian relief and reconstruction requirements that
15 will immediately assist Pakistani people affected by
16 military operations.

17 (c) AUTHORITY IN ADDITION TO OTHER AUTHORI-
18 TIES.—The authority to provide assistance under this sec-
19 tion is in addition to any other authority to provide assist-
20 ance to foreign nations.

21 (d) TRANSFERS AUTHORITY.—

22 (1) TRANSFERS AUTHORIZED.—Subject to
23 paragraph (2), funds in the Pakistan Counterinsur-
24 gency Fund pursuant to a transfer described in sub-
25 section (a) may be transferred by the Secretary of

1 Defense from the Pakistan Counterinsurgency Fund
2 to any of the following accounts and funds of the
3 Department of Defense to accomplish the purposes
4 specified in subsection (b):

5 (A) Operation and maintenance accounts.

6 (B) Procurement accounts.

7 (C) Research, development, test, and eval-
8 uation accounts.

9 (D) Defense working capital funds.

10 (E) Overseas Humanitarian, Disaster, and
11 Civic Aid account.

12 (2) ADDITIONAL AUTHORITY.—The transfer au-
13 thority provided by paragraph (1) is in addition to
14 any other transfer authority available to the Depart-
15 ment of Defense.

16 (3) EFFECT ON AUTHORIZATION AMOUNTS.—A
17 transfer of an amount to an account under the au-
18 thority in paragraph (1) shall be deemed to increase
19 the amount authorized for such account by an
20 amount equal to the amount transferred.

21 (e) PRIOR NOTICE TO CONGRESS OF TRANSFER.—
22 Funds in the Pakistan Counterinsurgency Fund pursuant
23 to a transfer described in subsection (a) may not be trans-
24 ferred under subsection (d)(1) from the Pakistan Counter-
25 insurgency Fund until 15 days after the date on which

1 the Secretary of Defense notifies the appropriate commit-
2 tees of Congress in writing of the details of the proposed
3 transfer.

4 (f) QUARTERLY REPORTS.—Not later than 30 days
5 after the end of each fiscal-year quarter of fiscal years
6 2010 and 2011, the Secretary of Defense shall submit to
7 the appropriate committees of Congress a report summa-
8 rizing the details of any obligation or transfer of funds
9 from the Pakistan Counterinsurgency Fund under this
10 section during such fiscal-year quarter.

11 (g) DURATION OF AUTHORITY.—Amounts trans-
12 ferred to the Pakistan Counterinsurgency Fund as de-
13 scribed in subsection (a) are available for obligation or
14 transfer from the Pakistan Counterinsurgency Fund in ac-
15 cordance with this section until September 30, 2011.

16 (h) APPROPRIATE COMMITTEES OF CONGRESS DE-
17 FINED.—In this section, the term “appropriate commit-
18 tees of Congress” means—

19 (1) the Committee on Armed Services, the
20 Committee on Foreign Relations, and the Committee
21 on Appropriations of the Senate; and

22 (2) the Committee on Armed Services, the
23 Committee on Foreign Affairs, and the Committee
24 on Appropriations of the House of Representatives.

1 **DIVISION B—MILITARY CON-**
2 **STRUCTION AUTHORIZA-**
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-
6 tion Authorization Act for Fiscal Year 2010”.

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
9 **LAW.**

10 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
11 YEARS.—Except as provided in subsection (b), all author-
12 izations contained in titles XXI through XXVII for mili-
13 tary construction projects, land acquisition, family housing
14 projects and facilities, and contributions to the North At-
15 lantic Treaty Organization Security Investment Program
16 (and authorizations of appropriations therefor) shall ex-
17 pire on the later of—

18 (1) October 1, 2012; or

19 (2) the date of the enactment of an Act author-
20 izing funds for military construction for fiscal year
21 2013.

22 (b) EXCEPTION.—Subsection (a) shall not apply to
23 authorizations for military construction projects, land ac-
24 quisition, family housing projects and facilities, and con-
25 tributions to the North Atlantic Treaty Organization Se-

1 curity Investment Program (and authorizations of appro-
2 priations therefor), for which appropriated funds have
3 been obligated before the later of—

4 (1) October 1, 2012; or

5 (2) the date of the enactment of an Act author-
6 izing funds for fiscal year 2013 for military con-
7 struction projects, land acquisition, family housing
8 projects and facilities, or contributions to the North
9 Atlantic Treaty Organization Security Investment
10 Program.

11 **SEC. 2003. EFFECTIVE DATE.**

12 Titles XXI through XXVII shall take effect on the
13 later of—

14 (1) October 1, 2009; or

15 (2) the date of the enactment of this Act.

16 **SEC. 2004. FUNDING TABLES.**

17 (a) IN GENERAL.—The amounts authorized to be ap-
18 propriated by sections 2104, 2204, 2304, 2404, 2411,
19 2502, and 2606 shall be available, in accordance with the
20 requirements of section 4001, for projects, programs, and
21 activities, and in the amounts, specified in the funding
22 table in section 4501.

23 (b) BASE CLOSURE AND REALIGNMENT ACTIVI-
24 TIES.—The amounts authorized to be appropriated by sec-
25 tion 2703 shall be available, in accordance with the re-

1 requirements of section 4001, for projects, programs, and
2 activities, and in the amounts, specified in the funding
3 table in section 4502.

4 (c) PROJECTS FUNDED BY AMERICAN RECOVERY
5 AND REINVESTMENT ACT OF 2009.—The amounts au-
6 thorized by section 2801 shall be available, in accordance
7 with the requirements of section 4001, for projects, pro-
8 grams, and activities, and in the amounts, specified in the
9 funding table in section 4503.

10 (d) OVERSEAS CONTINGENCY OPERATIONS.—The
11 amounts authorized to be appropriated by sections 2901
12 and 2902 shall be available, in accordance with the re-
13 quirements of section 4001, for projects, programs, and
14 activities, and in the amounts, specified in the funding
15 table in section 4504.

16 **TITLE XXI—ARMY**

17 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND** 18 **ACQUISITION PROJECTS.**

19 (a) INSIDE THE UNITED STATES.—Using amounts
20 appropriated pursuant to the authorization of appropria-
21 tions in section 2104(a)(1), the Secretary of the Army
22 may acquire real property and carry out military construc-
23 tion projects for the installations or locations inside the
24 United States, and in the amounts, set forth in the fol-
25 lowing table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Richardson	\$56,050,000
	Fort Wainwright	\$198,000,000
Alabama	Redstone Arsenal	\$3,550,000
Arizona	Fort Huachuca	\$21,000,000
Arkansas	Pine Bluff Arsenal	\$25,000,000
California	Fort Irwin	\$9,500,000
Colorado	Fort Carson	\$233,400,000
Florida	Eglin Air Force Base	\$132,800,000
Georgia	Fort Benning	\$295,300,000
	Fort Gillem	\$10,800,000
Hawaii	Fort Stewart/Hunter Army Air Field	\$105,967,000
	Schofield Barracks	\$184,000,000
	Wheeler Army Air Field	\$7,500,000
Kansas	Fort Riley	\$168,500,000
Kentucky	Fort Knox	\$70,000,000
Louisiana	Fort Polk	\$49,000,000
Maryland	Aberdeen Proving Ground	\$15,500,000
	Fort Detrick	\$39,000,000
Missouri	Fort Leonard Wood	\$163,000,000
New York	Fort Drum	\$84,500,000
North Carolina	Fort Bragg	\$113,650,000
	Sunny Point (Military Ocean Terminal)	\$28,900,000
Oklahoma	Fort Sill	\$90,500,000
	McAlester Army Ammunition Plant	\$12,500,000
South Carolina	Fort Jackson	\$103,500,000
	Naval Weapons Station, Charleston	\$21,800,000
Texas	Fort Bliss	\$219,400,000
	Fort Hood	\$32,100,000
	Fort Sam Houston	\$19,800,000
Utah	Dugway Proving Ground	\$25,000,000
Virginia	Fort A.P. Hill	\$23,000,000
	Fort Belvoir	\$17,900,000
	Fort Eustis	\$8,900,000
Washington	Fort Lewis	\$9,700,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Army: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Airfield	\$106,600,000
Germany	Ansbach	\$31,700,000
	Kleber Kaserne	\$20,000,000
Japan	Okinawa	\$6,000,000
	Sagamihara	\$6,000,000

Army: Outside the United States—Continued

Country	Installation or Location	Amount
Korea	Camp Humphreys	\$50,200,000
Kuwait	Camp Arifjan	\$82,000,000

1 **SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2104(a)(5)(A), the Secretary of the
5 Army may construct or acquire family housing units (in-
6 cluding land acquisition and supporting facilities) at the
7 installations or locations, in the number of units, and in
8 the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	38	\$18,000,000

9 (b) PLANNING AND DESIGN.—Using amounts appro-
10 priated pursuant to the authorization of appropriations in
11 section 2104(a)(5)(A), the Secretary of the Army may
12 carry out architectural and engineering services and con-
13 struction design activities with respect to the construction
14 or improvement of family housing units in an amount not
15 to exceed \$3,936,000.

16 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
17 **UNITS.**

18 Subject to section 2825 of title 10, United States
19 Code, and using amounts appropriated pursuant to the

1 authorization of appropriations in section 2104(a)(5)(A),
2 the Secretary of the Army may improve existing military
3 family housing units in an amount not to exceed
4 \$219,300,000.

5 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

6 (a) IN GENERAL.—Funds are hereby authorized to
7 be appropriated for fiscal years beginning after September
8 30, 2009, for military construction, land acquisition, and
9 military family housing functions of the Department of the
10 Army in the total amount of \$4,262,800,000 as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2101(a),
13 \$2,619,217,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2101(b),
16 \$302,500,000.

17 (3) For unspecified minor military construction
18 projects authorized by section 2805 of title 10,
19 United States Code, \$23,000,000.

20 (4) For architectural and engineering services
21 and construction design under section 2807 of title
22 10, United States Code, \$178,029,000.

23 (5) For military family housing functions:

1 (A) For construction and acquisition, plan-
2 ning and design, and improvement of military
3 family housing and facilities, \$241,236,000.

4 (B) For support of military family housing
5 (including the functions described in section
6 2833 of title 10, United States Code),
7 \$523,418,000.

8 (6) For the construction of increment 4 of a
9 brigade complex at Fort Lewis, Washington, author-
10 ized by section 2101(a) of the Military Construction
11 Authorization Act for Fiscal Year 2007 (division B
12 of Public Law 109–364; 120 Stat. 2445), as amend-
13 ed by section 20814 of the Continuing Appropria-
14 tions Resolution, 2007 (division B of Public Law
15 109–289), as added by section 2 of the Revised Con-
16 tinuing Resolution, 2007 (Public Law 110–5; 121
17 Stat 41), \$102,000,000.

18 (7) For the construction of increment 3 of a
19 brigade complex operational support facility at
20 Vicenza, Italy, authorized by section 2101(b) of the
21 Military Construction Authorization Act for Fiscal
22 Year 2008 (division B of Public Law 110–181; 122
23 Stat. 505), \$23,500,000.

24 (8) For the construction of increment 3 of a
25 brigade complex barracks and community support

1 facility at Vicenza, Italy, authorized by section
2 2101(b) of the Military Construction Authorization
3 Act for Fiscal Year 2008 (division B of Public Law
4 110–181; 122 Stat. 505), \$22,500,000.

5 (9) For the construction of increment 3 of the
6 United States Southern Command Headquarters at
7 Miami Doral, Florida, authorized by section 2101(a)
8 of the Military Construction Authorization Act for
9 Fiscal Year 2008 (division B of Public Law 110–
10 181; 122 Stat. 504), \$55,400,000.

11 (10) For the construction of increment 2 of a
12 barracks and dining complex at Fort Carson, Colo-
13 rado, authorized by section 2101(a) of the Military
14 Construction Authorization Act for Fiscal Year 2009
15 (division B of Public Law 110–417; 122 Stat.
16 4659), \$60,000,000.

17 (11) For the construction of increment 2 of a
18 barracks and dining complex at Fort Stewart/
19 Hunter Army Air Field, Georgia, authorized by sec-
20 tion 2101(a) of the Military Construction Authoriza-
21 tion Act for Fiscal Year 2009 (division B of Public
22 Law 110–417; 122 Stat. 4659), \$80,000,000.

23 (12) For the construction of increment 2 of the
24 family housing replacement construction at Wies-
25 baden Air Base, Germany, authorized by section

1 2102(a) of the Military Construction Authorization
2 Act for Fiscal Year 2009 (division B of Public Law
3 110–417; 122 Stat. 4663), \$10,000,000.

4 (13) For the construction of increment 2 of the
5 family housing replacement construction at Wies-
6 baden Air Base, Germany, authorized by section
7 2102(a) of the Military Construction Authorization
8 Act for Fiscal Year 2009 (division B of Public Law
9 110–417; 122 Stat. 4663), \$11,000,000.

10 (14) For the construction of increment 2 of the
11 family housing replacement construction at Wies-
12 baden Air Base, Germany, authorized by section
13 2102(a) of the Military Construction Authorization
14 Act for Fiscal Year 2009 (division B of Public Law
15 110–417; 122 Stat. 4663), \$11,000,000.

16 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
17 PROJECTS.—Notwithstanding the cost variations author-
18 ized by section 2853 of title 10, United States Code, and
19 any other cost variation authorized by law, the total cost
20 of all projects carried out under section 2101 of this Act
21 may not exceed the sum of the following:

22 (1) The total amount authorized to be appro-
23 priated under paragraphs (1) and (2) of subsection
24 (a).

1 (2) \$25,000,000 (the balance of the amount au-
2 thorized under section 2101(b) of the Military Con-
3 struction Authorization Act for Fiscal Year 2008
4 (division B of Public Law 110–181; 122 Stat. 505)
5 for construction of a brigade complex operations
6 support facility at Vicenza, Italy.

7 (3) \$26,000,000 (the balance of the amount au-
8 thorized under section 2101(b) of the Military Con-
9 struction Authorization Act for Fiscal Year 2008
10 (division B of Public Law 110–181; 122 Stat. 505)
11 for construction of a brigade complex operations
12 support facility at Vicenza, Italy.

13 **SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
14 **FISCAL YEAR 2006 PROJECTS.**

15 (a) **EXTENSION.**—Notwithstanding section 2701 of
16 the Military Construction Authorization Act for Fiscal
17 Year 2006 (division B of Public Law 109–163; 119 Stat.
18 3501), the authorizations set forth in the table in sub-
19 section (b), as provided in section 2101 of that Act (119
20 Stat. 3485), shall remain in effect until October 1, 2010,
21 or the date of the enactment of an Act authorizing funds
22 for military construction for fiscal year 2011, whichever
23 is later.

24 (b) **TABLE.**—The table referred to in subsection (a)
25 is as follows:

Army: Extension of 2006 Project Authorizations

State/Country	Installation or Location	Project	Amount
Hawaii	Pohakuloa Training Area.	Tactical Vehicle Wash Facility ..	\$9,207,000
	Pohakuloa Training Area.	Battle Area Complex	\$33,660,000

1

TITLE XXII—NAVY

2

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND

3

ACQUISITION PROJECTS.

4

(a) **INSIDE THE UNITED STATES.**—Using amounts

5

appropriated pursuant to the authorization of appropria-

6

tions in section 2204(a)(1), the Secretary of the Navy may

7

acquire real property and carry out military construction

8

projects for the installations or locations inside the United

9

States, and in the amounts, set forth in the following

10 table:

Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$28,770,000
California	Mountain Warfare Training Center, Bridgeport.	\$4,460,000
	Edwards Air Force Base	\$3,007,000
	Marine Corps Air Station, Miramar	\$9,280,000
	Marine Corps Base, Pendleton	\$775,162,000
	Naval Base Point Loma	\$8,730,000
	Marine Corps Recruit Depot, San Diego ...	\$23,590,000
	Marine Air Ground Combat Center Twentynine Palms.	\$513,680,000
Florida	Marine Corps Support Facility, Blount Island.	\$3,760,000
	Eglin Air Force Base	\$50,847,000
	Naval Air Station, Jacksonville	\$5,917,000
	Naval Air Station, Whiting Field	\$4,120,000
	Naval Station, Mayport	\$75,985,000
	Pensacola	\$26,161,000
Hawaii	Naval Station Pearl Harbor	\$65,542,000
	Marine Corps Base, Hawaii	\$5,380,000
Indiana	Naval Support Activity Crane	\$13,710,000
Maine	Portsmouth Naval Shipyard	\$7,100,000
Nevada	Naval Air Station Fallon	\$11,450,000
North Carolina	Marine Corps Air Station, Cherry Point ...	\$22,960,000
	Marine Corps Air Station, New River	\$107,090,000

Inside the United States—Continued

State	Installation or Location	Amount
	Marine Corps Base, Camp Lejeune	\$673,570,000
Rhode Island	Naval Station, Newport	\$56,353,000
South Carolina	Marine Corps Air Station, Beaufort	\$1,280,000
	Marine Corps Recruit Depot, Parris Island	\$6,972,000
Texas	Naval Air Station, Corpus Christi	\$19,764,000
Virginia	Dahlgren	\$3,660,000
	Marine Corps Base, Quantico	\$105,240,000
	Naval Amphibious Base, Little Creek	\$13,095,000
	Naval Station, Norfolk	\$18,139,000
	Norfolk Naval Shipyard	\$226,969,000
Washington	Bremerton	\$69,064,000
	Spokane	\$12,707,000
West Virginia	Naval Security Group, Sugar Grove	\$9,650,000

1 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(a)(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the installation or location outside the United
6 States, and in the amounts, set forth in the following
7 table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain	Southwest Asia	\$41,526,000
Djibouti	Djibouti	\$41,845,000
Guam	Naval Activities, Guam	\$286,829,000
Spain	Naval Station, Rota	\$26,278,000

8 SEC. 2202. FAMILY HOUSING.

9 (a) **CONSTRUCTION AND ACQUISITION.**—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2204(a)(5)(A), the Secretary of the
12 Navy may construct or acquire family housing units (in-
13 cluding land acquisition and supporting facilities) at the

- 1 installations or locations, in the number of units, and in
 2 the amounts set forth in the following table:

Navy: Family Housing

Location	Installation or Location	Units	Amount
Korea	Pusan	Welcome center/ ware- house.	\$4,376,000
Mariana Is- lands.	Naval Activities, Guam	30	\$20,730,000

- 3 (b) **PLANNING AND DESIGN.**—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2204(a)(5)(A), the Secretary of the Navy may
 6 carry out architectural and engineering services and con-
 7 struction design activities with respect to the construction
 8 or improvement of family housing units in an amount not
 9 to exceed \$2,771,000.

10 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 11 **UNITS.**

- 12 Subject to section 2825 of title 10, United States
 13 Code, and using amounts appropriated pursuant to the
 14 authorization of appropriations in section 2204(a)(5)(A),
 15 the Secretary of the Navy may improve existing military
 16 family housing units in an amount not to exceed
 17 \$118,692,000.

18 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

- 19 (a) **IN GENERAL.**—Funds are hereby authorized to
 20 be appropriated for fiscal years beginning after September
 21 30, 2009, for military construction, land acquisition, and

1 military family housing functions of the Department of the
2 Navy in the total amount of \$4,053,880,000, as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2201(a),
5 \$2,756,105,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2201(b),
8 \$229,445,000.

9 (3) For unspecified minor military construction
10 projects authorized by section 2805 of title 10,
11 United States Code, \$12,483,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$166,896,000.

15 (5) For military family housing functions:

16 (A) For construction and acquisition, plan-
17 ning and design, and improvement of military
18 family housing and facilities, \$146,569,000.

19 (B) For support of military family housing
20 (including functions described in section 2833
21 of title 10, United States Code), \$368,540,000.

22 (6) For the construction of increment 3 of a
23 submarine drive-in magnetic silencing facility at
24 Naval Base Pearl Harbor, Hawaii, authorized by
25 section 2201(a) of the Military Construction Author-

1 ization Act for Fiscal Year 2008 (division B of Pub-
2 lic Law 110-181; 122 Stat. 510), \$8,645,000.

3 (7) For the construction of increment 6 of the
4 limited area production and storage complex at Ban-
5 gor, Washington, authorized by section 2201(a) of
6 the Military Construction Authorization Act for Fis-
7 cal Year 2005 (division B of Public Law 108-375;
8 118 Stat. 2106), \$87,292,000.

9 (8) For the construction of increment 2 of en-
10 clave fencing at Naval Submarine Base, Bangor,
11 Washington, authorized by section 2201(a) of the
12 Military Construction Authorization Act for Fiscal
13 Year 2006 (division B of Public Law 109-163; 119
14 Stat. 3490), as amended by section 2205 of this Act,
15 \$67,419,000.

16 (9) For the construction of the first increment
17 of a ship repair pier replacement at Norfolk Naval
18 Shipyard, Virginia, authorized by section 2201(a),
19 \$126,969,000.

20 (10) For the construction of the first increment
21 of a wharves improvement, Apra Harbor, Guam, au-
22 thorized by section 2201(b), \$83,517,000.

23 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
24 PROJECTS.—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
2 of all projects carried out under section 2201 of this Act
3 may not exceed the sum of the following:

4 (1) The total amount authorized to be appro-
5 priated under paragraphs (1) and (2) of subsection
6 (a).

7 (2) \$100,000,000 (the balance of the amount
8 authorized under section 2202(a) for Ship Repair
9 Pier Replacement at the Norfolk Naval Shipyard,
10 Virginia).

11 (3) \$83,516,000 (the balance of the amount of
12 \$167,033,000 authorized under section 2202(b) for
13 wharves improvements, Apra Harbor, Guam).

14 **SEC. 2205. MODIFICATION AND EXTENSION OF AUTHORITY**
15 **TO CARRY OUT CERTAIN FISCAL YEAR 2006**
16 **PROJECT.**

17 (a) **MODIFICATION.**—The table in section 2201(a) of
18 the Military Construction Authorization Act for Fiscal
19 Year 2006 (division B of Public Law 109–163; 119 Stat.
20 3490) is amended in the item relating to Naval Submarine
21 Base, Bangor, Washington, by striking “\$60,160,000”
22 and inserting “\$127,163,000”.

23 (b) **CONFORMING AMENDMENT.**—Section 2204(b) of
24 that Act (119 Stat. 3492) is amended by adding at the
25 end the following new subparagraph:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	\$24,300,000
	Eielson Air Force Base	\$13,350,000
	Elmendorf Air Force Base	\$15,700,000
Arizona	Davis-Monthan Air Force Base	\$41,900,000
Arkansas	Little Rock Air Force Base	\$16,200,000
California	Travis Air Force Base	\$6,900,000
	Vandenberg Air Force Base	\$13,000,000
	Peterson Air Force Base	\$25,100,000
Colorado	United States Air Force Academy	\$17,500,000
Delaware	Dover Air Force Base	\$24,900,000
Florida	Eglin Air Force Base	\$59,800,000
	Hurlburt Field	\$10,500,000
	MacDill Air Force Base	\$38,300,000
	Patrick Air Force Base	\$8,400,000
Georgia	Moody Air Force Base	\$8,900,000
Hawaii	Wheeler Air Force Base	\$15,000,000
Idaho	Mountain Home Air Force Base ..	\$20,000,000
Illinois	Scott Air Force Base	\$7,400,000
Louisiana	Barksdale Air Force Base	\$12,800,000
Maryland	Andrews Air Force Base	\$9,300,000
Nebraska	Offutt Air Force Base	\$10,400,000
Nevada	Creech Air Force Base	\$2,700,000
New Mexico	Cannon Air Force Base	\$15,000,000
	Holloman Air Force Base	\$15,900,000
North Carolina	Pope Air Force Base	\$7,700,000
North Dakota	Grand Forks Air Force Base	\$12,000,000
	Minot Air Force Base	\$11,500,000
Ohio	Wright-Patterson Air Force Base	\$58,600,000
Oklahoma	Altus Air Force Base	\$20,300,000
	Tinker Air Force Base	\$13,037,000
	Vance Air Force Base	\$10,700,000
South Dakota	Ellsworth Air Force Base	\$14,500,000
Texas	Dyess Air Force Base	\$4,500,000
	Goodfellow Air Force Base	\$44,400,000
	Lackland Air Force Base	\$113,879,000
	Sheppard Air Force Base	\$11,600,000
Utah	Hill Air Force Base	\$21,053,000
Virginia	Langley Air Force Base	\$10,000,000
Washington	Fairchild Air Force Base	\$11,000,000
Wyoming	Francis E. Warren Air Force Base.	\$9,100,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Air Base	\$22,000,000
Colombia	Palanquero Air Base	\$46,000,000
Germany	Ramstein Air Base	\$34,700,000
	Spangdahlem Air Base	\$23,500,000
Guam	Andersen Air Force Base	\$58,202,000
Qatar	Al Udeid Air Base	\$60,000,000
Turkey	Incirlik Air Base	\$9,200,000

1 SEC. 2302. FAMILY HOUSING.

2 Using amounts appropriated pursuant to the author-
3 ization of appropriations in section 2304(5)(A), the Sec-
4 retary of the Air Force may carry out architectural and
5 engineering services and construction design activities
6 with respect to the construction or improvement of family
7 housing units in an amount not to exceed \$4,314,000.

**8 SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING
9 UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(5)(A), the
13 Secretary of the Air Force may improve existing military
14 family housing units in an amount not to exceed
15 \$61,787,000.

**16 SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR
17 FORCE.**

18 Funds are hereby authorized to be appropriated for
19 fiscal years beginning after September 30, 2009, for mili-
20 tary construction, land acquisition, and military family

1 housing functions of the Department of the Air Force in
2 the total amount of \$1,746,821,000, as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2301(a),
5 \$822,515,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2301(b),
8 \$253,602,000.

9 (3) For unspecified minor military construction
10 projects authorized by section 2805 of title 10,
11 United States Code, \$18,000,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$83,667,000.

15 (5) For military family housing functions:

16 (A) For construction and acquisition, plan-
17 ning and design, and improvement of military
18 family housing and facilities, \$66,101,000.

19 (B) For support of military family housing
20 (including functions described in section 2833
21 of title 10, United States Code), \$502,936,000.

22 **SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
23 **FISCAL YEAR 2007 PROJECTS.**

24 (a) **EXTENSION.**—Notwithstanding section 2701 of
25 the Military Construction Authorization Act for Fiscal

1 Year 2007 (division B of Public Law 109–364; 120 Stat.
 2 2463), authorizations set forth in the table in subsection
 3 (b), as provided in sections 2301 and 2302 of that Act,
 4 shall remain in effect until October 1, 2010, or the date
 5 of the enactment of an Act authorizing funds for military
 6 construction for fiscal year 2011, whichever is later.

7 (b) TABLE.—The table referred to in subsection (a)
 8 is as follows:

Air Force: Extension of 2007 Project Authorizations

State	Installation or Location	Project	Amount
Delaware	Dover Air Force Base ...	C-17 Aircrew Life Support	\$7,400,000
Idaho	Mountain Home Air Force Base	Replace Family Housing (457 units)	\$107,800,000

9 **SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 10 **FISCAL YEAR 2006 PROJECTS.**

11 (a) EXTENSION.—Notwithstanding section 2701 of
 12 the Military Construction Authorization Act for Fiscal
 13 Year 2006 (division B of Public Law 109–163; 119 Stat.
 14 3501), authorizations set forth in the table in subsection
 15 (b), as provided in section 2302 of that Act, shall remain
 16 in effect until October 1, 2010, or the date of the enact-
 17 ment of an Act authorizing funds for military construction
 18 for fiscal year 2011, whichever is later.

19 (b) TABLE.—The table referred to in subsection (a)
 20 is as follows:

Air Force: Extension of 2006 Project Authorizations

State/Country	Installation or Location	Project	Amount
Alaska	Eielson Air Force Base	Replace Family Housing (92 units)	\$37,650,000
	Eielson Air Force Base	Purchase Build/Lease Housing (300 Units)	\$18,144,000
North Dakota ..	Grand Forks Air Force Base	Replace Family Housing (150 Units)	\$43,353,000

1 **SEC. 2307. TEMPORARY PROHIBITION ON USE OF FUNDS**
2 **FOR MILITARY CONSTRUCTION IMPROVE-**
3 **MENTS, PALANQUERO AIR BASE, COLOMBIA.**

4 None of the funds authorized to be appropriated in
5 section 2304(2) may be obligated or expended for runway
6 and apron expansion or other military construction im-
7 provements at Palanquero Air Base, Colombia, until the
8 Secretary of Defense, in consultation with the Secretary
9 of State, certifies to the congressional defense committees
10 that negotiations between the United States Government
11 and the Government of Colombia have resulted in access
12 rights that will permit United States Southern Command
13 (SOUTHCOM) to perform adequately its mission.

1 **TITLE XXIV—DEFENSE**
 2 **AGENCIES**
 3 **Subtitle A—Defense Agency**
 4 **Authorizations**

5 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

7 (a) INSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropriations
 9 in section 2404(a)(1), the Secretary of Defense may
 10 acquire real property and carry out military construction
 11 projects for the installations or locations inside the United
 12 States, and in the amounts, set forth in the following
 13 table:

Defense Education Activity

State	Installation or Location	Amount
Georgia	Fort Benning	\$2,330,000
	Fort Stewart/Hunter Army Air Field	\$22,501,000
North Carolina	Fort Bragg	\$3,439,000

Defense Information Systems Agency

State	Installation or Location	Amount
Hawaii	Naval Station Pearl Harbor, Ford Island ...	\$9,633,000

Defense Logistics Agency

State	Installation or Location	Amount
California	El Centro	\$11,000,000
	Point Loma Annex	\$55,000,000
	Travis Air Force Base, California	\$15,357,000
Florida	Jacksonville International Airport (Air National Guard).	\$11,500,000
Minnesota	Duluth International Airport (Air National Guard).	\$15,000,000
Oklahoma	Altus Air Force Base	\$2,700,000
Texas	Fort Hood	\$3,000,000
Washington	Fairchild Air Force Base	\$7,500,000

Missile Defense Agency

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$12,000,000
Virginia	Naval Support Facility, Dahlgren	\$24,500,000

National Security Agency

State	Installation or Location	Amount
Maryland	Fort Meade	\$203,800,000

Special Operations Command

State	Installation or Location	Amount
California	Naval Amphibious Base, Coronado	\$15,722,000
Colorado	Fort Carson	\$48,246,000
Florida	Eglin Air Force Base	\$3,046,000
	Hurlburt Field	\$8,156,000
Georgia	Fort Benning	\$3,046,000
Kentucky	Fort Campbell	\$32,335,000
New Mexico	Cannon Air Force Base	\$52,864,000
North Carolina	Fort Bragg	\$101,488,000
	Marine Corps Base, Camp Lejeune	\$11,791,000
Virginia	Naval Amphibious Base, Little Creek	\$18,669,000
Washington	Fort Lewis	\$14,500,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Elmendorf Air Force Base	\$25,017,000
	Fort Richardson	\$3,518,000
Colorado	Fort Carson	\$31,900,000
Georgia	Fort Benning	\$17,200,000
	Fort Stewart/Hunter Army Air Field	\$22,200,000
Kentucky	Fort Campbell	\$8,600,000
Maryland	Fort Detrick	\$29,807,000
Missouri	Fort Leonard Wood	\$5,570,000
North Carolina	Fort Bragg	\$57,658,000
Oklahoma	Fort Sill	\$10,554,000
Texas	Lackland Air Force Base	\$470,318,000
	Fort Bliss	\$200,575,000
Washington	Fort Lewis	\$15,636,000

Washington Headquarters Services

State	Installation or Location	Amount
Virginia	Pentagon Reservation	\$27,672,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2404(a)(2), the Secretary of Defense may

1 acquire real property and carry out military construction
 2 projects for the installations or locations outside the
 3 United States, and in the amounts, set forth in the fol-
 4 lowing tables:

Defense Education Agency

Country	Installation or Location	Amount
Belgium	Brussels	\$38,124,000
Germany	Boeblingen	\$50,000,000
	Kaiserslautern	\$93,545,000
	Wiesbaden Air Base	\$5,379,000
United Kingdom	Royal Air Force Lakenheath	\$4,509,000

Defense Intelligence Agency

Country	Installation or Location	Amount
Korea	K-16 Airfield	\$5,050,000

Defense Logistics Agency

Country	Installation or Location	Amount
Cuba	Naval Air Station, Guantanamo Bay	\$12,500,000
Guam	Naval Air Station, Agana	\$4,900,000
Korea	Osan Air Base	\$28,000,000
United Kingdom ..	Royal Air Force Mildenhall	\$4,700,000

National Security Agency

Country	Installation or Location	Amount
United Kingdom ...	Royal Air Force Menwith Hill Station	\$37,588,000

TRICARE Management Activity

Country	Installation or Location	Amount
Guam	Naval Activities, Guam	\$446,450,000
United Kingdom ...	Royal Air Force Alconbury	\$14,227,000

5 **SEC. 2402. FAMILY HOUSING.**

6 Using amounts appropriated pursuant to the author-
 7 ization of appropriations in section 2405(a)(7), the Sec-
 8 retary of Defense may construct or acquire family housing
 9 units (including land acquisition and supporting facilities)

1 at the installation, in the number of units, and in the
 2 amount set forth in the following table:

Defense Logistics Agency: Family Housing

Location	Installation	Units	Amount
Pennsylvania	Cumberland Depot	6	\$2,859,000

3 **SEC. 2403. ENERGY CONSERVATION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
 5 ization of appropriations in section 2404(a)(6), the Sec-
 6 retary of Defense may carry out energy conservation
 7 projects under chapter 173 of title 10, United States
 8 Code, in the amount of \$123,013,000.

9 **SEC. 2404. AUTHORIZATION OF APPROPRIATIONS, DE-**
 10 **FENSE AGENCIES.**

11 (a) IN GENERAL.—Funds are hereby authorized to
 12 be appropriated for fiscal years beginning after September
 13 30, 2009, for military construction, land acquisition, and
 14 military family housing functions of the Department of
 15 Defense (other than the military departments) in the total
 16 amount of \$3,284,025,000, as follows:

17 (1) For military construction projects inside the
 18 United States authorized by section 2401(a),
 19 \$963,373,000.

20 (2) For military construction projects outside
 21 the United States authorized by section 2401(b),
 22 \$298,522,000.

1 (3) For unspecified minor military construction
2 projects under section 2805 of title 10, United
3 States Code, \$36,025,000.

4 (4) For contingency construction projects of the
5 Secretary of Defense under section 2804 of title 10,
6 United States Code, \$10,000,000.

7 (5) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$137,942,000.

10 (6) For energy conservation projects authorized
11 by section 2403 of this Act, \$123,013,000.

12 (7) For military family housing functions:

13 (A) For support of military family housing
14 (including functions described in section 2833
15 of title 10, United States Code), \$49,214,000.

16 (B) For construction and acquisition of
17 military family housing and facilities,
18 \$2,859,000.

19 (C) For the Homeowners Assistance Fund
20 established under section 1013 of the Dem-
21 onstration Cities and Metropolitan Development
22 Act of 1966 (42 U.S.C. 3374), \$373,225,000.

23 (D) For credit to the Department of De-
24 fense Family Housing Improvement Fund es-

1 tablished by section 2883(a)(1) of title 10,
2 United States Code, \$2,600,000.

3 (8) For the construction of increment 2 of re-
4 placement fuel storage facilities at Point Loma
5 Annex, California, authorized by section 2401(a) of
6 the Military Construction Authorization Act for Fis-
7 cal Year 2008 (division B of Public Law 110–181;
8 122 Stat. 521), \$92,300,000.

9 (9) For the construction of increment 3 of a
10 special operations facility at Dam Neck, Virginia,
11 authorized by section 2401(a) of the Military Con-
12 struction Authorization Act for Fiscal Year 2008
13 (division B of Public Law 110–181; 122 Stat. 521),
14 \$15,967,000.

15 (10) For the construction of increment 2 of the
16 USAMRICD replacement facility at Aberdeen Prov-
17 ing Ground, Maryland, authorized by section
18 2401(a) of the Military Construction Authorization
19 Act for Fiscal Year 2009 (division B of Public Law
20 110–417 122 Stat. 4689), \$111,400,000.

21 (11) For the construction of increment 4 of the
22 USAMRIID stage I facility at Fort Detrick, Mary-
23 land, authorized by section 2401(a) of the Military
24 Construction Authorization Act for Fiscal Year 2007

1 (division B of Public Law 109–364; 120 Stat.
2 2457), \$108,000,000.

3 (12) For the construction of fuel storage tanks
4 and pipeline replacement at Souda Bay, Greece, au-
5 thORIZED by section 2401(b) of the Military Con-
6 struction Authorization Act for Fiscal Year 2009
7 (division B of Public Law 110–417; 122 Stat.
8 4691), \$24,000,000.

9 (13) For the construction of the first increment
10 of the hospital replacement, Guam, authorized by
11 section 2401(b), \$200,000,000.

12 (14) For the construction of the first increment
13 of the Ambulatory Care Center at Lackland Air
14 Force Base, Texas, authorized by section 2401(a),
15 \$72,610,000.

16 (15) For the construction of the first increment
17 of the hospital replacement phase I at Fort Bliss,
18 Texas, authorized by section 2401(a), \$62,975,000.

19 (16) For the construction of increment 2 of the
20 Utah Data Center at Camp Williams, Utah, author-
21 ized in the Supplemental Appropriations Act, 2009
22 (Public Law 111–32), \$600,000,000.

23 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
24 PROJECTS.—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
2 of all projects carried out under section 2201 of this Act
3 may not exceed the sum of the following:

4 (1) The total amount authorized to be appro-
5 priated under paragraphs (1) and (2) of subsection
6 (a).

7 (2) \$200,000,000 (the balance of the amount
8 authorized by section 2401(b) for the hospital re-
9 placement, Guam).

10 (3) \$368,390,000 (the balance of the amount
11 authorized by section 2401(a) for the Ambulatory
12 Care Center at Lackland Air Force Base, Texas).

13 (4) \$820,000,000 (the balance of the amount
14 authorized in the Supplemental Appropriations Act,
15 2009 (Public Law 111–32) for the Utah Data Cen-
16 ter, Camp Williams, Utah).

17 (5) \$24,000,000 (the balance of the amount au-
18 thorized by section 2401(a) for the hospital replace-
19 ment phase I, Fort Bliss, Texas).

20 (6) \$290,000,000 (the balance of the amount
21 authorized by section 2401(a) of the Military Con-
22 struction Authorization Act for Fiscal Year 2009
23 (division B of Public Law 110–417; 122 Stat. 4689)
24 for the USAMRIID replacement facility at Aberdeen
25 Proving Ground, Maryland).

1 (7) \$47,000,000 (the balance of the amount au-
2 thorized by section 2401(a) of the Military Construc-
3 tion Authorization Act for Fiscal Year 2008 (divi-
4 sion B of Public Law 110–181; 122 Stat. 521), as
5 modified by section 2401(a) of this Act, for the re-
6 placement of fuel storage facilities at Point Loma
7 Annex, California).

8 **SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT**
9 **CERTAIN FISCAL YEAR 2008 PROJECT.**

10 (a) MODIFICATION.—The table relating to the De-
11 fense Logistics Agency in section 2401(a) of the Military
12 Construction Authorization Act for Fiscal Year 2008 (di-
13 vision B of Public Law 110–181; 122 Stat. 521) is amend-
14 ed in the item relating to Point Loma Annex, California,
15 by striking “\$140,000,000” in the amount column and in-
16 serting “\$195,000,000”.

17 (b) CONFORMING AMENDMENT.—Section 2403(b)(2)
18 of that Act (122 Stat. 524) is amended by striking
19 “\$84,300,000” and inserting “\$139,300,000”.

20 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
21 **CERTAIN FISCAL YEAR 2009 PROJECT.**

22 (a) MODIFICATION.—The table relating to the De-
23 fense Logistics Agency in section 2401(b) of the Military
24 Construction Authorization Act for Fiscal Year 2009 (di-
25 vision B of Public Law 110–417; 122 Stat. 4691) is

1 amended in the item relating to Souda Bay, Greece, by
2 striking “\$8,000,000” in the amount column and insert-
3 ing “\$32,000,000”.

4 (b) CONFORMING AMENDMENTS.—Section 2403 of
5 that Act (122 Stat. 4692) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2), by striking
8 “\$246,360,000” and inserting “\$238,360,000”;
9 and

10 (B) by adding at the end the following new
11 paragraph:

12 “(11) For construction of the first increment of
13 fuel storage tanks and pipeline replacement at
14 Souda Bay, Greece, \$8,000,000.”; and

15 (2) in subsection (b), by adding at the end the
16 following new paragraph:

17 “(5) \$24,000,000 (the balance of the amount
18 authorized for the Defense Logistics Agency under
19 section 2401(b) for fuel storage tanks and pipeline
20 replacement at Souda Bay, Greece).”.

21 **SEC. 2407. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
22 **FISCAL YEAR 2007 PROJECT.**

23 (a) EXTENSION.—Notwithstanding section 2701 of
24 the Military Construction Authorization Act for Fiscal
25 Year 2007 (division B of Public Law 109–364; 120 Stat.

1 2463), authorizations set forth in the table in subsection
 2 (b), as provided in section 2402 of that Act, shall remain
 3 in effect until October 1, 2010, or the date of the enact-
 4 ment of an Act authorizing funds for military construction
 5 for fiscal year 2011, whichever is later.

6 (b) TABLE.—The table referred to in subsection (a)
 7 is as follows:

**Defense Logistics Agency: Extension of 2007 Project
 Authorization**

State	Installation or Location	Project	Amount
Virginia	Defense Supply Center, Richmond.	Whole House Renovation.	\$484,000

8 **Subtitle B—Chemical**
 9 **Demilitarization Authorizations**

10 **SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEM-**
 11 **ICAL DEMILITARIZATION CONSTRUCTION,**
 12 **DEFENSE-WIDE.**

13 Funds are hereby authorized to be appropriated for
 14 fiscal years beginning after September 30, 2009, for mili-
 15 tary construction and land acquisition for chemical demili-
 16 tarization in the total amount of \$151,541,000, as follows:

17 (1) For the construction of phase 11 of a muni-
 18 tions demilitarization facility at Pueblo Chemical Ac-
 19 tivity, Colorado, authorized by section 2401(a) of the
 20 Military Construction Authorization Act for Fiscal
 21 Year 1997 (division B of Public Law 104–201; 110
 22 Stat. 2775), as amended by section 2406 of the Mili-

1 tary Construction Authorization Act for Fiscal Year
2 2000 (division B of Public Law 106–65; 113 Stat.
3 839), section 2407 of the Military Construction Au-
4 thorization Act for Fiscal Year 2003 (division B of
5 Public Law 107–314; 116 Stat. 2698), and section
6 2413 of the Military Construction Authorization Act
7 for Fiscal Year 2009 (division B of Public Law 110–
8 417; 122 Stat. 4697), \$92,500,000.

9 (2) For the construction of phase 10 of a muni-
10 tions demilitarization facility at Blue Grass Army
11 Depot, Kentucky, authorized by section 2401(a) of
12 the Military Construction Authorization Act for Fis-
13 cal Year 2000 (division B of Public Law 106–65;
14 113 Stat. 835), as amended by section 2405 of the
15 Military Construction Authorization Act for Fiscal
16 Year 2002 (division B of Public Law 107–107; 115
17 Stat. 1298), section 2405 of the Military Construc-
18 tion Authorization Act for Fiscal Year 2003 (divi-
19 sion B of Public Law 107–314; 116 Stat. 2698),
20 and section 2414 of the Military Construction Au-
21 thorization Act for Fiscal Year 2009 (division B of
22 Public Law 110–417; 122 Stat. 4697), \$59,041,000.

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION SE-**
3 **CURITY INVESTMENT PRO-**
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment Program as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2009, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment Program authorized by
22 section 2501, in the amount of \$276,314,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-
STRUCTION AND LAND ACQUISITION
PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(A), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Fort McClellan	\$3,000,000
Arizona	Camp Navajo	\$3,000,000
California	Fresno Yosemite International Airport	\$9,900,000
	Los Alamitos	\$31,000,000
Georgia	Fort Benning	\$15,500,000
Iowa	Johnston	\$4,000,000
Idaho	Gowen Field	\$16,100,000
Illinois	Milan	\$5,600,000
Indiana	Muscatatuck	\$10,100,000
Kansas	Salina Army National Guard Aviation Facility	\$2,227,000
Massachusetts	Hanscom Air Force Base	\$29,000,000
Minnesota	Arden Hills	\$6,700,000
	Camp Ripley	\$1,710,000
Missouri	Boonville	\$1,800,000
Mississippi	Camp Shelby	\$16,100,000
	Monticello	\$14,350,000
Nebraska	Lincoln	\$23,000,000
New Mexico	Santa Fe	\$39,000,000
Nevada	Carson City	\$2,000,000
	North Las Vegas	\$26,000,000
Oregon	Clatsop County, Warrenton	\$3,369,000
South Carolina	Eastover	\$26,000,000
	Greenville	\$40,000,000
South Dakota	Camp Rapid	\$9,840,000
Texas	Austin	\$22,200,000
Virginia	Fort Pickett	\$32,000,000
Vermont	Ethan Allen Firing Range	\$1,996,000
West Virginia	St. Albans Armory, St. Albans	\$2,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2606(1)(A), the Secretary of the Army
 4 may acquire real property and carry out military construc-
 5 tion projects for the Army National Guard locations out-
 6 side the United States, and in the amounts, set forth in
 7 the following table:

Army National Guard: Outside the United States

Territory or Common- wealth	Location	Amount
Guam	Barrigada	\$30,000,000
Virgin Islands	St. Croix	\$20,000,000

8 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 9 **AND LAND ACQUISITION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
 11 ization of appropriations in section 2606(1)(B), the Sec-
 12 retary of the Army may acquire real property and carry
 13 out military construction projects for the Army Reserve
 14 locations, and in the amounts, set forth in the following
 15 table:

Army Reserve

State	Location	Amount
California	Camp Pendleton	\$19,500,000
	Los Angeles	\$29,000,000
Colorado	Colorado Springs	\$13,000,000
Connecticut	Bridgeport	\$18,500,000
Florida	Panama City	\$7,300,000
	West Palm Beach	\$26,000,000
Georgia	Atlanta (Winder)	\$14,000,000
Illinois	Chicago (Joliet)	\$23,000,000
Minnesota	Fort Snelling (Minneapolis)	\$12,000,000
New York	Rochester	\$13,600,000
Ohio	Cincinnati	\$13,000,000
Pennsylvania	Ashley	\$9,800,000
	Harrisburg	\$7,600,000

Army Reserve—Continued

State	Location	Amount
Texas	Newton Square	\$20,000,000
	Uniontown	\$11,800,000
	Austin	\$20,000,000
	Fort Bliss	\$9,500,000
	Houston	\$24,000,000
	San Antonio (Fort Sam Houston)	\$20,000,000
Wisconsin	Fort McCoy	\$28,850,000
Puerto Rico	Caguas	\$12,400,000

1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
2 **CORPS RESERVE CONSTRUCTION AND LAND**
3 **ACQUISITION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
5 ization of appropriations in section 2606(2), the Secretary
6 of the Navy may acquire real property and carry out mili-
7 tary construction projects for the Navy Reserve and Ma-
8 rine Corps Reserve locations, and in the amounts, set forth
9 in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Arizona	Phoenix (Luke Air Force Base)	\$10,986,000
California	Alameda	\$5,960,000
Illinois	Joliet Army Ammunition Plant	\$7,957,000
South Carolina	Charleston	\$4,240,000
Virginia	Oceana Naval Air Station	\$30,400,000
Texas	San Antonio	\$2,210,000

10 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
11 **TION AND LAND ACQUISITION PROJECTS.**

12 Using amounts appropriated pursuant to the author-
13 ization of appropriations in section 2606(3)(A), the Sec-
14 retary of the Air Force may acquire real property and
15 carry out military construction projects for the Air Na-

1 tional Guard locations, and in the amounts, set forth in
 2 the following table:

Air National Guard

State	Location	Amount
Arizona	Davis Monthan Air Force Base	\$5,600,000
California	Southern California Logistics Airport ...	\$8,400,000
Colorado	Buckley Air National Guard Base	\$4,500,000
Connecticut	Bradley National Airport	\$9,100,000
Hawaii	Hickam Air Force Base	\$33,000,000
Iowa	Des Moines	\$4,600,000
Massachusetts	Otis Air National Guard Base	\$12,800,000
Maryland	Andrews Air Force Base	\$14,000,000
Maine	Bangor International Airport	\$28,000,000
Michigan	Alpena	\$8,900,000
	Battle Creek Air National Guard Base	\$14,000,000
	Selfridge Air National Guard Base	\$7,100,000
Minnesota	Minnesota/Saint Paul International Air- port	\$1,900,000
Missouri	Rosecrans Memorial Airport	\$9,300,000
Mississippi	Columbus Air Force Base	\$10,000,000
Montana	Malmstrom Air Force Base	\$9,600,000
Nebraska	Lincoln	\$1,500,000
New Hampshire	Pease Air National Guard Base	\$10,000,000
New Jersey	McGuire, Air Force Base	\$9,700,000
Nevada	Reno	\$10,800,000
Ohio	Mansfield Lahm Airport	\$11,400,000
Oklahoma	Will Rogers World Airport	\$7,300,000
South Carolina	McEntire Joint National Guard Base ...	\$1,300,000
South Dakota	Joe Foss Field	\$2,600,000
Tennessee	164th Airlift Wing, Memphis	\$9,800,000
Utah	Hill Air Force Base	\$5,100,000
Vermont	Burlington International Airport	\$6,000,000
Wisconsin	General Mitchell International Airport	\$5,000,000
West Virginia	Martinsburg	\$19,500,000
Wyoming	Cheyenne Airport	\$1,500,000

3 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 4 **TION AND LAND ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-
 6 ization of appropriations in section 2606(3)(B), the Sec-
 7 retary of the Air Force may acquire real property and
 8 carry out military construction projects for the Air Force
 9 Reserve locations, and in the amounts, set forth in the
 10 following table:

Air Force Reserve

State	Location	Amount
Colorado	Schriever Air Force Base	\$10,200,000
Mississippi	Keesler Air Force Base	\$9,800,000
New York	Niagra Falls Air Reserve Base	\$5,700,000
Pennsylvania	Pittsburgh Air Reserve Base	\$12,400,000
Texas	Lackland Air Force Base	\$1,500,000
Utah	Hill Air Force Base	\$3,200,000

1 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, GUARD**
2 **AND RESERVE.**

3 Funds are hereby authorized to be appropriated for
4 fiscal years beginning after September 30, 2009, for the
5 costs of acquisition, architectural and engineering services,
6 and construction of facilities for the Guard and Reserve
7 Forces, and for contributions therefor, under chapter
8 1803 of title 10, United States Code (including the cost
9 of acquisition of land for those facilities), in the following
10 amounts:

11 (1) For the Department of the Army—

12 (A) for the Army National Guard of the
13 United States, \$481,773,000; and

14 (B) for the Army Reserve, \$378,712,000.

15 (2) For the Department of the Navy, for the
16 Navy and Marine Corps Reserve, \$64,124,000.

17 (3) For the Department of the Air Force—

18 (A) for the Air National Guard of the
19 United States, \$301,361,000; and

20 (B) for the Air Force Reserve,
21 \$45,576,000.

1 **SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2007 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2007 (division B of Public Law 109–364; 120 Stat.
 6 2463), the authorizations set forth in the table in sub-
 7 section (b), as provided in section 2601 of that Act, shall
 8 remain in effect until October 1, 2010, or the date of the
 9 enactment of an Act authorizing funds for military con-
 10 struction for fiscal year 2011, whichever is later.

11 (b) TABLE.—The table referred to in subsection (a)
 12 is as follows:

Army National Guard: Extension of 2007 Project Authorizations

State	Installation or Location	Project	Amount
California	Fresno	AVCRAD Add/Alt, PH I.	\$30,000,000
New Jersey	Lakehurst	Consolidated Logis- tics Training Facil- ity, PH II.	\$20,024,000

13 **SEC. 2608. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 14 **FISCAL YEAR 2006 PROJECT.**

15 (a) EXTENSION.—Notwithstanding section 2701 of
 16 the Military Construction Authorization Act for Fiscal
 17 Year 2006 (division B of Public Law 109–163; 119 Stat.
 18 3501), authorizations set forth in the table in subsection
 19 (b), as provided in section 2601 of that Act, shall remain
 20 in effect until October 1, 2010, or the date of the enact-

1 ment of an Act authorizing funds for military construction
 2 for fiscal year 2011, whichever is later.

3 (b) TABLE.—The table referred to in subsection (a)
 4 is as follows:

Army National Guard: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
Montana	Townsend	Automated Qualification Training Range.	\$2,532,000

5 **TITLE XXVII—BASE CLOSURE**
 6 **AND REALIGNMENT ACTIVITIES**

7 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
 8 **BASE CLOSURE AND REALIGNMENT ACTIVI-**
 9 **TIES FUNDED THROUGH DEPARTMENT OF**
 10 **DEFENSE BASE CLOSURE ACCOUNT 1990.**

11 Funds are hereby authorized to be appropriated for
 12 fiscal years beginning after September 30, 2009, for base
 13 closure and realignment activities, including real property
 14 acquisition and military construction projects, as author-
 15 ized by the Defense Base Closure and Realignment Act
 16 of 1990 (part A of title XXIX of Public Law 101–510;
 17 10 U.S.C. 2687 note) and funded through the Department
 18 of Defense Base Closure Account 1990 established by sec-
 19 tion 2906 of such Act, in the total amount of
 20 \$396,768,000.

1 **SEC. 2702. AUTHORIZED BASE CLOSURE AND REALIGN-**
2 **MENT ACTIVITIES FUNDED THROUGH DE-**
3 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
4 **COUNT 2005.**

5 Using amounts appropriated pursuant to the author-
6 ization of appropriations in section 2703, the Secretary
7 of Defense may carry out base closure and realignment
8 activities, including real property acquisition and military
9 construction projects, as authorized by the Defense Base
10 Closure and Realignment Act of 1990 (part A of title
11 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and
12 funded through the Department of Defense Base Closure
13 Account 2005 established by section 2906A of such Act,
14 in the amount of \$5,934,740,000.

15 **SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR**
16 **BASE CLOSURE AND REALIGNMENT ACTIVI-**
17 **TIES FUNDED THROUGH DEPARTMENT OF**
18 **DEFENSE BASE CLOSURE ACCOUNT 2005.**

19 Funds are hereby authorized to be appropriated for
20 fiscal years beginning after September 30, 2008, for base
21 closure and realignment activities, including real property
22 acquisition and military construction projects, as author-
23 ized by the Defense Base Closure and Realignment Act
24 of 1990 (part A of title XXIX of Public Law 101–510;
25 10 U.S.C. 2687 note) and funded through the Department
26 of Defense Base Closure Account 2005 established by sec-

1 tion 2906A of such Act, in the total amount of
2 \$7,479,498,000.

3 **SEC. 2704. REPORT ON GLOBAL DEFENSE POSTURE RE-**
4 **ALIGNMENT AND INTERAGENCY REVIEW.**

5 (a) INTERAGENCY REVIEW OF OVERSEAS MASTER
6 PLANS.—At the same time that the budget is submitted
7 under section 1105(a) of title 31, United States Code, for
8 a fiscal year, the Secretary of Defense shall submit to the
9 congressional defense committees a report on the status
10 of overseas base closure and realignment actions under-
11 taken as part of a global defense posture realignment
12 strategy and the status of development and execution of
13 comprehensive master plans for overseas military main op-
14 erating bases, forward operating sites, and cooperative se-
15 curity locations. In addition, the Secretary of Defense
16 shall include in the report any comments resulting from
17 an interagency review of these plans that includes the De-
18 partment of State and other Federal departments and
19 agencies that the Secretary of Defense deems necessary
20 for national security.

21 (b) INTERAGENCY OVERSEAS BASING REPORT.—
22 Section 118 of title 10, United States Code, is amended
23 by adding at the end the following new subsection:

24 “(h) INTERAGENCY OVERSEAS BASING REPORT.—
25 Not later than 90 days after submitting a report on a

1 quadrennial defense review under subsection (d), the Sec-
2 retary shall submit to the congressional defense commit-
3 tees a report detailing how the results of the assessment
4 conducted as part of such review will impact the status
5 of overseas base closure and realignment actions under-
6 taken as part of a global defense posture realignment
7 strategy and the status of development and execution of
8 comprehensive master plans for overseas military main op-
9 erating bases, forward operating sites, and cooperative se-
10 curity locations of the global defense posture of the United
11 States. The report shall include any recommendations for
12 additional closures or realignments of military installa-
13 tions outside of the United States. The report shall include
14 any comments resulting from an interagency review of
15 these plans that includes the Department of State and
16 other relevant Federal departments and agencies.”.

17 **SEC. 2705. SENSE OF THE SENATE ON NEED FOR COMMU-**
18 **NITY ASSISTANCE RELATED TO BASE CLO-**
19 **SURES AND REALIGNMENTS AND FORCE**
20 **REPOSITIONING.**

21 (a) FINDINGS.—The Senate makes the following
22 findings:

23 (1) The 2005 round of defense base closures
24 and realignments (BRAC) has resulted in a require-
25 ment to dispose of excess Federal property in addi-

1 tion to property determined to be excess as the re-
2 sult of decisions in four previous rounds of base re-
3 alignments and closures in 1988, 1991, 1993, and
4 1995.

5 (2) The Department of Defense has primary re-
6 sponsibility to dispose of Federal property resulting
7 from the closure or realignment of military installa-
8 tions under the Defense Base Closure and Realign-
9 ment Act of 1990 (part A of title XXIX of Public
10 Law 101–510; 10 U.S.C. 2687 note).

11 (3) The Department of Defense is authorized to
12 dispose of BRAC property using a range of methods
13 including administrative transfer to another Federal
14 agency, public benefit conveyances, homeless housing
15 assistance, economic development conveyances, nego-
16 tiated sales, or public sales.

17 (4) The Department of Defense is authorized to
18 convey property to local redevelopment agencies rep-
19 resenting communities affected by base closures and
20 realignments for the purpose of economic develop-
21 ment.

22 (5) The Department of Defense is authorized to
23 assess the needs of the local community and the in-
24 tended use of the property in determining the

1 amount of compensation to be received in exchange
2 for the economic development conveyance.

3 (6) The Department of Defense is authorized to
4 receive an amount for the economic development
5 conveyance that may range from fair market value
6 to an amount less than fair market, to no cost to the
7 conveyee, depending on the local economic condi-
8 tions.

9 (7) The Department of Defense is required to
10 use any monetary proceeds gained from the disposal
11 of BRAC property to fund environmental clean-up,
12 remediation, and compliance actions required to
13 safely dispose of BRAC property.

14 (8) Any revenue foregone as a result of a deci-
15 sion not to seek fair market value for disposed prop-
16 erty must be compensated with appropriated funds
17 requested by the Department of Defense in annual
18 budget submissions to Congress.

19 (b) SENSE OF THE SENATE.—It is the sense of the
20 Senate that, as the Federal Government implements base
21 closures and realignments, global repositioning, and grow
22 the force initiatives, it is necessary—

23 (1) to assist local communities coping with the
24 impact of these programs at both closed and active
25 military installations; and

1 (2) to comprehensively assess the needs and de-
2 gree of Federal assistance to communities to effec-
3 tively implement the various initiatives of the De-
4 partment of Defense while aiding communities to ei-
5 ther recover quickly from closures or to accommo-
6 date growth associated with troop influxes.

7 **SEC. 2706. RELOCATION OF CERTAIN ARMY RESERVE**
8 **UNITS IN CONNECTICUT.**

9 The Secretary of the Army may use funds appro-
10 priated pursuant to the authorization of appropriations in
11 section 2703 for the purpose of constructing an Army Re-
12 serve Center and Maintenance Facility in the vicinity of
13 Newtown, Connecticut, at a location determined by the
14 Secretary to be in the best interest of national security
15 and in the public interest.

16 **TITLE XXVIII—MILITARY CON-**
17 **STRUCTION GENERAL PROVI-**
18 **SIONS**

19 **SEC. 2801. MILITARY CONSTRUCTION AND LAND ACQUI-**
20 **SION PROJECTS AUTHORIZED BY AMERICAN**
21 **RECOVERY AND REINVESTMENT ACT OF 2009.**

22 (a) AUTHORIZED ARMY CONSTRUCTION AND LAND
23 ACQUISITION PROJECTS.—Using amounts appropriated
24 by title X of the American Recovery and Reinvestment Act
25 of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary

1 of the Army may acquire real property and carry out mili-
 2 tary construction projects for the installations or locations
 3 inside the United States, and in the amounts, set forth
 4 in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Colorado	Fort Carson	\$12,500,000
Georgia	Fort Stewart (Hunter Army Airfield)	\$8,600,000
Kentucky	Fort Campbell	\$43,000,000
North Carolina	Fort Bragg	\$11,300,000
New York	Fort Drum	\$10,700,000
Texas	Fort Bliss	\$57,000,000
	Fort Hood	\$12,700,000
Virginia	Fort Belvoir	\$14,600,000
	Fort Eustis	\$9,600,000

5 (b) AUTHORIZED NAVY CONSTRUCTION AND LAND
 6 ACQUISITION PROJECTS.—Using amounts appropriated
 7 by title X of the American Recovery and Reinvestment Act
 8 of 2009 (Public Law 111–5; 123 Stat. 191), the Secretary
 9 of the Navy may acquire real property and carry out mili-
 10 tary construction projects for the installations or locations
 11 inside the United States, and in the amounts, set forth
 12 in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Base Camp Pendleton	\$35,052,000
	Naval Air Station Lemoore	\$7,793,000
	Naval Base Coronado	\$88,576,000
	Naval Base Point Loma	\$11,844,000
Florida	Naval Station Mayport	\$10,220,000
Hawaii	Marine Corps Base Hawaii	\$19,360,000
Maryland	Naval Support Activity Annapolis	\$1,994,000
	Naval Surface Warfare Center Carderock ...	\$1,253,000
North Carolina	Marine Corps Air Station New River	\$3,039,000
	Marine Corps Base Camp Lejeune	\$13,779,000
Tennessee	Naval Support Activity Mid-South	\$11,960,000
Virginia	Hampton Roads	\$26,098,000
	Naval Station Norfolk	\$24,647,000
Washington	Naval Air Station Whidbey Island	\$20,054,000
Various	Various Locations	\$4,331,000

1 (c) AUTHORIZED AIR FORCE CONSTRUCTION AND
 2 LAND ACQUISITION PROJECTS.—Using amounts appro-
 3 priated by title X of the American Recovery and Reinvest-
 4 ment Act of 2009 (Public Law 111–5; 123 Stat. 191),
 5 the Secretary of the Air Force may acquire real property
 6 and carry out military construction projects for the instal-
 7 lations or locations inside the United States, and in the
 8 amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$53,900,000
Alabama	Birmingham	\$2,300,000
Arkansas	Fort Smith	\$7,800,000
Colorado	Peterson Air Force Base	\$11,200,000
Florida	Hurlburt Field	\$11,000,000
Georgia	Moody Air Force Base	\$11,400,000
Iowa	Des Moines	\$6,000,000
Kansas	Forbes	\$4,100,000
Maryland	Andrews Air Force Base	\$8,000,000
Mississippi	Keesler Air Force Base	\$20,800,000
Montana	Malmstrom Air Force Base	\$26,200,000
North Dakota	Minot Air Force Base	\$28,300,000
New Jersey	Atlantic City	\$4,300,000
New Mexico	Cannon Air Force Base	\$12,000,000
Nevada	Nellis Air Force Base	\$13,400,000
Pennsylvania	Fort Indian Town Gap	\$7,000,000
South Carolina	Shaw Air Force Base	\$22,500,000
Texas	Goodfellow Air Force Base	\$28,400,000
	Lackland Air Force Base	\$6,000,000
Utah	Hill Air Force Base	\$15,000,000
	Salt Lake City	\$5,100,000
Wisconsin	General Mitchell	\$1,100,000
West Virginia	Eastern West Virginia Regional Airport	\$4,300,000

9 (d) AUTHORIZED DEFENSE-WIDE CONSTRUCTION
 10 AND LAND ACQUISITION PROJECTS.—Using amounts ap-
 11 propriated by title X of the American Recovery and Rein-
 12 vestment Act of 2009 (Public Law 111–5; 123 Stat. 191),
 13 the Secretary of Defense may acquire real property and
 14 carry out military construction projects for the installa-

1 tions or locations inside the United States, and in the
2 amounts, set forth in the following table:

Defense-wide: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	\$563,100,000
Florida	Naval Airt Station Jacksonville	\$27,210,000
Texas	Fort Hood	\$621,000,000
Various	Various Locations	\$118,690,000

3 (e) AUTHORIZED ARMY NATIONAL GUARD AND RE-
4 SERVE PROJECTS.—

5 (1) AUTHORIZED CONSTRUCTION AND LAND AC-
6 QUISSION PROJECTS.—Using amounts appropriated
7 by title X of the American Recovery and Reinvest-
8 ment Act of 2009 (Public Law 111–5; 123 Stat.
9 191), the Secretary of the Army may acquire real
10 property and carry out military construction projects
11 for the Army National Guard and Army Reserve lo-
12 cations, and in the amounts, set forth in the fol-
13 lowing table:

Army National Guard and Reserve: Inside the United States

State	Installation or Location	Amount
California	Mather Air Field	\$1,500,000
Nevada	Hawthorne Army Depot	\$950,000
North Carolina	Raleigh	\$39,500,000
Nebraska	Camp Ashland	\$2,900,000
New York	Brooklyn (Fort Hamilton)	\$1,500,000
Oregon	Camp Withycombe	\$1,300,000
West Virginia	Gassaway	\$3,300,000

14 (2) AUTHORIZED FAMILY HOUSING.—Using
15 amounts appropriated by title X of the American
16 Recovery and Reinvestment Act of 2009 (Public
17 Law 111–5; 123 Stat. 191), the Secretary of the

1 Army may construct or acquire family housing units
 2 (including land acquisition and supporting facilities)
 3 at the Army National Guard and Army Reserve lo-
 4 cations, in the number of units, and in the amounts,
 5 set forth in the following table:

Army National Guard and Reserve: Family Housing

State	Installation or Location	Units	Amount
California	Fort Hunter-Liggett	5	\$2,370,000
	Sierra Army Depot	1	\$707,000
Illinois	Rock Island	2	\$930,000
Oklahoma	McAlester Army Depot	6	\$2,200,000
Pennsylvania	Letterkenny Army Depot.	3	\$1,050,000
	Tobyhanna	2	\$1,000,000
Utah	Dugway Proving Grounds.	20	\$10,000,000
Virginia	Radford Army Ammunition Plant.	4	\$1,300,000
Wisconsin	Fort McCoy	23	\$14,000,000

6 **Subtitle A—Military Construction**
 7 **Program and Military Family**
 8 **Housing Changes**

9 **SEC. 2811. EXTENSION OF AUTHORITY TO USE OPERATION**
 10 **AND MAINTENANCE FUNDS FOR CONSTRUC-**
 11 **TION PROJECTS INSIDE THE UNITED STATES**
 12 **CENTRAL COMMAND AND UNITED STATES AF-**
 13 **RICA COMMAND AREAS OF RESPONSIBILITY.**

14 Section 2808 of the Military Construction Authoriza-
 15 tion Act for Fiscal Year 2004 (division B of Public Law
 16 108–136; 117 Stat. 1723), as amended by section 2810
 17 of the Military Construction Authorization Act for Fiscal
 18 Year 2005 (division B of Public Law 108–375; 118 Stat.

1 2128), section 2809 of the Military Construction Author-
2 ization Act for Fiscal Year 2006 (division B of Public Law
3 109–163; 119 Stat. 3508), section 2802 of the Military
4 Construction Authorization Act for Fiscal Year 2007 (di-
5 vision B of Public Law 109–364; 120 Stat. 2466), section
6 2801 of the Military Construction Authorization Act for
7 Fiscal Year 2008 (division B of Public Law 110–181; 122
8 Stat. 538), and section 2806 of the Military Construction
9 Authorization Act for Fiscal Year 2009 (division B of
10 Public Law 110–417; 122 Stat. 4724) is further amend-
11 ed—

12 (1) in subsection (a), by striking “2009” and
13 inserting “2010”; and

14 (2) in subsection (c)(2), by inserting “or fiscal
15 year 2010” after “fiscal year 2009”.

16 **SEC. 2812. MODIFICATION OF AUTHORITY FOR SCOPE OF**
17 **WORK VARIATIONS.**

18 Section 2853 of title 10, United States Code, is
19 amended—

20 (1) in subsection (b)—

21 (A) by striking “Except as provided in
22 subsection (c)” and inserting “(1) Except as
23 provided in subsection (c)”;

24 (B) by striking “may be reduced by not
25 more than 25 percent from the amount ap-

1 proved for that project, construction, improve-
2 ment, or acquisition by Congress.” and insert-
3 ing “may be reduced by not more than 25 per-
4 cent from the amount specified for that project,
5 construction, improvement, or acquisition in the
6 justification data provided to Congress as part
7 of the request for authorization of the project,
8 construction, improvement, or acquisition.”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(2) The scope of work for a military construction
12 project or for the construction, improvement, and acquisi-
13 tion of a military family housing project may not be in-
14 creased above the amount specified for that project, con-
15 struction, improvement, or acquisition in the justification
16 data provided to Congress as part of the request for au-
17 thorization of the project, construction, improvement, or
18 acquisition.”; and

19 (2) in subsection (c), by striking “limitation on
20 scope reduction in subsection (b)” and inserting
21 “limitation on scope reduction in subsection (b)(1)”.

1 **SEC. 2813. MODIFICATION OF CONVEYANCE AUTHORITY AT**
2 **MILITARY INSTALLATIONS.**

3 (a) LIMITED PURPOSES FOR WHICH REAL PROP-
4 erty MAY BE CONVEYED.—Section 2869 of title 10,
5 United States Code, is amended—

6 (1) in the section heading, by striking “**to**
7 **support military construction or limit en-**
8 **croachment**” and inserting “**to limit en-**
9 **croachment**”;

10 (2) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) by striking “agrees, in exchange
13 for the real property—” and all that fol-
14 lows through “to carry out a military con-
15 struction project or land acquisition” and
16 inserting “agrees, in exchange for the real
17 property, to carry out a land acquisition”;

18 (ii) by striking “; or” and inserting a
19 period; and

20 (iii) by striking subparagraph (B);
21 and

22 (B) by striking paragraph (3);

23 (3) in subsection (b), by striking “fair market
24 value of the military construction, military family
25 housing, or military unaccompanied housing” both

1 places it appears and inserting “fair market value of
2 the land”;

3 (4) by amending subsection (c) to read as fol-
4 lows:

5 “(c) LIMITATION ON USE OF CONVEYANCE AUTHOR-
6 ITY AT INSTALLATIONS CLOSED UNDER BASE CLOSURE
7 LAWS.—The authority under subsection (a)(2)(A) to con-
8 vey property located on a military installation may only
9 be used to the extent the conveyance is consistent with
10 an approved redevelopment plan for such installation.”;
11 and

12 (5) in subsection (d)(2)(A), by striking “mili-
13 tary construction project, land acquisition, military
14 family housing, or military unaccompanied housing”
15 both places it appears and inserting “land acquisi-
16 tion”.

17 (b) REQUIREMENT TO DEPOSIT FUNDS IN FOREIGN
18 CURRENCY FLUCTUATIONS, CONSTRUCTION, DEFENSE
19 ACCOUNT.—Subsection (e) of such section is amended by
20 striking “(1) Except as provided in paragraph (2), the
21 Secretary concerned may deposit funds” and all that fol-
22 lows through “funds deposited under paragraph (2) shall
23 be available” in paragraph (3) and inserting “The Sec-
24 retary concerned shall deposit funds received under sub-
25 section (b) in the appropriation ‘Foreign Currency Fluc-

1 tuations, Construction, Defense'. The funds deposited
2 shall be available”.

3 (c) **ELIMINATION OF ANNUAL REPORT REQUIRE-**
4 **MENT; SUNSET.**—Subsection (f) of such section is amend-
5 ed to read as follows:

6 “(f) **SUNSET.**—The authority to enter into an agree-
7 ment under this section shall expire on September 30,
8 2013.”.

9 (d) **CLERICAL AMENDMENT.**—The item relating to
10 such section in the table of sections at the beginning of
11 chapter 169 of such title is amended to read as follows:
“2869. Conveyance of property at military installations to limit encroachment.”.

12 **SEC. 2814. TWO-YEAR EXTENSION OF AUTHORITY FOR**
13 **PILOT PROJECTS FOR ACQUISITION OR CON-**
14 **STRUCTION OF MILITARY UNACCOMPANIED**
15 **HOUSING.**

16 Section 2881a of title 10, United States Code, is
17 amended by striking “2009” and inserting “2011”.

18 **Subtitle B—Energy Security**

19 **SEC. 2821. REPORT ON DEPARTMENT OF DEFENSE EF-**
20 **FORTS TOWARD INSTALLATION OF SOLAR**
21 **PANELS AND OTHER RENEWABLE ENERGY**
22 **PROJECTS ON MILITARY INSTALLATIONS.**

23 (a) **REPORT REQUIRED.**—Not later than 180 days
24 after the date of the enactment of this Act, the Secretary
25 of Defense shall submit to the congressional defense com-

1 mitted a report that describes and assesses current De-
 2 partment of Defense efforts toward the installation of
 3 solar panels and other renewable energy projects on mili-
 4 tary installations and facilities.

5 (b) ELEMENTS.—The report required by subsection
 6 (a) shall set forth the following:

7 (1) A description and assessment of the status
 8 of current Department efforts toward the installa-
 9 tion of solar panels and other renewable energy
 10 projects on military installations and facilities.

11 (2) A description of any legislative, administra-
 12 tive, or other impediments to such efforts.

13 (3) Such recommendations for legislative or ad-
 14 ministrative action as the Secretary considers appro-
 15 priate for purposes of—

16 (A) furthering such efforts; and

17 (B) achieving the renewable energy goals
 18 of the Department by 2025.

19 (4) Such other matters as the Secretary con-
 20 siders appropriate.

21 **Subtitle C—Land Conveyances**

22 **SEC. 2831. LAND CONVEYANCE, NAVAL AIR STATION** 23 **OCEANA, VIRGINIA.**

24 (a) CONVEYANCE AUTHORIZED.—The Secretary of
 25 the Navy may convey to the City of Virginia Beach, Vir-

1 ginia (in this section referred to as the “City”), all right,
2 title, and interest of the United States in and to a parcel
3 of real property, including any improvements thereon, con-
4 sisting of approximately 2.4 acres at Naval Air Station,
5 Oceana, Virginia, for the purpose of permitting the City
6 to expand services to support the Marine Animal Care
7 Center.

8 (b) CONSIDERATION.—As consideration for the con-
9 veyance under subsection (a), the City shall provide com-
10 pensation to the Secretary of the Navy in an amount equal
11 to the fair market value of the real property conveyed
12 under such subsection, as determined by appraisals ac-
13 ceptable to the Secretary.

14 (c) DESCRIPTION OF PROPERTY.—The exact acreage
15 and legal description of the real property to be exchanged
16 under this section shall be determined by surveys satisfac-
17 tory to the Secretary.

18 (d) PAYMENT OF COSTS OF CONVEYANCES.—

19 (1) PAYMENT REQUIRED.—The Secretary shall
20 require the City to cover costs to be incurred by the
21 Secretary, or to reimburse the Secretary for costs in-
22 curred by the Secretary, to carry out the conveyance
23 under this section, including survey costs related to
24 the conveyance. If amounts are collected from the
25 City in advance of the Secretary incurring the actual

1 costs, and the amount collected exceeds the costs ac-
2 tually incurred by the Secretary to carry out the
3 conveyance, the Secretary shall refund the excess
4 amount to the City.

5 (2) TREATMENT OF AMOUNTS RECEIVED.—
6 Amounts received under paragraph (1) as reim-
7 bursement for costs incurred by the Secretary to
8 carry out the conveyance under this section shall be
9 credited to the fund or account that was used to
10 cover the costs incurred by the Secretary in carrying
11 out the conveyance. Amounts so credited shall be
12 merged with amounts in such fund or account and
13 shall be available for the same purposes, and subject
14 to the same conditions and limitations, as amounts
15 in such fund or account.

16 (e) ADDITIONAL TERMS AND CONDITIONS.—The
17 Secretary may require such additional terms and condi-
18 tions in connection with the conveyance under this section
19 as the Secretary considers appropriate to protect the inter-
20 ests of the United States.

1 **TITLE XXIX—OVERSEAS CONTIN-**
 2 **GENCY OPERATIONS MILI-**
 3 **TARY CONSTRUCTION AU-**
 4 **THORIZATIONS**

5 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

7 (a) OUTSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in subsection (b)(1), the Secretary of the Army may
 10 acquire real property and carry out military construction
 11 projects to construct or renovate warrior transition unit
 12 facilities at the installations or locations outside the
 13 United States set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Various	Various locations	\$854,600,000

14 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds
 15 are hereby authorized to be appropriated for fiscal years
 16 beginning after September 30, 2009, for military con-
 17 struction, land acquisition, and military family housing
 18 functions of the Department of the Army in the total
 19 amount of \$930,484,000, as follows:

20 (1) For military construction projects outside
 21 the United States authorized by subsection (a),
 22 \$854,600,000.

1 (2) For architectural and engineering services
 2 and construction design under section 2807 of title
 3 10, United States Code, \$75,884,000.

4 (c) REPORT REQUIRED BEFORE COMMENCING CER-
 5 TAIN PROJECTS.—Funds may not be obligated for the
 6 projects authorized by this section until 14 days after the
 7 date on which the Secretary of Defense submits to the
 8 congressional defense committees a report containing a de-
 9 tailed justification for the projects.

10 **SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 11 **LAND ACQUISITION PROJECTS.**

12 (a) OUTSIDE THE UNITED STATES.—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in subsection (b)(1), the Secretary of the Air Force
 15 may acquire real property and carry out military construc-
 16 tion projects to construct or renovate warrior transition
 17 unit facilities at the installations or locations outside the
 18 United States set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Various	Various locations	\$439,500,000

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Subject
 20 to section 2825 of title 10, United States Code, funds are
 21 hereby authorized to be appropriated for fiscal years be-
 22 ginning after September 30, 2009, for military construc-
 23 tion, land acquisition, and military family housing func-

1 tions of the Department of the Air Force in the total
2 amount of \$474,500,000, as follows:

3 (1) For military construction projects outside
4 the United States authorized by subsection (a),
5 \$439,500,000.

6 (2) For architectural and engineering services
7 and construction design under section 2807 of title
8 10, United States Code, \$35,000,000.

9 (c) REPORT REQUIRED BEFORE COMMENCING CER-
10 TAIN PROJECTS.—Funds may not be obligated for the
11 projects authorized by this section until 14 days after the
12 date on which the Secretary of Defense submits to the
13 congressional defense committees a report containing a de-
14 tailed justification for the projects.

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2010 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs necessary for national security in the
17 amount of \$10,051,215,000, to be allocated as follows:

18 (1) For weapons activities, \$6,490,619,000.

19 (2) For defense nuclear nonproliferation activi-
20 ties, including \$705,900,000 for fissile materials dis-
21 position, \$2,136,709,000.

22 (3) For naval reactors, \$1,003,133,000.

23 (4) For the Office of the Administrator for Nu-
24 clear Security, \$420,754,000.

1 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
2 From funds referred to in subsection (a) that are available
3 for carrying out plant projects, the Secretary of Energy
4 may carry out new plant projects for the National Nuclear
5 Security Administration as follows:

6 (1) For readiness in technical base and facili-
7 ties, the following new plant project:

8 Project 10–D–501, Nuclear Facility Risk
9 Reduction (NFRR), Y–12 National Security
10 Complex, Oak Ridge, Tennessee, \$12,500,000.

11 (2) For defense nuclear security, the following
12 new plant project:

13 Project 10–D–701, Security Improvement
14 Project (SIP), Y–12 National Security Com-
15 plex, Oak Ridge, Tennessee, \$49,000,000.

16 (3) For naval reactors, the following new plant
17 projects:

18 Project 10–D–904, Naval Reactors Facility
19 (NRF) infrastructure upgrades, Naval Reactors
20 Facility, Idaho Falls, Idaho, \$700,000.

21 Project 10–D–903, Security upgrades,
22 Knolls Atomic Power Laboratory, Knolls Site
23 and Kesselring Site, Schenectady, New York,
24 \$1,500,000.

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 Funds are hereby authorized to be appropriated to
3 the Department of Energy for fiscal year 2010 for defense
4 environmental cleanup activities in carrying out programs
5 necessary for national security in the amount of
6 \$5,395,831,000.

7 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

8 Funds are hereby authorized to be appropriated to
9 the Department of Energy for fiscal year 2010 for other
10 defense activities in carrying out programs necessary for
11 national security in the amount of \$852,468,000.

12 **SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

13 Funds are hereby authorized to be appropriated to
14 the Department of Energy for fiscal year 2010 for defense
15 nuclear waste disposal for payment to the Nuclear Waste
16 Fund established in section 302(c) of the Nuclear Waste
17 Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount
18 of \$98,400,000.

19 **SEC. 3105. FUNDING TABLE.**

20 The amounts authorized to be appropriated by sec-
21 tions 3101, 3102, 3103, and 3104 shall be available, in
22 accordance with the requirements of section 4001, for
23 projects, programs, and activities, and in the amounts,
24 specified in the funding table in section 4501.

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, and Limita-**
3 **tions**

4 **SEC. 3111. NUCLEAR WEAPONS STOCKPILE LIFE EXTEN-**
5 **SION PROGRAM.**

6 Section 4204 of the Atomic Energy Defense Act (50
7 U.S.C. 2524) is amended to read as follows:

8 **“SEC. 4204. NUCLEAR WEAPONS STOCKPILE LIFE EXTEN-**
9 **SION PROGRAM.**

10 “(a) PROGRAM REQUIRED.—The Secretary of En-
11 ergy shall, in consultation with the Secretary of Defense,
12 carry out a program to provide for the extension of the
13 effective life of the weapons in the nuclear weapons stock-
14 pile without nuclear weapons testing.

15 “(b) ADMINISTRATIVE RESPONSIBILITY FOR PRO-
16 GRAM.—

17 “(1) IN GENERAL.—The program under sub-
18 section (a) shall be carried out through the National
19 Nuclear Security Administration.

20 “(2) INCLUSION OF PROGRAM FUNDS IN BUDG-
21 ET.—For each budget submitted by the President to
22 Congress under section 1105 of title 31, United
23 States Code, the amounts requested for the program
24 under subsection (a) shall be clearly identified in the

1 budget justification materials submitted to Congress
2 in support of that budget.

3 “(c) PROGRAM PLAN.—As part of the program under
4 subsection (a), the Secretary of Energy shall develop a
5 long-term plan to extend the effective life of the weapons
6 in the nuclear weapons stockpile without nuclear weapons
7 testing. The plan shall include the following:

8 “(1) Mechanisms to provide for the manufac-
9 ture, maintenance, and modernization of each weap-
10 on design in the nuclear stockpile, as needed.

11 “(2) Mechanisms to expedite the collection of
12 information necessary for carrying out the program,
13 including information relating to the aging of mate-
14 rials and components, new manufacturing tech-
15 niques, and the replacement or substitution of mate-
16 rials.

17 “(3) Mechanisms to ensure the appropriate as-
18 signment of roles and missions for each nuclear
19 weapons laboratory and production plant of the De-
20 partment of Energy, including mechanisms for allo-
21 cation of workload, mechanisms to ensure the car-
22 rying out of appropriate modernization activities,
23 and mechanisms to ensure the retention of skilled
24 personnel.

1 “(4) Mechanisms to ensure that each national
2 laboratory of the National Nuclear Security Admin-
3 istration has full and complete access to all weapons
4 data to enable a rigorous peer review process to sup-
5 port the annual assessment of the condition of the
6 nuclear weapons stockpile required under section
7 4205.

8 “(5) Mechanisms for allocating funds for activi-
9 ties under the program, including allocations of
10 funds by weapon type and facility.

11 “(6) An identification of the funds needed, in
12 the current fiscal year and in each of the next 5 fis-
13 cal years, to carry out the program.

14 “(d) ANNUAL UPDATES.—The Secretary of Energy
15 shall update the plan required under subsection (c) annu-
16 ally and shall submit the updated plan to Congress as part
17 of the plan for maintaining the nuclear weapons stockpile
18 submitted to Congress under section 4203(c).

19 “(e) SENSE OF CONGRESS ON FUNDING OF PRO-
20 GRAM.—It is the sense of Congress that the President
21 should include in each budget for a fiscal year submitted
22 to Congress under section 1105 of title 31, United States
23 Code, sufficient funds to carry out in that fiscal year the
24 activities under the program under subsection (a) that are

1 specified in the most current version of the plan required
2 under subsection (c).”.

3 **SEC. 3112. ELIMINATION OF NUCLEAR WEAPONS LIFE EX-**
4 **TENSION PROGRAM FROM EXCEPTION TO RE-**
5 **QUIREMENT TO REQUEST FUNDS IN BUDGET**
6 **OF THE PRESIDENT.**

7 Section 4209 of the Atomic Energy Defense Act (50
8 U.S.C. 2529) is amended—

9 (1) in subsection (c), by striking “necessary—
10 ” and all that follows through the period and insert-
11 ing “necessary to address proliferation concerns.”;
12 and

13 (2) in subsection (d)—

14 (A) by striking paragraph (1); and

15 (B) by redesignating paragraphs (2) and
16 (3) as paragraphs (1) and (2), respectively.

17 **SEC. 3113. REPEAL OF RELIABLE REPLACEMENT WARHEAD**
18 **PROGRAM.**

19 (a) IN GENERAL.—Section 4204A of the Atomic En-
20 ergy Defense Act (50 U.S.C. 2524a) is repealed.

21 (b) CONFORMING AMENDMENT.—The table of con-
22 tents for that Act is amended by striking the item relating
23 to section 4204A.

1 **SEC. 3114. AUTHORIZATION OF USE OF INTERNATIONAL**
2 **NUCLEAR MATERIALS PROTECTION AND CO-**
3 **OPERATION PROGRAM FUNDS FOR BILAT-**
4 **ERAL AND MULTILATERAL NONPROLIFERA-**
5 **TION AND DISARMAMENT ACTIVITIES.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of law and subject to subsection (b), the Secretary
8 of Energy may obligate or expend not more than 10 per-
9 cent of the funds authorized to be appropriated or other-
10 wise made available for the International Nuclear Mate-
11 rials Protection and Cooperation program in a fiscal year
12 to provide assistance for or to otherwise carry out bilateral
13 or multilateral activities relating to nonproliferation or
14 disarmament.

15 (b) NOTIFICATION OF CONGRESSIONAL DEFENSE
16 COMMITTEES.—The Secretary may obligate or expend
17 funds pursuant to subsection (a) if, not less than 15 days
18 before obligating or expending such funds—

19 (1) the Secretary notifies the congressional de-
20 fense committees of the intent of the Secretary to
21 obligate or expend such funds; and

22 (2) the President certifies to the congressional
23 defense committees that obligating or expending
24 such funds is necessary to support the national secu-
25 rity objectives of the United States.

1 **SEC. 3115. REPEAL OF PROHIBITION ON FUNDING ACTIVI-**
2 **TIES ASSOCIATED WITH INTERNATIONAL CO-**
3 **OPERATIVE STOCKPILE STEWARDSHIP.**

4 (a) IN GENERAL.—Section 4301 of the Atomic En-
5 ergy Defense Act (50 U.S.C. 2561) is repealed.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 for that Act is amended by striking the item relating to
8 section 4301.

9 **SEC. 3116. MODIFICATION OF MINOR CONSTRUCTION**
10 **THRESHOLD FOR PLANT PROJECTS.**

11 Section 4701(3) of the Atomic Energy Defense Act
12 (50 U.S.C. 2741(3)) is amended by striking “\$5,000,000”
13 and inserting “\$7,000,000”.

14 **SEC. 3117. TWO-YEAR EXTENSION OF AUTHORITY FOR AP-**
15 **POINTMENT OF CERTAIN SCIENTIFIC, ENGI-**
16 **NEERING, AND TECHNICAL PERSONNEL.**

17 Section 4601(c)(1) of the Atomic Energy Defense Act
18 (50 U.S.C. 2701(c)(1)) is amended by striking “Sep-
19 tember 30, 2009” and inserting “September 30, 2011”.

20 **SEC. 3118. REPEAL OF SUNSET DATE FOR CONSOLIDATION**
21 **OF COUNTERINTELLIGENCE PROGRAMS OF**
22 **DEPARTMENT OF ENERGY AND NATIONAL**
23 **NUCLEAR SECURITY ADMINISTRATION.**

24 Section 3117 of the John Warner National Defense
25 Authorization Act for Fiscal Year 2007 (Public Law 109–

1 364; 120 Stat. 2507; 42 U.S.C. 7144b note) is amended
2 by amending subsection (a) to read as follows:

3 “(a) TRANSFER OF FUNCTIONS.—The functions, per-
4 sonnel, funds, assets, and other resources of the Office of
5 Defense Nuclear Counterintelligence of the National Nu-
6 clear Security Administration are transferred to the Sec-
7 retary of Energy, to be administered (except to any extent
8 otherwise directed by the Secretary) by the Director of the
9 Office of Counterintelligence of the Department of En-
10 ergy.”.

11 **Subtitle C—Other Matters**

12 **SEC. 3131. TEN-YEAR PLAN FOR UTILIZATION AND FUND-** 13 **ING OF CERTAIN DEPARTMENT OF ENERGY** 14 **FACILITIES.**

15 (a) IN GENERAL.—The Administrator for Nuclear
16 Security and the Under Secretary for Science of the De-
17 partment of Energy shall jointly develop a plan to use and
18 fund, over a ten-year period, the following facilities of the
19 Department of Energy:

20 (1) The National Ignition Facility at the Law-
21 rence Livermore National Laboratory, California.

22 (2) The Los Alamos Neutron Science Center at
23 the Los Alamos National Laboratory, New Mexico.

24 (3) The “Z” Machine at the Sandia National
25 Laboratories, New Mexico.

1 (4) The Microsystems and Engineering Sciences
2 Application (MESA) Facility at the Sandia National
3 Laboratories, New Mexico.

4 (b) SUBMITTAL OF PLAN.—Not later than 45 days
5 after the date of the enactment of this Act, the Adminis-
6 trator for Nuclear Security and the Under Secretary for
7 Science of the Department of Energy shall submit to the
8 congressional defense committees the plan required by
9 subsection (a).

10 (c) REQUIREMENT TO SPECIFY SOURCE OF FACILITY
11 FUNDING IN BUDGET REQUESTS.—In any budget request
12 for the Department of Energy for a fiscal year that is sub-
13 mitted to Congress after the date of the enactment of this
14 Act, the Secretary of Energy shall identify for that fiscal
15 year the portion of the funding for each facility specified
16 in subsection (a) that is to be provided by the National
17 Nuclear Security Administration and by the Office of
18 Science of the Department of Energy.

19 **SEC. 3132. REVIEW OF MANAGEMENT AND OPERATION OF**
20 **CERTAIN NATIONAL LABORATORIES.**

21 (a) IN GENERAL.—Not later than 60 days after the
22 date of the enactment of this Act, the Secretary of Energy
23 shall, in consultation with the Committee on Armed Serv-
24 ices of the Senate and the Committee on Armed Services
25 of the House of Representatives, appoint an independent

1 panel of experts to conduct a review of the management
2 and operation of the following:

3 (1) The Lawrence Livermore National Labora-
4 tory, California.

5 (2) The Los Alamos National Laboratory, New
6 Mexico.

7 (3) The Sandia National Laboratories, New
8 Mexico.

9 (b) ADMINISTRATIVE PROVISIONS.—

10 (1) APPOINTMENT OF CHAIRPERSON.—The
11 Secretary of Energy shall appoint a chairperson of
12 the panel from among the members of the panel.

13 (2) DESIGNATION OF AGENCY STAFF TO
14 PANEL.—The Secretary of Energy, the Secretary of
15 Defense, and the Director of National Intelligence
16 shall each designate one or more employees of the
17 Department of Energy, the Department of Defense,
18 and the intelligence community, respectively, to serve
19 as liaisons between the panel and the Department of
20 Energy, the Department of Defense, or the intel-
21 ligence community, as the case may be.

22 (3) AGENCY COOPERATION.—The Secretary of
23 Energy shall, in consultation with the Secretary of
24 Defense and the Director of National Intelligence,
25 ensure that the panel receives full and timely co-

1 operation from the Department of Energy, the De-
2 partment of Defense, and the Director of National
3 Intelligence in conducting the review required under
4 subsection (a).

5 (4) SUPPORT FROM FEDERALLY FUNDED RE-
6 SEARCH AND DEVELOPMENT CENTER.—The Sec-
7 retary of Energy may use a federally funded re-
8 search and development center not associated with
9 the Department of Energy to provide support to the
10 panel.

11 (c) ELEMENTS.—The review required under sub-
12 section (a) shall include, with respect to each laboratory
13 specified in such subsection, an evaluation of the following:

14 (1) The quality of the scientific research being
15 conducted at the laboratory, including research with
16 respect to weapons science, nonproliferation, energy,
17 and basic science.

18 (2) The quality of the engineering being con-
19 ducted at the laboratory.

20 (3) The general operations of the laboratory, in-
21 cluding the management of facilities and procedures
22 with respect to safety, security, environmental man-
23 agement and compliance, and human capital.

1 (4) The financial operations of the laboratory,
2 including contract administration, accounting con-
3 trols, and management of property and equipment.

4 (5) The management of work conducted by the
5 laboratory for entities other than the Department of
6 Energy, including academic institutions and other
7 Federal agencies, and interactions between the lab-
8 oratory and such entities.

9 (6) The adequacy and effectiveness of the form
10 and scope of current management contracts in im-
11 plementing the mission of the laboratory.

12 (7) The effectiveness of the management and
13 oversight of the laboratory by the Department of
14 Energy.

15 (d) REPORT OF PANEL.—The panel shall submit to
16 the Secretary of Energy a report containing the results
17 of the review and any recommendations of the panel re-
18 sulting from the review.

19 (e) TRANSMITTAL TO CONGRESS.—Not later than
20 January 1, 2011, the Secretary of Energy shall transmit
21 to the Committee on Armed Services of the Senate and
22 the Committee on Armed Services of the House of Rep-
23 resentatives the report of the panel submitted under sub-
24 section (d) and any comments or recommendations of the
25 Secretary with respect to that report.

1 **SEC. 3133. INCLUSION IN 2010 STOCKPILE STEWARDSHIP**
2 **PLAN OF CERTAIN INFORMATION RELATING**
3 **TO STOCKPILE STEWARDSHIP CRITERIA.**

4 (a) IN GENERAL.—The Secretary of Energy shall in-
5 clude in the 2010 stockpile stewardship plan the elements
6 specified in subsection (b).

7 (b) ELEMENTS.—The elements specified in this sub-
8 section are the following:

9 (1) An update of any information or criteria in-
10 cluded in the report on stockpile stewardship criteria
11 submitted under subsection (c) of section 4202 of
12 the Atomic Energy Defense Act (50 U.S.C. 2522).

13 (2) A description of any additional information
14 identified under paragraph (1) of such subsection (c)
15 or criteria established under subsection (a) of such
16 section 4202 during the period beginning on the
17 date of the submittal of the report under section
18 3133 of the National Defense Authorization Act for
19 Fiscal Year 2004 (Public Law 108–136; 117 Stat.
20 1751; 50 U.S.C. 2523 note) and ending on the date
21 of the submittal of the 2010 stockpile stewardship
22 plan.

23 (3) For each science-based tool developed or
24 modified by the Department of Energy during the
25 period described in paragraph (2) to collect informa-

1 tion needed to determine that the nuclear weapons
2 stockpile is safe, secure, and reliable—

3 (A) a description of the relationship of the
4 science-based tool to the collection of such in-
5 formation; and

6 (B) a description of criteria for assessing
7 the effectiveness of the science-based tool in col-
8 lecting such information.

9 (c) 2010 STOCKPILE STEWARDSHIP PLAN DE-
10 FINED.—In this section, the term “2010 stockpile stew-
11 ards-ship plan” means the updated version of the plan for
12 maintaining the nuclear weapons stockpile developed
13 under section 4203 of the Atomic Energy Defense Act (50
14 U.S.C. 2523) and required to be submitted to Congress
15 on May 1, 2010, by subsection (c) of such section.

16 **SEC. 3134. COMPTROLLER GENERAL OF THE UNITED**
17 **STATES REVIEW OF PROJECTS CARRIED OUT**
18 **BY THE OFFICE OF ENVIRONMENTAL MAN-**
19 **AGEMENT OF THE DEPARTMENT OF ENERGY**
20 **PURSUANT TO THE AMERICAN RECOVERY**
21 **AND REINVESTMENT ACT OF 2009.**

22 (a) IN GENERAL.—The Comptroller General of the
23 United States shall conduct a series of three reviews, as
24 described in subsections (b), (c), and (d), of projects car-
25 ried out by the Office of Environmental Management of

1 the Department of Energy (in this section referred to as
2 the “Office”) using American Recovery and Reinvestment
3 Act funds.

4 (b) PHASE ONE REVIEW.—

5 (1) IN GENERAL.—Beginning on the date of the
6 enactment of this Act, the Comptroller General shall
7 conduct a review of the following:

8 (A) The criteria used by the Office to se-
9 lect projects to be carried out using American
10 Recovery and Reinvestment Act funds.

11 (B) The extent to which lessons learned
12 during previous accelerations of defense envi-
13 ronmental cleanup efforts were used in the de-
14 velopment of such criteria.

15 (C) The process used by the Office to esti-
16 mate costs and develop schedules for such
17 projects.

18 (D) The process used by the Office for the
19 independent validation of the scope, cost, and
20 schedule for such projects.

21 (E) The criteria and methodology used by
22 the Office to measure the contribution of each
23 such project toward reducing the overall costs,
24 and meeting the goals, of defense environmental
25 cleanup.

1 (2) REPORT.—Not later than 30 days after the
2 date of the enactment of this Act, the Comptroller
3 General shall submit to the congressional defense
4 committees a report containing the results of the re-
5 view conducted under paragraph (1).

6 (c) PHASE TWO REVIEW.—

7 (1) IN GENERAL.—The Comptroller General
8 shall conduct a review, during the period described
9 in paragraph (2), of the following:

10 (A) The implementation of each project
11 carried out using American Recovery and Rein-
12 vestment Act funds.

13 (B) The extent to which each such project
14 is meeting the cost and scheduling goals of the
15 project.

16 (C) The number of jobs created or main-
17 tained through such projects.

18 (D) The adequacy of contract oversight for
19 such projects.

20 (E) Any technical problems or other prob-
21 lems in connection with such projects that are
22 identified by the Comptroller General in the
23 course of the review.

24 (F) Any management and implementation
25 issues or actions, or other systemic issues, iden-

1 tified by the Comptroller General in the course
2 of the review that either hinder or assist the ef-
3 fective management of defense environmental
4 cleanup efforts.

5 (2) PERIOD DESCRIBED.—The period described
6 in this paragraph is the period—

7 (A) beginning on the date on which the
8 Comptroller General submits the report re-
9 quired under subsection (b)(2); and

10 (B) ending on the later of—

11 (i) the date on which all projects car-
12 ried out using American Recovery and Re-
13 investment Act funds have been completed;
14 or

15 (ii) the date on which all American
16 Recovery and Reinvestment Act funds have
17 been obligated or expended or are no
18 longer available to be obligated or ex-
19 pended.

20 (3) REPORTS.—The Comptroller General shall
21 submit to the congressional defense committees a re-
22 port on the status of the review conducted under
23 paragraph (1) not later than 30 days after submit-
24 ting the report required under subsection (b)(2) and

1 every 120 days thereafter until the end of the period
2 described in paragraph (2).

3 (d) PHASE THREE REVIEW.—

4 (1) IN GENERAL.—Beginning on the date on
5 which the Comptroller General submits the last re-
6 port required under subsection (c)(3), the Comp-
7 troller General shall conduct a review of the fol-
8 lowing:

9 (A) The implementation of all projects car-
10 ried out using American Recovery and Reinvest-
11 ment Act funds, including the number of such
12 projects that were completed, that were not
13 completed, that were completed on budget, that
14 exceeded the budget for such project, that were
15 completed on schedule, and that exceeded the
16 scheduling goals for such project.

17 (B) The impact on employment as a result
18 of the completion of such projects.

19 (C) Any lessons learned as a result of ac-
20 celerating such projects.

21 (D) The extent to which the achievement
22 of the overall goals of defense environmental
23 cleanup were accelerated, and the overall costs
24 of defense environmental cleanup were reduced,
25 as a result of such projects.

1 (E) Any other issues the Comptroller Gen-
2 eral considers appropriate with respect to such
3 projects.

4 (2) REPORT.—Not later than 90 days after
5 submitting the last report required under subsection
6 (c)(3), the Comptroller General shall submit to the
7 congressional defense committees a report containing
8 the results of the review conducted under paragraph
9 (1).

10 (e) AMERICAN RECOVERY AND REINVESTMENT ACT
11 FUNDS DEFINED.—In this section, the term “American
12 Recovery and Reinvestment Act funds” means funds made
13 available for the Office of Environmental Management
14 under the heading “DEFENSE ENVIRONMENTAL CLEAN-
15 UP” under the heading “ENVIRONMENTAL AND
16 OTHER DEFENSE ACTIVITIES” under the heading
17 “DEPARTMENT OF ENERGY” under title IV of divi-
18 sion A of the American Recovery and Reinvestment Act
19 of 2009 (Public Law 111–5; 123 Stat. 140).

20 **SEC. 3135. IDENTIFICATION IN BUDGET MATERIALS OF**
21 **AMOUNTS FOR CERTAIN DEPARTMENT OF**
22 **ENERGY PENSION OBLIGATIONS.**

23 The Secretary of Energy shall include in the budget
24 justification materials submitted to Congress in support
25 of the Department of Energy budget for a fiscal year (as

1 submitted with the budget of the President under section
 2 1105(a) of title 31, United States Code) specific identi-
 3 fication, as a budgetary line item, of the amounts required
 4 to meet the pension obligations of the Department of En-
 5 ergy for contractor employees at each facility of the De-
 6 partment of Energy operated using amounts authorized
 7 to be appropriated for the Department of Energy for the
 8 National Nuclear Security Administration or for defense
 9 environmental cleanup.

10 **TITLE XXXII—DEFENSE NU-**
 11 **CLEAR FACILITIES SAFETY**
 12 **BOARD**

13 **SEC. 3201. AUTHORIZATION.**

14 There are authorized to be appropriated for fiscal
 15 year 2010, \$26,086,000 for the operation of the Defense
 16 Nuclear Facilities Safety Board under chapter 21 of the
 17 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

18 **TITLE XXXIII—MARITIME**
 19 **ADMINISTRATION**

20 **SEC. 3301. MARITIME ADMINISTRATION.**

21 Section 109 of title 49, United States Code, is
 22 amended to read as follows:

23 **“§ 109. Maritime Administration**

24 “(a) ORGANIZATION.—The Maritime Administration
 25 is an administration in the Department of Transportation.

1 “(b) MARITIME ADMINISTRATOR.—The head of the
2 Maritime Administration is the Maritime Administrator,
3 who is appointed by the President by and with the advice
4 and consent of the Senate. The Administrator shall report
5 directly to the Secretary of Transportation and carry out
6 the duties prescribed by the Secretary.

7 “(c) DEPUTY MARITIME ADMINISTRATOR.—The
8 Maritime Administrator shall have a Deputy Maritime Ad-
9 ministrator, who is appointed in the competitive service
10 by the Secretary, after consultation with the Adminis-
11 trator. The Deputy Administrator shall carry out the du-
12 ties prescribed by the Administrator. The Deputy Admin-
13 istrator shall be Acting Administrator during the absence
14 or disability of the Administrator and, unless the Sec-
15 retary designates another individual, during a vacancy in
16 the office of Administrator.

17 “(d) DUTIES AND POWERS VESTED IN SEC-
18 RETARY.—All duties and powers of the Maritime Adminis-
19 tration are vested in the Secretary.

20 “(e) REGIONAL OFFICES.—The Maritime Adminis-
21 tration shall have regional offices for the Atlantic, Gulf,
22 Great Lakes, and Pacific port ranges, and may have other
23 regional offices as necessary. The Secretary shall appoint
24 a qualified individual as Director of each regional office.
25 The Secretary shall carry out appropriate activities and

1 programs of the Maritime Administration through the re-
2 gional offices.

3 “(f) INTERAGENCY AND INDUSTRY RELATIONS.—

4 The Secretary shall establish and maintain liaison with
5 other agencies, and with representative trade organiza-
6 tions throughout the United States, concerned with the
7 transportation of commodities by water in the export and
8 import foreign commerce of the United States, for the pur-
9 pose of securing preference to vessels of the United States
10 for the transportation of those commodities.

11 “(g) DETAILING OFFICERS FROM ARMED FORCES.—

12 To assist the Secretary in carrying out duties and powers
13 relating to the Maritime Administration, not more than
14 five officers of the armed forces may be detailed to the
15 Secretary at any one time, in addition to details author-
16 ized by any other law. During the period of a detail, the
17 Secretary shall pay the officer an amount that, when
18 added to the officer’s pay and allowances as an officer in
19 the armed forces, make the officer’s total pay and allow-
20 ances equal to the amount that would be paid to an indi-
21 vidual performing work the Secretary considers to be of
22 similar importance, difficulty, and responsibility as that
23 performed by the officer during the detail.

24 “(h) CONTRACTS AND AUDITS.—

1 “(1) CONTRACTS.—In the same manner that a
2 private corporation may make a contract within the
3 scope of its authority under its charter, the Sec-
4 retary may make contracts for the United States
5 Government and disburse amounts to—

6 “(A) carry out the Secretary’s duties and
7 powers under this section and subtitle V of title
8 46; and

9 “(B) protect, preserve, and improve collat-
10 eral held by the Secretary to secure indebted-
11 ness.

12 “(2) AUDITS.—The financial transactions of
13 the Secretary under paragraph (1) shall be audited
14 by the Comptroller General. The Comptroller Gen-
15 eral shall allow credit for an expenditure shown to
16 be necessary because of the nature of the business
17 activities authorized by this section or subtitle V of
18 title 46. At least once a year, the Comptroller Gen-
19 eral shall report to Congress any departure by the
20 Secretary from this section or subtitle V of title 46.

21 “(i) AUTHORIZATION OF APPROPRIATIONS.—

22 “(1) IN GENERAL.—Except as otherwise pro-
23 vided in this subsection, there are authorized to be
24 appropriated such amounts as may be necessary to

1 carry out the duties and powers of the Secretary re-
2 lating to the Maritime Administration.

3 “(2) LIMITATIONS.—Only those amounts spe-
4 cifically authorized by law may be appropriated for
5 the use of the Maritime Administration for—

6 “(A) acquisition, construction, or recon-
7 struction of vessels;

8 “(B) construction-differential subsidies in-
9 cident to the construction, reconstruction, or re-
10 conditioning of vessels;

11 “(C) costs of national defense features;

12 “(D) payments of obligations incurred for
13 operating-differential subsidies;

14 “(E) expenses necessary for research and
15 development activities, including reimbursement
16 of the Vessel Operations Revolving Fund for
17 losses resulting from expenses of experimental
18 vessel operations;

19 “(F) the Vessel Operations Revolving
20 Fund;

21 “(G) National Defense Reserve Fleet ex-
22 penses;

23 “(H) expenses necessary to carry out part
24 B of subtitle V of title 46; and

1 “(I) other operations and training expenses
2 related to the development of waterborne trans-
3 portation systems, the use of waterborne trans-
4 portation systems, and general administration.

5 “(3) TRAINING VESSELS.—Amounts may not be
6 appropriated for the purchase or construction of
7 training vessels for State maritime academies unless
8 the Secretary has approved a plan for sharing train-
9 ing vessels between State maritime academies.”.

1 **DIVISION D—FUNDING TABLES**

2 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 3 **BLES.**

4 (a) **IN GENERAL.**—Whenever a funding table in this
5 division specifies a dollar amount authorized for a project,
6 program, or activity, the obligation and expenditure of the
7 specified dollar amount for the project, program, or activ-
8 ity is hereby authorized, subject to the availability of ap-
9 propriations.

10 (b) **MERIT-BASED DECISIONS.**—Decisions by agency
11 heads to commit, obligate, or expend funds with or to a
12 specific entity on the basis of a dollar amount authorized
13 pursuant to subsection (a) shall be based on authorized,
14 transparent, statutory criteria, or merit-based selection
15 procedures in accordance with the requirements of sec-
16 tions 2304(k) and 2374 of title 10, United States Code,
17 and other applicable provisions of law.

18 (c) **RELATIONSHIP TO TRANSFER AND REPROGRAM-**
19 **MING AUTHORITY.**—An amount specified in the funding
20 tables in this division may be transferred or repro-
21 grammed under a transfer or reprogramming authority
22 provided by another provision of this Act or by other law.
23 The transfer or reprogramming of an amount specified in
24 such funding tables shall not count against a ceiling on
25 such transfers or reprogrammings under section 1001 of

1 this Act or any other provision of law, unless such transfer
2 or reprogramming would move funds between appropria-
3 tion accounts.

4 (d) ORAL AND WRITTEN COMMUNICATIONS.—No
5 oral or written communication concerning any amount
6 specified in the funding tables in this division shall
7 supercede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

PROCUREMENT (In Thousands of Dollars)							
Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY						
	AIRCRAFT						
	FIXED WING						
001	JOINT CARGO AIRCRAFT (JCA)						
002	UTILITY F/W AIRCRAFT	24	401,364	-12	-200,000	12	201,364
003	MQ-1 UAV						
	Avoid forward funding of production						
004	RQ-11 (RAVEN)	618	35,008			618	35,008
004A	C-12A						
	ROTARY WING						
006	ARMED RECONNAISSANCE HELICOPTER						
007	ADVANCE PROCUREMENT (CY)						
008	HELICOPTER, LIGHT UTILITY (LUH)	54	326,040			54	326,040
009	AH-64 APACHE BLOCK III	8	161,280			8	161,280
010	ADVANCE PROCUREMENT (CY)						
011	UH-60 BLACKHAWK (MYP)	79	1,258,374			79	1,258,374
012	ADVANCE PROCUREMENT (CY)						
013	CH-47 HELICOPTER	35	860,087		22,000	35	882,087
	Multiyear procurement execution				[22,000]		

014	ADVANCE PROCUREMENT (CY)	50,676	50,676	50,676
015	HELICOPTER NEW TRAINING	19,639	19,639	19,639
	MODIFICATION OF AIRCRAFT			
016	MQ-1 PAYLOAD—UAS	87,424	87,424	87,424
017	MQ-1 WEAPONIZATION—UAS	14,832	14,832	14,832
018	GUARDRAIL MODS (MIP)	61,517	61,517	61,517
019	MULTI SENSOR ABN RECON (MIP)	21,457	21,457	21,457
020	AH-64 MODS	426,415	426,415	431,915
	Fuselage manufacturing			5,500
				[5,500]
021	ADVANCE PROCUREMENT (CY)			
022	CH-47 CARGO HELICOPTER MODS (MYP)	102,876	102,876	80,876
	Multiyear procurement execution			-22,000
				[-22,000]
023	ADVANCE PROCUREMENT (CY)			
024	UTILITY/CARGO AIRPLANE MODS	39,547	39,547	39,547
025	AIRCRAFT LONG RANGE MODS	823	823	823
026	UTILITY HELICOPTER MODS	66,682	66,682	87,082
	UH-60A to UH-60L conversion			20,400
				[20,400]
027	KIOWA WARRIOR	140,768	140,768	140,768
028	AIRBORNE AVIONICS	241,287	241,287	241,287
029	GATM ROLLUP	103,142	103,142	103,142
030	RQ-7 UAV MODS	283,012	283,012	283,012
030A	C-12A			
	SPARES AND REPAIR PARTS			
031	SPARE PARTS (AIR)	7,083	7,083	7,083
	SUPPORT EQUIPMENT AND FACILITIES			
	GROUND SUPPORT AVIONICS			
032	AIRCRAFT SURVIVABILITY EQUIPMENT	25,975	25,975	25,975
033	ASE INFRARED CM	186,356	186,356	186,356
	OTHER SUPPORT			
034	AVIONICS SUPPORT EQUIPMENT	4,933	4,933	4,933
035	COMMON GROUND EQUIPMENT	87,682	87,682	87,682
036	AIRCREW INTEGRATED SYSTEMS	52,725	52,725	55,725
	Air warrior ensemble—generation III			3,000
037	AIR TRAFFIC CONTROL	76,999	76,999	76,999

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
038	INDUSTRIAL FACILITIES		1,533				1,533
039	LAUNCHER, 2.75 ROCKET		2,716				2,716
040	AIRBORNE COMMUNICATIONS		11,109				11,109
	TOTAL—AIRCRAFT PROCUREMENT, ARMY		5,315,991		-171,100		5,144,891
	MISSILE PROCUREMENT, ARMY						
	OTHER MISSILES						
	SURFACE-TO-AIR MISSILE SYSTEM						
001	PATRIOT SYSTEM SUMMARY	59	348,351			59	348,351
002	PATRIOT/MEADS CAP SYSTEM SUMMARY		16,406				16,406
003	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	13	72,920			13	72,920
004	ADVANCE PROCUREMENT (CY)						
	AIR-TO-SURFACE MISSILE SYSTEM						
005	HELLFIRE SYS SUMMARY	240	31,154			240	31,154
	ANTI-TANK/ASSAULT MISSILE SYSTEM						
006	JAVELIN (AAWS-M) SYSTEM SUMMARY	470	148,649			470	148,649
007	TOW 2 SYSTEM SUMMARY	1165	108,066			1165	108,066
008	GUIDED MLRS ROCKET (GMLRS)	2628	293,617			2628	293,617
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	2064	15,663			2064	15,663
010	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	46	209,061			46	209,061
011	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM						
	MODIFICATIONS						
012	PATRIOT MODS		44,775				44,775
	Command & control modifications						5,000
	[5,000]						
013	ITAS/TOW MODS		6,983				6,983
014	MLRS MODS		3,662				3,662
015	HIMARS MODIFICATIONS		38,690				38,690

016	HELIFIRE MODIFICATIONS	10	10
	SPARES AND REPAIR PARTS		
017	SPARES AND REPAIR PARTS	22,338	22,338
	SUPPORT EQUIPMENT AND FACILITIES		
018	AIR DEFENSE TARGETS	4,188	4,188
019	ITEMS LESS THAN \$5.0M (MISSILES)	1,178	1,178
020	PRODUCTION BASE SUPPORT	4,398	4,398
	TOTAL—MISSILE PROCUREMENT, ARMY	1,370,109	1,375,109
	PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES		
	TRACKED COMBAT VEHICLES		
001	BRADLEY PROGRAM		
002	BRADLEY TRAINING DEVICES (MOD)		
003	ABRAMS TANK TRAINING DEVICES		
004	STRYKER VEHICLE	388,596	388,596
005	FUTURE COMBAT SYSTEMS: (FCS)		
006	ADVANCE PROCUREMENT (CY)		
007	FCS SPIN OUTS	285,920	285,920
008	ADVANCE PROCUREMENT (CY)	42,001	42,001
	MODIFICATION OF TRACKED COMBAT VEHICLES		
009	FIST VEHICLE (MOD)	34,192	34,192
010	BRADLEY PROGRAM (MOD)	526,356	526,356
011	HOWITZER, MED SP FT 155MM M109A6 (MOD)	96,503	96,503
012	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	12	12
013	ARMORED BREACHER VEHICLE	96,814	96,814
014	JOINT ASSAULT BRIDGE	63,250	63,250
015	MI ABRAMS TANK (MOD)	70,637	70,637
016	ABRAMS UPGRADE PROGRAM	183,829	183,829
	SUPPORT EQUIPMENT & FACILITIES		
017	ITEMS LESS THAN \$5.0M (TCV-WTCV)	22	22
018	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,601	6,601
	WEAPONS AND OTHER COMBAT VEHICLES		
019	HOWITZER, LIGHT, TOWED, 105MM, M119	70	70

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
020	M240 MEDIUM MACHINE GUN (7.62MM)	2010	32,919			2010	32,919
021	MACHINE GUN, CAL .50 M2 ROLL	4825	84,588			4825	84,588
022	LIGHTWEIGHT .50 CALIBER MACHINE GUN		977				977
023	M249 SAW MACHINE GUN (5.56MM)	1550	7,535			1550	7,535
024	MK-19 GRENADE MACHINE GUN (40MM)	349	7,700			349	7,700
025	MORTAR SYSTEMS	315	14,779			315	14,779
026	M107, CAL. 50, SNIPER RIFLE		224				224
027	XM320 GRENADE LAUNCHER MODULE (GLM)	4740	16,023			4740	16,023
028	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	448	6,223			448	6,223
029	M4 CARBINE	12000	20,500			12000	20,500
030	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	3738	6,945			3738	6,945
031	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)						
032	HANDGUN	5000	3,389			5000	3,389
033	HOWITZER LT WT 155MM (T)	17	49,572			17	49,572
	MOD OF WEAPONS AND OTHER COMBAT VEH						
034	MK-19 GRENADE MACHINE GUN MODS		8,164				8,164
035	M4 CARBINE MODS		31,472				31,472
036	M2 50 CAL MACHINE GUN MODS		7,738				7,738
037	M249 SAW MACHINE GUN MODS		7,833				7,833
038	M240 MEDIUM MACHINE GUN MODS		17,964				17,964
039	PHALANX MODS						
040	M119 MODIFICATIONS		25,306				25,306
041	M16 RIFLE MODS		4,186				4,186
041A	M14 7.62 RIFLE MODS		6,164				6,164
042	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)						
	SUPPORT EQUIPMENT & FACILITIES						
043	ITEMS LESS THAN \$5.0M (WOCV-WTCV)		551				551
044	PRODUCTION BASE SUPPORT (WOCV-WTCV)		9,855				9,855

045	INDUSTRIAL PREPAREDNESS	392	392
046	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	5,012	5,012
	TOTAL—PROCUREMENT OF WTCV, ARMY	2,451,952	2,451,952
	PROCUREMENT OF AMMUNITION, ARMY		
	AMMUNITION		
	SMALL/MEDIUM CALIBER AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	207,752	207,752
002	CTG, 7.62MM, ALL TYPES	77,602	77,602
003	CTG, HANDGUN, ALL TYPES	5,120	5,120
004	CTG, .50 CAL, ALL TYPES	162,342	162,342
005	CTG, 25MM, ALL TYPES	17,054	17,054
006	CTG, 30MM, ALL TYPES	96,572	96,572
007	CTG, 40MM, ALL TYPES	172,675	172,675
	MORTAR AMMUNITION		
008	60MM MORTAR, ALL TYPES	23,607	26,607
	Additional ammunition		3,000
009	81MM MORTAR, ALL TYPES	28,719	28,719
010	CTG, MORTAR, 120MM, ALL TYPES	104,961	104,961
	TANK AMMUNITION		
011	CTG TANK 105MM: ALL TYPES	7,741	7,741
012	CTG, TANK, 120MM, ALL TYPES	113,483	113,483
	ARTILLERY AMMUNITION		
013	CTG, ARTY, 75MM: ALL TYPES	5,229	5,229
014	CTG, ARTY, 105MM: ALL TYPES	90,726	90,726
015	CTG, ARTY, 155MM, ALL TYPES	54,546	54,546
016	PROJ 155MM EXTENDED RANGE XM982	62,292	62,292
017	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T	33,441	33,441
	ARTILLERY FUZES		
018	ARTILLERY FUZES, ALL TYPES	19,870	19,870
	MINES		
019	MINES, ALL TYPES	815	815
020	MINE, CLEARING CHARGE, ALL TYPES		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
021	ANTI-PERSONNEL LANDMINE ALTERNATIVES		56,387				56,387
022	INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES		19,507				19,507
	ROCKETS						
023	SHOULDER LAUNCHED MUNITIONS, ALL TYPES		45,302				45,302
024	ROCKET, HYDRA 70, ALL TYPES		99,904				99,904
	OTHER AMMUNITION						
025	DEMOLITION MUNITIONS, ALL TYPES		18,793				18,793
026	GRENADES, ALL TYPES		49,910				49,910
027	SIGNALS, ALL TYPES		83,094				83,094
028	SIMULATORS, ALL TYPES		12,081				12,081
	MISCELLANEOUS						
029	AMMO COMPONENTS, ALL TYPES		17,968				17,968
030	NON-LETHAL AMMUNITION, ALL TYPES		7,378				7,378
031	CAD/PAD ALL TYPES		3,353				3,353
032	ITEMS LESS THAN \$5 MILLION		8,826				8,826
033	AMMUNITION PECULIAR EQUIPMENT		11,187				11,187
034	FIRST DESTINATION TRANSPORTATION (AMMO)		14,354				14,354
035	CLOSEOUT LIABILITIES		99				99
	AMMUNITION PRODUCTION BASE SUPPORT						
	PRODUCTION BASE SUPPORT						
036	PROVISION OF INDUSTRIAL FACILITIES		151,943		5,000		156,943
	Bomb line modernization				[5,000]		
037	LAYAWAY OF INDUSTRIAL FACILITIES		9,529				9,529
038	MAINTENANCE OF INACTIVE FACILITIES		8,772				8,772
039	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL		145,777				145,777
040	ARMS INITIATIVE		3,184				3,184
	TOTAL—PROCUREMENT OF AMMUNITION, ARMY		2,051,895		8,000		2,059,895

OTHER PROCUREMENT, ARMY					
TACTICAL AND SUPPORT VEHICLES					
TACTICAL VEHICLES					
001	TACTICAL TRAILERS/DOLLY SETS	8037	95,893	8037	95,893
002	SEMITRAILERS, FLATBED:	290	20,870	290	20,870
003	SEMITRAILERS, TANKERS	70	13,217	70	13,217
004	HT MOB MULTI-PURP WHELD VEH (HMMWV)	1770	281,123	1770	281,123
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	3889	1,158,522	3889	1,158,522
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT		17,575		17,575
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)		812,918		812,918
008	PLS ESP		18,973		18,973
009	ARMORED SECURITY VEHICLES (ASV)		136,605		136,605
010	MINE PROTECTION VEHICLE FAMILY	150	402,517	150	312,517
	Reassessment of program requirement				-90,000
					[-90,000]
011	FAMILY OF MINE RESISTANT AMBUSH PROTEC (MRAP)				
012	TRUCK, TRACTOR, LINE HAUL, M915/M916	310	74,703	310	74,703
013	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV P		180,793		180,793
014	HMMWV RECAPITALIZATION PROGRAM		2,904		2,904
015	MODIFICATION OF IN-SVC EQUIP		10,314		10,314
016	ITEMS LESS THAN \$5.0M (TAC VEH)		298		298
017	TOWING DEVICE-FIFTH WHEEL		414		414
NON-TACTICAL VEHICLES					
018	HEAVY ARMORED SEDAN		1,980		1,980
019	PASSENGER CARRYING VEHICLES		269		269
020	NONTACTICAL VEHICLES, OTHER		3,052		3,052
COMMUNICATIONS AND ELECTRONICS EQUIPMENT					
COMM-JOINT COMMUNICATIONS					
021	COMBAT IDENTIFICATION PROGRAM		11,868		11,868
022	JOINT COMBAT IDENTIFICATION MARKING SYSTEM		544,202		544,202
023	WIN-T—GROUND FORCES TACTICAL NETWORK		4,868		4,868
024	JCSE EQUIPMENT (USREDCOM)				
COMM—SATELLITE COMMUNICATIONS					
025	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS (S)		145,108		145,108

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
026	SHF TERM		90,918				90,918
027	SAT TERM, EMUT (SPACE)		653				653
028	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)		72,735				72,735
029	SMART-T (SPACE)		61,116				61,116
030	SCAMP (SPACE)		1,834				1,834
031	GLOBAL BRDCST SVC—GBS		6,849				6,849
032	MOD OF IN-SVC EQUIP (TAC SAT)		2,862				2,862
	COMM—COMBAT SUPPORT COMM						
032A	MOD-IN-SERVICE PROFILER						
	COMM—C3 SYSTEM						
033	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)		22,996				22,996
034	COMM—COMBAT COMMUNICATIONS						
034	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)		1,705				1,705
035	JOINT TACTICAL RADIO SYSTEM		90,204				35,004
	Testing delays in JTRS GMR						
036	RADIO TERMINAL SET, MIDS LVT(2)		8,549				8,549
037	SINGGARS FAMILY		6,812				6,812
038	AMC CRITICAL ITEMS—OPA2						
038A	SINGGARS—GROUND						
039	MULTI-PURPOSE INFORMATIONS OPERATIONS SYSTEMS		6,164				6,164
040	BRIDGE TO FUTURE NETWORKS						
041	COMMS-ELEC EQUIP FIELDING						
042	SPIDER APLA REMOTE CONTROL UNIT		21,820				21,820
043	IMS REMOTE CONTROL UNIT		9,256				9,256
044	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS		4,646				4,646
045	COMBAT SURVIVOR EVADER LOCATOR (CSEL)		2,367				2,367
046	RADIO, IMPROVED HF (COTS) FAMILY		6,555				6,555
047	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)		18,583				18,583

048	COMM—INTELLIGENCE COMM			
	CI AUTOMATION ARCHITECTURE (MIP)	1,414	1,414	
	INFORMATION SECURITY			
049	TSEC—ARMY KEY MGT SYS (AKMS)	29,525	29,525	
050	INFORMATION SYSTEM SECURITY PROGRAM—ISSP	33,189	33,189	
	COMM—LONG HAUL COMMUNICATIONS			
051	TERRESTRIAL TRANSMISSION	1,890	1,890	
052	BASE SUPPORT COMMUNICATIONS	25,525	25,525	
053	ELECTROMAG COMP PROG (EMCP)			
054	WW TECH CON IMP PROG (WWTCIP)	31,256	31,256	
	COMM—BASE COMMUNICATIONS			
055	INFORMATION SYSTEMS	216,057	216,057	
056	DEFENSE MESSAGE SYSTEM (DMS)	6,203	6,203	
057	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM (.....	147,111	147,111	
058	PENTAGON INFORMATION MGT AND TELECOM	39,906	39,906	
	ELECT EQUIP—TACT INT REL ACT (TIARA)			
061	ALL SOURCE ANALYSIS SYS (ASAS) (MIP)			
062	JTT/CBS-M (MIP)	3,279	3,279	
063	PROPHET GROUND (MIP)	64,498	64,498	
064	TACTICAL UNMANNED AERIAL SYS (TUAS) MIP			
065	SMALL UNMANNED AERIAL SYSTEM (SUAS)			
066	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)			
067	DRUG INTERDICTION PROGRAM (DIP) (TIARA)			
068	TACTICAL EXPLOITATION SYSTEM (MIP)			
069	DCGS-A (MIP)	85,354	85,354	
070	JOINT TACTICAL GROUND STATION (JTAGS)	6,703		3
	Program reduction		-6,700	
	[-6,700]			
071	TROJAN (MIP)	26,659	26,659	
072	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	7,021	7,021	
073	CI HUMINT AUTO REPTING AND COLL (CHAROS) (MIP)	4,509	4,509	
074	SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	6,420	6,420	
075	ITEMS LESS THAN \$5.0M (MIP)	17,053	17,053	
	ELECT EQUIP—ELECTRONIC WARFARE (EW)			
076	LIGHTWEIGHT COUNTER MORTAR RADAR	31,661	31,661	

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
077	WARLOCK						
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES		1,284			1,284	1,284
079	CI MODERNIZATION (MIP)		1,221			1,221	1,221
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)						
080	SENTINEL MODS		25,863			25,863	25,863
081	SENSE THROUGH THE WALL (STTW)		25,352			25,352	25,352
082	NIGHT VISION DEVICES		366,820		-100,000	266,820	266,820
	Contractor production delays in ENVG line				[-100,000]		
083	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM		133,836			133,836	133,836
084	NIGHT VISION, THERMAL WPN SIGHT		313,237			313,237	313,237
085	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF		9,179			9,179	9,179
086	RADIATION MONITORING SYSTEMS		2,198			2,198	2,198
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)						
088	BASE EXPEDITIONARY TARGETING AND SURV SYS						
089	ARTILLERY ACCURACY EQUIP						
090	MOD OF IN-SVC EQUIP (MMS)		5,838			5,838	5,838
091	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE						
092	PROFLER		1,178			1,178	1,178
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)		4,766			4,766	4,766
094	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)		2,801			2,801	2,801
095	JOINT BATTLE COMMAND—PLATFORM (JBC-P)		271,979			271,979	271,979
096	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD)		17,242			17,242	17,242
097	COMPUTER BALLISTICS: LHMC XM32		59,080			59,080	59,080
098	MORTAR FIRE CONTROL SYSTEM						
099	COUNTERFIRE RADARS		15,520			15,520	15,520
100	INTEGRATED MET SYS SENSORS (DMETS)—MIP		194,665			194,665	194,665
101	ENHANCED SENSOR & MONITORING SYSTEM		1,944			1,944	1,944
	ELECT EQUIP—TACTICAL C2 SYSTEMS						

102	TACTICAL OPERATIONS CENTERS	29,934	29,934
103	FIRE SUPPORT C2 FAMILY	39,042	39,042
104	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC)	31,968	31,968
105	FAAD C2	8,289	8,289
106	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD)	62,439	62,439
107	KNIGHT FAMILY	80,831	80,831
108	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,778	1,778
109	AUTOMATIC IDENTIFICATION TECHNOLOGY	31,542	31,542
110	TC AIMS II	11,124	11,124
111	JOINT NETWORK MANAGEMENT SYSTEM (JNMS)		
112	TACTICAL INTERNET MANAGER		
113	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	53,898	53,898
114	MANEUVER CONTROL SYSTEM (MCS)	77,646	77,646
115	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	46,861	46,861
116	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	11,118	11,118
117	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	926	926
	ELECT EQUIP--AUTOMATION		
118	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	85,801	85,801
119	ARMY TRAINING MODERNIZATION	12,823	12,823
120	AUTOMATED DATA PROCESSING EQUIP	254,723	254,723
121	CSS COMMUNICATIONS	33,749	33,749
122	RESERVE COMPONENT AUTOMATION SYS (RCAS)	39,675	39,675
	ELECT EQUIP--AUDIO VISUAL SYS (AV)		
123	AFRFS		
124	ITEMS LESS THAN \$5.0M (AV)	2,709	2,709
125	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	5,172	5,172
	ELECT EQUIP--MODS TACTICAL SYS/EQ		
126	WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS)		
	ELECT EQUIP--SUPPORT		
127	ITEMS UNDER \$5M (SSE)		
128	PRODUCTION BASE SUPPORT (C-E)	518	518
	CLASSIFIED PROGRAMS	2,522	2,522
	OTHER SUPPORT EQUIPMENT		
	CHEMICAL DEFENSIVE EQUIPMENT		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
129	PROTECTIVE SYSTEMS		2,081				2,081
130	CBRN SOLDIER PROTECTION		108,334				108,334
131	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)		7,135				7,135
	BRIDGING EQUIPMENT						
132	TACTICAL BRIDGING		58,509				58,509
133	TACTICAL BRIDGE, FLOAT-RIBBON		135,015				135,015
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT						
134	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST		42,264				42,264
135	GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS)		56,123		7,000		63,123
	FIDO explosives detector				[7,000]		
136	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)		49,333				49,333
137	< \$5M, COUNTERMINE EQUIPMENT		3,479				3,479
138	AERIAL DETECTION		11,200				11,200
	COMBAT SERVICE SUPPORT EQUIPMENT						
139	HEATERS AND ECUS		11,924				11,924
140	LAUNDRIES, SHOWERS AND LATRINES						
141	SOLDIER ENHANCEMENT		4,071				4,071
142	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)						
142A	LAND WARRIOR						
143	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)		6,981				6,981
144	GROUND SOLDIER SYSTEM		1,809				1,809
145	MOUNTED SOLDIER SYSTEM		1,085				1,085
146	FORCE PROVIDER						
147	FIELD FEEDING EQUIPMENT		57,872				57,872
148	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM		66,381				66,381
149	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM:		16,585				16,585
150	ITEMS LESS THAN \$5M (ENG SPT)		25,531				25,531
	PETROLEUM EQUIPMENT						

151	QUALITY SURVEILLANCE EQUIPMENT	84,019	84,019
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER		
	WATER EQUIPMENT		
153	WATER PURIFICATION SYSTEMS	7,173	7,173
	MEDICAL EQUIPMENT		
154	COMBAT SUPPORT MEDICAL	33,694	33,694
	Combat casualty care equipment upgrade program		8,300
			[8,300]
	MAINTENANCE EQUIPMENT		
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	137,002	137,002
156	ITEMS LESS THAN \$5.0M (MAINT EQ)	812	812
	CONSTRUCTION EQUIPMENT		
157	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	50,897	50,897
158	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	18,387	18,387
159	SCRAPERS, EARTHMOVING		
160	DISTR, WATER, SP MIN 2500G SEC/NON-SEC		
161	MISSION MODULES—ENGINEERING		
162	LOADERS	44,420	44,420
163	HYDRAULIC EXCAVATOR	20,824	20,824
164	TRACTOR, FULL TRACKED	18,785	18,785
165	CRANES	50,102	50,102
166	PLANT, ASPHALT MIXING	12,915	12,915
167	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	36,451	36,451
168	CONST EQUIP ESP	8,391	8,391
169	ITEMS LESS THAN \$5.0M (CONST EQUIP)	12,562	12,562
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
170	JOINT HIGH SPEED VESSEL (JHSV)	183,666	183,666
171	HARBORMASTER COMMAND AND CONTROL CENTER (HCCC)	10,962	10,962
172	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	6,785	6,785
	GENERATORS		
173	GENERATORS AND ASSOCIATED EQUIP	146,067	146,067
	MATERIAL HANDLING EQUIPMENT		
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	41,239	41,239
175	ALL TERRAIN LIFTING ARMY SYSTEM	44,898	44,898
	TRAINING EQUIPMENT		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
176	COMBAT TRAINING CENTERS SUPPORT		22,967				22,967
177	TRAINING DEVICES, NONSYSTEM		261,348		22,440		283,788
	Operator driving simulator				[5,000]		
	Immersive group simulation virtual training system				[5,500]		
	Joint fires & effects training systems (JFETS)				[5,000]		
	Urban training instrumentation				[2,000]		
	Virtual interactive combat environment (VICE)				[4,940]		
178	CLOSE COMBAT TACTICAL TRAINER		65,155				65,155
179	AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA)		12,794				12,794
180	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING		7,870				7,870
	TEST MEASURE AND DIG EQUIPMENT (TMD)						
181	CALIBRATION SETS EQUIPMENT		16,844				16,844
182	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)		101,320				101,320
183	TEST EQUIPMENT MODERNIZATION (TEMOD)		15,526				15,526
	OTHER SUPPORT EQUIPMENT						
184	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT		21,770				21,770
185	PHYSICAL SECURITY SYSTEMS (OPA3)		49,758				49,758
186	BASE LEVEL COM'L EQUIPMENT		1,303				1,303
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)		53,884				53,884
188	PRODUCTION BASE SUPPORT (OTH)		3,050				3,050
189	BUILDING, PRE-FAB, RELOCATABLE						
190	SPECIAL EQUIPMENT FOR USER TESTING		45,516				45,516
191	AMC CRITICAL ITEMS OPA3		12,232				12,232
192	MAS975		4,492				4,492
	SPARES AND REPAIR PARTS						
	OPA2						
193	INITIAL SPARES—C&E		25,867				25,867
194	WIN-T INCREMENT 2 SPARES		9,758				9,758

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	Maintain production at FY 09 level				[-282,900]		
011	ADVANCE PROCUREMENT (CY)		70,550				70,550
012	MH-60S (MYP)	18	414,145			18	414,145
013	ADVANCE PROCUREMENT (CY)		78,830				78,830
014	MH-60R	24	811,781			24	811,781
015	ADVANCE PROCUREMENT (CY)		131,504				131,504
016	P-8A POSEIDON	6	1,664,525			6	1,664,525
017	ADVANCE PROCUREMENT (CY)		160,526				160,526
018	E-2D ADV HAWKEYE	2	511,245			2	511,245
019	ADVANCE PROCUREMENT (CY)		94,924				94,924
020	AIRLIFT AIRCRAFT						
	C-40A	1	74,381			1	74,381
021	TRAINER AIRCRAFT						
	T-45TS (TRAINER) GOSHAWK						
022	JPATS	38	266,539			38	266,539
023	OTHER AIRCRAFT						
	KC-130J						
024	ADVANCE PROCUREMENT (CY)						
025	RQ-7 UAV	11	56,797			11	56,797
026	MQ-8 UAV	5	77,616			5	77,616
027	OTHER SUPPORT AIRCRAFT						
028	MODIFICATION OF AIRCRAFT						
	EA-6 SERIES		39,977				39,977
029	AV-8 SERIES		35,668				35,668
030	F-18 SERIES		484,129				484,129
031	H-46 SERIES		35,325				35,325
032	AH-1W SERIES		66,461				66,461
033	H-53 SERIES		68,197				68,197

034	SIL-60 SERIES	82,253	82,253
035	H-1 SERIES	20,040	20,040
036	EP-3 SERIES	92,530	92,530
037	P-3 SERIES	485,171	485,171
038	S-3 SERIES	22,853	22,853
039	E-2 SERIES	20,907	20,907
040	TRAINER A/C SERIES	21,343	21,343
041	C-2A	22,449	22,449
042	C-130 SERIES	9,486	9,486
043	FEWSG	19,429	19,429
044	CARGO/TRANSPORT A/C SERIES	102,646	102,646
045	E-6 SERIES	42,456	42,456
046	EXECUTIVE HELICOPTERS SERIES	14,869	14,869
047	SPECIAL PROJECT AIRCRAFT	51,484	51,484
048	T-45 SERIES	26,395	26,395
049	POWER PLANT CHANGES	4,922	4,922
050	JPATS SERIES	5,594	5,594
051	AVIATION LIFE SUPPORT MODS	47,419	47,419
052	COMMON ECM EQUIPMENT	151,112	151,112
053	COMMON AVIONICS CHANGES	24,125	24,125
054	COMMON DEFENSIVE WEAPON SYSTEM	24,502	24,502
055	ID SYSTEMS	1,264,012	1,264,012
056	V-22 (TILT/ROTOR ACFT) OSPREY	363,588	363,588
057	AIRCRAFT SPARES AND REPAIR PARTS SPARES AND REPAIR PARTS	11,075	11,075
058	AIRCRAFT SUPPORT EQUIP & FACILITIES COMMON GROUND EQUIPMENT	55,406	55,406
059	AIRCRAFT INDUSTRIAL FACILITIES	23,861	23,861
060	WAR CONSUMABLES	42,147	42,147
061	OTHER PRODUCTION CHARGES	1,734	1,734
062	SPECIAL SUPPORT EQUIPMENT		
063	FIRST DESTINATION TRANSPORTATION		
064	CANCELLED ACCOUNT ADJUSTMENTS		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	TOTAL—AIRCRAFT PROCUREMENT, NAVY		18,378,312		277,100		18,655,412
	WEAPONS PROCUREMENT, NAVY						
	BALLISTIC MISSILES						
	MODIFICATION OF MISSILES						
001	TRIDENT II MODS	24	1,060,504			24	1,060,504
002	SUPPORT EQUIPMENT & FACILITIES						
	MISSILE INDUSTRIAL FACILITIES		3,447				3,447
	OTHER MISSILES						
	STRATEGIC MISSILES						
003	TOMAHAWK	196	283,055			196	283,055
	TACTICAL MISSILES						
004	AMRAAM	79	145,506			79	145,506
005	SIDEWINDER	161	56,845			161	56,845
006	JSOW	430	145,336			430	145,336
007	SILAM-ER						
008	STANDARD MISSILE	62	249,233			62	249,233
009	RAM	90	74,784			90	74,784
010	HELLFIRE	818	59,411			818	59,411
011	AERIAL TARGETS						
012	OTHER MISSILE SUPPORT		47,003				47,003
	MODIFICATION OF MISSILES						
013	ESSM	50	3,928				3,928
014	HARM MODS		51,388			50	51,388
015	STANDARD MISSILES MODS		47,973				47,973
	SUPPORT EQUIPMENT & FACILITIES						
016	WEAPONS INDUSTRIAL FACILITIES		3,211				3,211
	Accelerate facility restoration program						30,000
							[30,000]

017	FLEET SATELLITE COMM FOLLOW-ON	1	487,280	487,280
018	ADVANCE PROCUREMENT (CY)		28,847	28,847
	MUOS UHF augmentation—transfer from PE 33109N (RDN 192)			32,000
				[32,000]
019	ORDNANCE SUPPORT EQUIPMENT			
	ORDNANCE SUPPORT EQUIPMENT		48,883	48,883
	TORPEDOES AND RELATED EQUIPMENT			
	TORPEDOES AND RELATED EQUIP.			
020	SSTD			
021	ASW TARGETS		9,288	9,288
	MOD OF TORPEDOES AND RELATED EQUIP			
022	MK-46 TORPEDO MODS		94,159	94,159
023	MK-48 TORPEDO ADCAP MODS		61,608	61,608
024	QUICKSTRIKE MINE		4,680	4,680
	SUPPORT EQUIPMENT			
025	TORPEDO SUPPORT EQUIPMENT		39,869	39,869
026	ASW RANGE SUPPORT		10,044	10,044
	DESTINATION TRANSPORTATION			
027	FIRST DESTINATION TRANSPORTATION		3,434	3,434
	OTHER WEAPONS			
	GUNS AND GUN MOUNTS			
028	SMALL ARMS AND WEAPONS		12,742	12,742
	MODIFICATION OF GUNS AND GUN MOUNTS			
029	CIWS MODS		158,896	158,896
030	COAST GUARD WEAPONS		21,157	21,157
031	GUN MOUNT MODS		30,761	30,761
032	LCS MODULE WEAPONS			
033	CRUISER MODERNIZATION WEAPONS		51,227	51,227
034	AIRBORNE MINE NEUTRALIZATION SYSTEMS		12,309	12,309
	OTHER			
035	MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM			
036	CANCELLED ACCOUNT ADJUSTMENTS			
	SPARES AND REPAIR PARTS			
037	SPARES AND REPAIR PARTS		65,196	65,196

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	TOTAL—WEAPONS PROCUREMENT, NAVY		3,453,455		62,000		3,515,455
	PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS						
	PROC AMMO, NAVY						
	NAVY AMMUNITION						
001	GENERAL PURPOSE BOMBS		75,227				75,227
002	JDAM		1,968				1,968
003	AIRBORNE ROCKETS, ALL TYPES		38,643				38,643
004	MACHINE GUN AMMUNITION		19,622				19,622
005	PRACTICE BOMBS		33,803				33,803
006	CARTRIDGES & CART ACTUATED DEVICES		50,600				50,600
007	AIR EXPENDABLE COUNTERMEASURES		79,102				79,102
008	JATOS		3,230				3,230
009	5 INCH/54 GUN AMMUNITION		27,483				27,483
010	INTERMEDIATE CALIBER GUN AMMUNITION		25,974				25,974
011	OTHER SHIP GUN AMMUNITION		35,934				35,934
012	SMALL ARMS & LANDING PARTY AMMO		43,490				43,490
013	PYROTECHNIC AND DEMOLITION		10,623				10,623
014	AMMUNITION LESS THAN \$5 MILLION		3,214				3,214
	PROC AMMO, MC						
	MARINE CORPS AMMUNITION						
015	SMALL ARMS AMMUNITION		87,781				87,781
016	LINEAR CHARGES, ALL TYPES		23,582				23,582
017	40 MM, ALL TYPES		57,291				57,291
018	60MM, ALL TYPES		22,037				22,037
019	81MM, ALL TYPES		54,869				54,869
020	120MM, ALL TYPES		29,579				29,579
021	CTG 25MM, ALL TYPES		2,259				2,259

022	GRENADDES, ALL TYPES	10,694	10,694
023	ROCKETS, ALL TYPES	13,948	13,948
024	ARTILLERY, ALL TYPES	57,948	57,948
025	EXPEDITIONARY FIGHTING VEHICLE		
026	DEMOLITION MUNITIONS, ALL TYPES	14,886	14,886
027	FUZE, ALL TYPES	575	575
028	NON LETHALS	3,034	3,034
029	AMMO MODERNIZATION	8,886	8,886
030	ITEMS LESS THAN \$5 MILLION	4,393	4,393
	TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS.	840,675	840,675

SHIPBUILDING AND CONVERSION, NAVY

OTHER WARSHIPS

001	CARRIER REPLACEMENT PROGRAM	739,269	739,269
002	ADVANCE PROCUREMENT (CY)	484,432	484,432
003	VIRGINIA CLASS SUBMARINE	1,964,317	1,964,317
004	ADVANCE PROCUREMENT (CY)	1,959,725	1,959,725
005	CYN REFUELING OVERHAULS	1,563,602	1,563,602
006	ADVANCE PROCUREMENT (CY)	211,820	211,820
007	SSBN ERO		
008	ADVANCE PROCUREMENT (CY)	1,084,161	1,084,161
009	DDG 1000		
010	ADVANCE PROCUREMENT (CY)	1,912,267	1,912,267
011	DDG-51	328,996	328,996
012	ADVANCE PROCUREMENT (CY)	1,380,000	1,380,000
013	LITTORAL COMBAT SHIP		
014	LPD-17	872,392	872,392
015	ADVANCE PROCUREMENT (CY)	184,555	184,555
016	LHA REPLACEMENT		
017	ADVANCE PROCUREMENT (CY)		
018	INTRATHEATER CONNECTOR	177,956	177,956

AMPHIBIOUS SHIPS

014	LPD-17	872,392	872,392
015	ADVANCE PROCUREMENT (CY)	184,555	184,555
016	LHA REPLACEMENT		
017	ADVANCE PROCUREMENT (CY)		
018	INTRATHEATER CONNECTOR	177,956	177,956

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST						
019	OUTFITTING		391,238				391,238
020	SERVICE CRAFT		3,694				3,694
021	LCAC SLEP	3	63,857			3	63,857
022	COMPLETION OF PY SHIPBUILDING PROGRAMS		454,586				454,586
	TOTAL—SHIPBUILDING AND CONVERSION, NAVY		13,776,867				13,776,867
	OTHER PROCUREMENT, NAVY						
	SHIPS SUPPORT EQUIPMENT						
	SHIP PROPULSION EQUIPMENT						
001	LM-2500 GAS TURBINE		8,014				8,014
002	ALLISON 501K GAS TURBINE		9,162				9,162
003	OTHER PROPULSION EQUIPMENT						
	NAVIGATION EQUIPMENT						
004	OTHER NAVIGATION EQUIPMENT		34,743				34,743
	PERISCOPES						
005	SUB PERISCOPES & IMAGING EQUIP		75,127				75,127
	OTHER SHIPBOARD EQUIPMENT						
006	DDG MOD		142,262				142,262
007	FIREFIGHTING EQUIPMENT		11,423				15,423
	Smart valves for fire suppression				4,000		[4,000]
008	COMMAND AND CONTROL SWITCHBOARD		4,383				4,383
009	POLLUTION CONTROL EQUIPMENT		24,992				24,992
010	SUBMARINE SUPPORT EQUIPMENT		16,867				16,867
011	VIRGINIA CLASS SUPPORT EQUIPMENT		103,153				103,153
012	SUBMARINE BATTERIES		51,482				51,482
013	STRATEGIC PLATFORM SUPPORT EQUIP		15,672				15,672

014	DSSP EQUIPMENT	10,641	10,641
015	CG MODERNIZATION	315,323	315,323
016	LCAAC	6,642	6,642
017	MINESWEEPING EQUIPMENT		
018	UNDERWATER EOD PROGRAMS	19,232	19,232
019	ITEMS LESS THAN \$5 MILLION	127,554	127,554
020	CHEMICAL WARFARE DETECTORS	8,899	8,899
021	SUBMARINE LIFE SUPPORT SYSTEM	14,721	14,721
	REACTOR PLANT EQUIPMENT		
022	REACTOR POWER UNITS		
023	REACTOR COMPONENTS	262,354	262,354
	OCEAN ENGINEERING		
024	DIVING AND SALVAGE EQUIPMENT	5,304	5,304
025	SMALL BOATS		
	STANDARD BOATS	35,318	35,318
	TRAINING EQUIPMENT		
026	OTHER SHIPS TRAINING EQUIPMENT	15,113	15,113
	PRODUCTION FACILITIES EQUIPMENT		
027	OPERATING FORCES IPE	47,172	47,172
	OTHER SHIP SUPPORT		
028	NUCLEAR ALTERATIONS	136,683	136,683
029	LCS MODULES	137,259	137,259
	LOGISTIC SUPPORT		
030	LSD MIDLIFE	117,856	117,856
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	SHIP RADARS		
031	RADAR SUPPORT	9,968	9,968
032	SPQ-9B RADAR	13,476	13,476
033	AN/SQQ-89 SURF ASW COMBAT SYSTEM	111,093	111,093
034	SSN ACOUSTICS	299,962	303,962
	TB-33 thinline towed array		4,000
			[4,000]
035	UNDERSEA WARFARE SUPPORT EQUIPMENT	38,705	38,705
036	SONAR SWITCHES AND TRANSDUCERS	13,537	13,537
	ASW ELECTRONIC EQUIPMENT		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
037	SUBMARINE ACOUSTIC WARFARE SYSTEM		20,681				20,681
038	SSTD		2,184				2,184
039	FIXED SURVEILLANCE SYSTEM		63,017				63,017
040	SURTASS		24,108				24,108
041	TACTICAL SUPPORT CENTER		22,464				22,464
	ELECTRONIC WARFARE EQUIPMENT						
042	AN/SLQ-32		34,264				34,264
	RECONNAISSANCE EQUIPMENT						
043	SHIPBOARD IW EXPLOIT		105,883				105,883
	SUBMARINE SURVEILLANCE EQUIPMENT						
044	SUBMARINE SUPPORT EQUIPMENT PROG		98,645				98,645
	OTHER SHIP ELECTRONIC EQUIPMENT						
045	NAVY TACTICAL DATA SYSTEM						
046	COOPERATIVE ENGAGEMENT CAPABILITY		30,522				30,522
047	GCCS-M EQUIPMENT		13,594				13,594
048	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)		35,933				35,933
049	ATDLS		7,314				7,314
050	MINESWEEPING SYSTEM REPLACEMENT		79,091				79,091
051	SHALLOW WATER MCM		7,835				7,835
052	NAVSTAR GPS RECEIVERS (SPACE)		10,845				10,845
053	ARMED FORCES RADIO AND TV		3,333				3,333
054	STRATEGIC PLATFORM SUPPORT EQUIP		4,149				4,149
	TRAINING EQUIPMENT						
055	OTHER TRAINING EQUIPMENT		36,784				36,784
	AVIATION ELECTRONIC EQUIPMENT						
056	MATCALS		17,468				17,468
057	SHIPBOARD AIR TRAFFIC CONTROL		7,970				7,970
058	AUTOMATIC CARRIER LANDING SYSTEM		18,878				18,878

059	NATIONAL AIR SPACE SYSTEM	28,988	28,988
060	AIR STATION SUPPORT EQUIPMENT	8,203	8,203
061	MICROWAVE LANDING SYSTEM	10,526	10,526
062	ID SYSTEMS	38,682	38,682
063	TAC A/C MISSION PLANNING SYS (TAMPS)	9,102	9,102
064	OTHER SHORE ELECTRONIC EQUIPMENT		
	DEPLOYABLE JOINT COMMAND AND CONT	8,719	8,719
065	TADIX-B	793	793
066	GCS-M EQUIPMENT TACTICAL/MOBILE	11,820	11,820
067	COMMON IMAGERY GROUND SURFACE SYSTEMS	27,632	27,632
068	CANES	1,181	1,181
069	RADIAC	5,990	5,990
070	GPETE	3,737	3,737
071	INTEG COMBAT SYSTEM TEST FACILITY	4,423	4,423
072	EMI CONTROL INSTRUMENTATION	4,778	4,778
073	ITEMS LESS THAN \$5 MILLION	65,760	65,760
	SHIPBOARD COMMUNICATIONS		
074	SHIPBOARD TACTICAL COMMUNICATIONS		
075	PORTABLE RADIOS		
076	SHIP COMMUNICATIONS AUTOMATION		
077	AN/URC-82 RADIO		
078	COMMUNICATIONS ITEMS UNDER \$5M	310,605	310,605
	SUBMARINE COMMUNICATIONS		
079	SUBMARINE BROADCAST SUPPORT	105	105
080	SUBMARINE COMMUNICATION EQUIPMENT	48,729	48,729
	SATELLITE COMMUNICATIONS		
081	SATELLITE COMMUNICATIONS SYSTEMS	50,172	50,172
082	NAVY MULTIBAND TERMINAL (NMT)	72,496	72,496
	SHORE COMMUNICATIONS		
083	JCS COMMUNICATIONS EQUIPMENT	2,322	2,322
084	ELECTRICAL POWER SYSTEMS	1,293	1,293
085	NAVAL SHORE COMMUNICATIONS	2,542	2,542
	CRYPTOGRAPHIC EQUIPMENT		
086	INFO SYSTEMS SECURITY PROGRAM (ISSP)	119,054	119,054

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
087	CRYPTOLOGIC COMMUNICATIONS EQUIP		16,839				16,839
	OTHER ELECTRONIC SUPPORT						
088	COAST GUARD EQUIPMENT		18,892				18,892
	DRUG INTERDICTION SUPPORT						
089	OTHER DRUG INTERDICTION SUPPORT						
	AVIATION SUPPORT EQUIPMENT						
	SONOBUOYS						
090	SONOBUOYS—ALL TYPES		91,976				91,976
	AIRCRAFT SUPPORT EQUIPMENT						
091	WEAPONS RANGE SUPPORT EQUIPMENT		75,329				75,329
092	EXPEDITIONARY AIRFIELDS		8,343				8,343
093	AIRCRAFT REARMING EQUIPMENT		12,850				12,850
094	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT		48,670				48,670
095	METEOROLOGICAL EQUIPMENT		21,458				21,458
096	OTHER PHOTOGRAPHIC EQUIPMENT		1,582				1,582
097	AVIATION LIFE SUPPORT		27,367				27,367
098	AIRBORNE MINE COUNTERMEASURES		55,408				55,408
099	LAMPS MK III SHIPBOARD EQUIPMENT		23,694				23,694
100	PORTABLE ELECTRONIC MAINTENANCE AIDS		9,710				9,710
101	OTHER AVIATION SUPPORT EQUIPMENT		16,541				16,541
	ORDNANCE SUPPORT EQUIPMENT						
	SHIP GUN SYSTEM EQUIPMENT						
102	NAVAL FIRES CONTROL SYSTEM		1,391				1,391
103	GUN FIRE CONTROL EQUIPMENT		7,891				7,891
	SHIP MISSILE SYSTEMS EQUIPMENT						
104	NATO SEASPARROW		13,556				13,556
105	RAM GMLS		7,762				7,762
106	SHIP SELF DEFENSE SYSTEM		34,079				34,079

107	AEGIS SUPPORT EQUIPMENT	108,886	108,886
108	TOMAHAWK SUPPORT EQUIPMENT	88,475	88,475
109	VERTICAL LAUNCH SYSTEMS	5,513	5,513
	FBM SUPPORT EQUIPMENT		
110	STRATEGIC MISSILE SYSTEMS EQUIP	155,579	155,579
	ASW SUPPORT EQUIPMENT		
111	SSN COMBAT CONTROL SYSTEMS	118,528	118,528
112	SUBMARINE ASW SUPPORT EQUIPMENT	5,200	5,200
113	SURFACE ASW SUPPORT EQUIPMENT	13,646	13,646
114	ASW RANGE SUPPORT EQUIPMENT	7,256	7,256
	OTHER ORDNANCE SUPPORT EQUIPMENT		
115	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	54,069	54,069
116	ITEMS LESS THAN \$5 MILLION	3,478	3,478
	OTHER EXPENDABLE ORDNANCE		
117	ANTI-SHIP MISSILE DECOY SYSTEM	37,128	37,128
118	SURFACE TRAINING DEVICE MODS	7,430	7,430
119	SUBMARINE TRAINING DEVICE MODS	25,271	25,271
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
120	PASSENGER CARRYING VEHICLES	4,139	4,139
121	GENERAL PURPOSE TRUCKS	1,731	1,731
122	CONSTRUCTION & MAINTENANCE EQUIP	12,931	12,931
123	FIRE FIGHTING EQUIPMENT	12,976	12,976
124	TACTICAL VEHICLES	25,352	25,352
125	AMPHIBIOUS EQUIPMENT	2,950	2,950
126	POLLUTION CONTROL EQUIPMENT	5,097	5,097
127	ITEMS UNDER \$5 MILLION	23,787	23,787
128	PHYSICAL SECURITY VEHICLES	1,115	1,115
	SUPPLY SUPPORT EQUIPMENT		
129	MATERIALS HANDLING EQUIPMENT	17,153	17,153
130	OTHER SUPPLY SUPPORT EQUIPMENT	6,368	6,368
131	FIRST DESTINATION TRANSPORTATION	6,217	6,217
132	SPECIAL PURPOSE SUPPLY SYSTEMS	71,597	71,597
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT		
	TRAINING DEVICES		

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
133	TRAINING SUPPORT EQUIPMENT		12,944				12,944
	COMMAND SUPPORT EQUIPMENT						
134	COMMAND SUPPORT EQUIPMENT		55,267		1,000		56,267
	National small unit center of excellence				[-3,000]		
	Man overboard indicators				[4,000]		
135	EDUCATION SUPPORT EQUIPMENT		2,084				2,084
136	MEDICAL SUPPORT EQUIPMENT		5,517				5,517
137	NAVAL MIP SUPPORT EQUIPMENT		1,537				1,537
139	OPERATING FORCES SUPPORT EQUIPMENT		12,250				12,250
140	C4ISR EQUIPMENT		5,324				5,324
141	ENVIRONMENTAL SUPPORT EQUIPMENT		18,183				18,183
142	PHYSICAL SECURITY EQUIPMENT		128,921				128,921
143	ENTERPRISE INFORMATION TECHNOLOGY		79,747				79,747
	OTHER						
144	CANCELLED ACCOUNT ADJUSTMENTS						
	CLASSIFIED PROGRAMS						
999	CLASSIFIED PROGRAMS		19,463				19,463
	SPARES AND REPAIR PARTS						
145	SPARES AND REPAIR PARTS		247,796				247,796
145a	Procurement of computer services/systems				-75,000		-75,000
	Eliminate redundant activities				[-75,000]		
	TOTAL—OTHER PROCUREMENT, NAVY		5,661,176		-66,000		5,595,176
	PROCUREMENT, MARINE CORPS						
	WEAPONS AND COMBAT VEHICLES						
	TRACKED COMBAT VEHICLES						
001	AAV7A1 PIP		9,127				9,127

002	LAV PIP	34,969	34,969
003	IMPROVED RECOVERY VEHICLE (IRV)		
004	MLAI FIREPOWER ENHANCEMENTS		
	ARTILLERY AND OTHER WEAPONS		
005	EXPEDITIONARY FIRE SUPPORT SYSTEM	19,591	19,591
006	155MM LIGHTWEIGHT TOWED HOWITZER	7,420	7,420
007	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	71,476	71,476
008	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	25,949	25,949
	WEAPONS		
009	MODULAR WEAPON SYSTEM		
	OTHER SUPPORT		
010	MODIFICATION KITS	33,990	33,990
011	WEAPONS ENHANCEMENT PROGRAM	22,238	22,238
	GUIDED MISSILES AND EQUIPMENT		
	GUIDED MISSILES		
012	GROUND BASED AIR DEFENSE	11,387	11,387
013	JAVELIN		
014	FOLLOW ON TO SMAW	25,333	25,333
015	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	71,225	71,225
	OTHER SUPPORT		
016	MODIFICATION KITS	2,114	2,114
	COMMUNICATIONS & ELECTRONICS EQUIPMENT		
	COMMAND AND CONTROL SYSTEMS		
017	UNIT OPERATIONS CENTER	19,832	19,832
	REPAIR AND TEST EQUIPMENT		
018	REPAIR AND TEST EQUIPMENT	31,087	31,087
	OTHER SUPPORT (TEL)		
019	COMBAT SUPPORT SYSTEM	11,368	11,368
020	MODIFICATION KITS		
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
021	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,531	3,531
022	AIR OPERATIONS C2 SYSTEMS	45,084	45,084
	RADAR + EQUIPMENT (NON-TEL)		
023	RADAR SYSTEMS	7,428	7,428

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	INTELL/COMM EQUIPMENT (NON-TEL)						
024	FIRE SUPPORT SYSTEM		2,580				2,580
025	INTELLIGENCE SUPPORT EQUIPMENT		37,581				37,581
026	RQ-11 UAV	517	42,403			517	42,403
	OTHER COMME/ELEC EQUIPMENT (NON-TEL)						
027	NIGHT VISION EQUIPMENT		10,360				10,360
	OTHER SUPPORT (NON-TEL)						
028	COMMON COMPUTER RESOURCES		115,263				115,263
029	COMMAND POST SYSTEMS		49,820				49,820
030	RADIO SYSTEMS		61,954				61,954
031	COMM SWITCHING & CONTROL SYSTEMS		98,254				98,254
032	COMM & ELEC INFRASTRUCTURE SUPPORT		15,531				15,531
	SUPPORT VEHICLES						
	ADMINISTRATIVE VEHICLES						
033	COMMERCIAL PASSENGER VEHICLES		1,265				1,265
034	COMMERCIAL CARGO VEHICLES		13,610				13,610
035	TACTICAL VEHICLES	54	9,796			54	9,796
036	MOTOR TRANSPORT MODIFICATIONS		6,111				6,111
037	MEDIUM TACTICAL VEHICLE REPLACEMENT		10,792				10,792
038	LOGISTICS VEHICLE SYSTEM REP	495	217,390			495	217,390
039	FAMILY OF TACTICAL TRAILERS		26,497				26,497
040	TRAILERS		18,122				18,122
	OTHER SUPPORT						
041	ITEMS LESS THAN \$5 MILLION		5,948				5,948
	ENGINEER AND OTHER EQUIPMENT						
042	ENVIRONMENTAL CONTROL EQUIP ASSORT		5,121				5,121
043	BULK LIQUID EQUIPMENT		13,035				13,035
044	TACTICAL FUEL SYSTEMS		35,059				35,059

045	POWER EQUIPMENT ASSORTED	21,033		21,033
046	AMPHIBIOUS SUPPORT EQUIPMENT	39,876		39,876
047	EOD SYSTEMS	93,335		93,335
	MATERIALS HANDLING EQUIPMENT			
048	PHYSICAL SECURITY EQUIPMENT	12,169		12,169
049	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	11,825		11,825
050	MATERIAL HANDLING EQUIP	41,430		41,430
051	FIRST DESTINATION TRANSPORTATION	5,301		5,301
	GENERAL PROPERTY			
052	FIELD MEDICAL EQUIPMENT	6,811		6,811
053	TRAINING DEVICES	14,854		14,854
054	CONTAINER FAMILY	3,770		3,770
055	FAMILY OF CONSTRUCTION EQUIPMENT	37,735		37,735
056	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	10,360	52	10,360
057	BRIDGE BOATS			
058	RAPID DEPLOYABLE KITCHEN	2,159		2,159
	OTHER SUPPORT			
059	ITEMS LESS THAN \$5 MILLION	8,792		8,792
	SPARES AND REPAIR PARTS			
060	SPARES AND REPAIR PARTS	41,547		41,547
	TOTAL—PROCUREMENT, MARINE CORPS	1,600,638		1,600,638

	AIRCRAFT PROCUREMENT, AIR FORCE			
	COMBAT AIRCRAFT			
	TACTICAL FORCES			
001	F-35	2,048,830	10	2,048,830
002	ADVANCE PROCUREMENT (CY)	300,600		300,600
003	F-22A	95,163	7	95,163
	Use FY 09 funds to offset FY 10 requirements			1,717,735
	Purchase additional aircraft			[--32,265]
	Unneeded production shutdown costs			[1,750,000]
	Other program requirements			[--64,000]
	ADVANCE PROCUREMENT (CY)			[64,000]

023	ADVANCE PROCUREMENT (CY)	113,049		113,049
024	MQ-1			
025	MQ-9	489,469	24	-19,900
	Gorgon Stare			[-19,900]
999	CLASSIFIED PROGRAMS	3,608		3,608
	CLASSIFIED PROGRAMS			
	MODIFICATION OF IN-SERVICE AIRCRAFT			
	STRATEGIC AIRCRAFT			
026	B-2A	283,955		283,955
027	ADVANCE PROCUREMENT (CY)			
028	B-1B	107,558		107,558
029	B-52	78,788		78,788
	TACTICAL AIRCRAFT			
030	A-10	252,488		252,488
031	F-15	92,921		92,921
032	F-16	224,642		224,642
033	F-22A	350,735		350,735
	Use FY 09 funds to offset FY 10 requirements			-350,735
	AIRLIFT AIRCRAFT			[-350,735]
034	C-5	606,993		606,993
035	ADVANCE PROCUREMENT (CY)	108,300		108,300
036	C-9C	10		10
037	C-17A	469,731		469,731
038	C-21	562		562
039	C-32A	10,644		10,644
040	C-37A	4,336		4,336
	TRAINER AIRCRAFT			
041	GLIDER MODS	119		119
042	T-6	33,074		33,074
043	T-1	35		35
044	T-38	75,274		75,274
045	T-43			
	OTHER AIRCRAFT			
046	KC-10A (ATCA)	9,441		9,441

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
047	C-12	472				472	
048	MC-12W		63,000				63,000
049	C-20 MODS	734				734	
050	VC-25A MOD		15,610				15,610
051	C-40		9,162				9,162
052	C-130	354,421					144,921
	Use FY 08 & FY 09 resources to fund AMP production				-209,500		
					[-209,500]		
053	C130J MODS		13,627				13,627
054	C-135		150,425				150,425
055	COMPASS CALL MODS		29,187				29,187
056	DARP		107,859				107,859
057	E-3		79,263				79,263
058	E-4		73,058				73,058
059	E-8		225,973				225,973
060	H-1		18,280				18,280
061	H-60		14,201				14,201
062	GLOBAL HAWK MODS		134,864				134,864
063	HC/MC-130 MODIFICATIONS		1,964				1,964
064	OTHER AIRCRAFT		103,274				127,274
	Litening ATP upgrade kits				24,000		
					[24,000]		
065	MQ-1 MODS		123,889				123,889
066	MQ-9 MODS		48,837				48,837
067	CV-22 MODS		24,429				24,429
	AIRCRAFT SPARES + REPAIR PARTS						
	INITIAL SPARES/REPAIR PARTS		418,604				418,604
068	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES						
	COMMON SUPPORT EQUIP						
069	AIRCRAFT REPLACEMENT SUPPORT EQUIP		105,820				105,820

070	POST PRODUCTION SUPPORT		
	B-1	3,929	3,929
071	B-2A		
072	B-2A	24,481	24,481
073	C-5	2,259	2,259
074	C-5	11,787	11,787
075	KC-10A (ATCA)	4,125	4,125
076	C-17A	91,400	91,400
077	C-130	28,092	28,092
078	EC-130J	5,283	5,283
079	F-15	15,744	15,744
080	F-16	19,951	19,951
081	OTHER AIRCRAFT	51,980	51,980
082	T-1		
	INDUSTRIAL PREPAREDNESS		
083	INDUSTRIAL RESPONSIVENESS	25,529	25,529
	WAR CONSUMABLES		
084	WAR CONSUMABLES	134,427	134,427
	OTHER PRODUCTION CHARGES		
085	OTHER PRODUCTION CHARGES	490,344	490,344
	OTHER PRODUCTION CHARGES—SOF		
087	CANCELLED ACCT ADJUSTMENTS		
	DARP		
088	DARP	15,323	15,323
	CLASSIFIED PROGRAMS		
999	CLASSIFIED PROGRAMS	19,443	19,443
	TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE	11,966,276	11,111,600
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	PROCUREMENT OF AMMO, AIR FORCE		
	ROCKETS		
001	ROCKETS	43,461	43,461
	CARTRIDGES		
	TOTAL—AIRCRAFT PROCUREMENT, AIR FORCE	13,077,876	13,077,876

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
002	CARTRIDGES		123,886				123,886
	BOMBS						
003	PRACTICE BOMBS		52,459				52,459
004	GENERAL PURPOSE BOMBS		225,145				225,145
005	JOINT DIRECT ATTACK MUNITION	3592	103,041			3592	103,041
	FLARE, IR MJU-7B						
006	CAD/PAD		40,522				40,522
007	EXPLOSIVE ORDINANCE DISPOSAL (EOD)		3,302				3,302
008	SPARES AND REPAIR PARTS		4,582				4,582
009	MODIFICATIONS		1,289				1,289
010	ITEMS LESS THAN \$5,000,000		5,061				5,061
	FUZES						
011	FLARES		152,515				152,515
012	FUZES		61,037				61,037
	WEAPONS						
	SMALL ARMS						
013	SMALL ARMS		6,162				6,162
	TOTAL—PROCUREMENT OF AMMUNITION, AIR FORCE		822,462				822,462
	MISSILE PROCUREMENT, AIR FORCE						
	BALLISTIC MISSILES						
001	MISSILE REPLACEMENT EQUIPMENT-BALLISTIC		58,139				58,139
	OTHER MISSILES						
	TACTICAL						
002	JASSM		52,666				52,666
003	SIDEWINDER (ADM-9X)	219	78,753			219	78,753

004	AMRAAM	196	291,827	196	291,827
005	PREDATOR HELLFIRE MISSILE	792	79,699	792	79,699
006	SMALL DIAMETER BOMB	2340	134,801	2340	134,801
	INDUSTRIAL FACILITIES				
007	INDUSTRIAL PREPAREDNS/POL PREVENTION	841			841
	MODIFICATION OF IN-SERVICE MISSILES				
	CLASS IV				
008	ADVANCED CRUISE MISSILE	32	32		32
009	MM III MODIFICATIONS	199,484	199,484		199,484
010	AGM-65D MAVERICK	258	258		258
011	AGM-88A HARM	30,280	30,280		30,280
012	AIR LAUNCH CRUISE MISSILE (ALCM)				
	SPARES AND REPAIR PARTS				
	MISSILE SPARES + REPAIR PARTS				
013	INITIAL SPARES/REPAIR PARTS		70,185		70,185
	OTHER SUPPORT				
	SPACE PROGRAMS				
014	ADVANCED EHF	1	1,843,475	1	1,843,475
015	ADVANCE PROCUREMENT (CY)				
016	WIDEBAND GAPPILLER SATELLITES (SPACE)		201,671		201,671
017	ADVANCE PROCUREMENT (CY)		62,380		62,380
018	SPACEBORNE EQUIP (COMSEC)		9,871		9,871
019	GLOBAL POSITIONING (SPACE)		53,140		53,140
020	ADVANCE PROCUREMENT (CY)				
021	NUDET DETECTION SYSTEM				
022	DEF METEOROLOGICAL SAT PROG (SPACE)		97,764		97,764
023	TITAN SPACE BOOSTERS (SPACE)				
024	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	5	1,295,325	5	1,102,325
	EELV reduction for GPS IP8				-193,000
	EELV reduction for AFSPC4				[-88,000]
					[-105,000]
025	MEDIUM LAUNCH VEHICLE (SPACE)				
026	SBIR HIGH (SPACE)	1	307,456	1	307,456
027	ADVANCE PROCUREMENT (CY)		159,000		159,000
028	NATL POLAR-ORBITING OP ENV SATELLITE		3,900		3,900

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	SPECIAL PROGRAMS						
029	DEFENSE SPACE RECONN PROGRAM		105,152				105,152
031	SPECIAL UPDATE PROGRAMS		311,070				311,070
	CLASSIFIED PROGRAMS						
999	CLASSIFIED PROGRAMS		853,559				853,559
	TOTAL—MISSILE PROCUREMENT, AIR FORCE		6,300,728		-193,000		6,107,728
	OTHER PROCUREMENT, AIR FORCE						
	VEHICULAR EQUIPMENT						
	CARGO + UTILITY VEHICLES						
002	MEDIUM TACTICAL VEHICLE		25,922				25,922
003	CAP VEHICLES		897				897
	SPECIAL PURPOSE VEHICLES						
004	SECURITY AND TACTICAL VEHICLES		44,603				44,603
	FIRE FIGHTING EQUIPMENT						
005	FIRE FIGHTING/CRASH RESCUE VEHICLES		27,760				27,760
	MATERIALS HANDLING EQUIPMENT						
006	HALVERSEN LOADER				12,000		12,000
	Procure additional loaders				[12,000]		
	BASE MAINTENANCE SUPPORT						
007	RUNWAY SNOW REMOV AND CLEANING EQU		24,884				24,884
008	ITEMS LESS THAN \$5,000,000 (VEHICLES)		57,243				57,243
	CLASSIFIED PROGRAMS						
999	CLASSIFIED PROGRAMS		18,163				18,163
	ELECTRONICS AND TELECOMMUNICATIONS						
	COMM SECURITY EQUIPMENT (COMSEC)						
009	COMSEC EQUIPMENT		209,249				209,249

010	MODIFICATIONS (COMSEC)	1,570	1,570
	INTELLIGENCE PROGRAMS		
011	INTELLIGENCE TRAINING EQUIPMENT	4,230	4,230
012	INTELLIGENCE COMM EQUIPMENT	21,965	21,965
	ELECTRONICS PROGRAMS		
013	AIR TRAFFIC CONTROL & LANDING SYS	22,591	22,591
014	NATIONAL AIRSPACE SYSTEM	47,670	47,670
015	THEATER AIR CONTROL SYS IMPROVEMEN	56,776	56,776
016	WEATHER OBSERVATION FORECAST	19,357	19,357
017	STRATEGIC COMMAND AND CONTROL	35,116	35,116
018	CHEYENNE MOUNTAIN COMPLEX	28,608	28,608
019	DRUG INTERDICTION SPT	452	452
	SPCL COMM-ELECTRONICS PROJECTS		
020	GENERAL INFORMATION TECHNOLOGY	111,282	111,282
021	AF GLOBAL COMMAND & CONTROL SYS	15,499	15,499
022	MOBILITY COMMAND AND CONTROL	8,610	8,610
023	AIR FORCE PHYSICAL SECURITY SYSTEM	137,293	137,293
024	COMBAT TRAINING RANGES	40,633	46,833
	Unmanned modular threat emitter (UMTE)		6,200
	Joint threat emitter (JTE)		[3,000]
	C3 COUNTERMEASURES		[3,200]
025	CGSS-AF FOS	8,177	8,177
026	THEATER BATTLE MGT C2 SYSTEM	81,579	81,579
027	AIR & SPACE OPERATIONS CTR-WPN SYS	29,687	29,687
028	AIR FORCE COMMUNICATIONS	54,093	54,093
029	BASE INFO INFRASTRUCTURE	433,859	433,859
030	USCENTCOM	38,958	38,958
031	AUTOMATED TELECOMMUNICATIONS PRG		
	DISA PROGRAMS		
032	SPACE BASED IR SENSOR PGM SPACE	34,440	34,440
033	NAVSTAR GPS SPACE	6,415	6,415
034	NUDET DETECTION SYS SPACE	15,436	15,436
035	AF SATELLITE CONTROL NETWORK SPACE	58,865	58,865
036	SPACELIFT RANGE SYSTEM SPACE	100,275	100,275

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
037	MILSATCOM SPACE		110,575		9,000		119,575
	Application software assurance				[9,000]		
038	SPACE MODS SPACE		30,594				30,594
039	COUNTERSPACE SYSTEM		29,793				29,793
	ORGANIZATION AND BASE						
040	TACTICAL C-E EQUIPMENT		240,890				240,890
041	COMBAT SURVIVOR EVADER LOCATER		35,029				35,029
042	RADIO EQUIPMENT		15,536				15,536
043	TV EQUIPMENT (AFRTV)						
044	CC/TV/AUDIOVISUAL EQUIPMENT		12,961				12,961
045	BASE COMM INFRASTRUCTURE		121,049				121,049
	MODIFICATIONS						
046	COMM ELECT MODS		64,087				64,087
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP						
	PERSONAL SAFETY & RESCUE EQUIP						
047	NIGHT VISION GOGGLES		28,226				28,226
048	ITEMS LESS THAN \$5,000,000 (SAFETY)		17,223				17,223
	DEPOT PLANT + MTRLS HANDLING EQ						
049	MECHANIZED MATERIAL HANDLING EQUIP		15,449				15,449
	BASE SUPPORT EQUIPMENT						
050	BASE PROCURED EQUIPMENT		14,300				14,300
051	CONTINGENCY OPERATIONS		22,973				22,973
052	PRODUCTIVITY CAPITAL INVESTMENT		3,020				3,020
053	MOBILITY EQUIPMENT		32,855				32,855
054	ITEMS LESS THAN \$5,000,000 (BASE S)		8,195				8,195
	SPECIAL SUPPORT PROJECTS						
056	DARP RC135		23,132				23,132
057	DISTRIBUTED GROUND SYSTEMS		293,640				293,640

059	SPECIAL UPDATE PROGRAM	471,234	471,234	
060	DEFENSE SPACE RECONNAISSANCE PROG.	30,041	30,041	
	CLASSIFIED PROGRAMS			
999	CLASSIFIED PROGRAMS	13,830,722	13,830,722	
	SPARES AND REPAIR PARTS			
061	SPARES AND REPAIR PARTS	19,460	19,460	
061a	Procurement of computer services/systems		-75,000	
	Eliminate redundant activities		[-75,000]	
	TOTAL—OTHER PROCUREMENT, AIR FORCE	17,293,141	-47,800	17,245,341
	MINE RESISTANT AMBUSH PROT VEH FUND			
	MINE RESISTANT AMBUSH PROT VEH FUND			
999	MINE RESISTANT AMBUSH PROT VEH FUND		1,200,000	1,200,000
	Additional MIRAP vehicles to meet new requirement		[1,200,000]	
	TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND	1,200,000	1,200,000	1,200,000
	PROCUREMENT, DEFENSE-WIDE			
	MAJOR EQUIPMENT			
001	MAJOR EQUIPMENT, AFIS			8,858
002	MAJOR EQUIPMENT, BTA			1,489
003	MAJOR EQUIPMENT, DCAA ITEMS LESS THAN \$5 MILLION			2,012
004	MAJOR EQUIPMENT, DCMA			10,431
005	MAJOR EQUIPMENT, DHRA PERSONNEL ADMINISTRATION			13,449
017	MAJOR EQUIPMENT, DISA INTERDICTION SUPPORT			
018	INFORMATION SYSTEMS SECURITY			

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
019	GLOBAL COMMAND AND CONTROL SYSTEM		7,053				7,053
020	GLOBAL COMBAT SUPPORT SYSTEM		2,820				2,820
021	TELEPORT PROGRAM		68,037				68,037
022	ITEMS LESS THAN \$5 MILLION		196,232				196,232
023	NET CENTRIC ENTERPRISE SERVICES (NCES)		3,051				3,051
024	DEFENSE INFORMATION SYSTEM NETWORK (DISN)		89,725				89,725
025	PUBLIC KEY INFRASTRUCTURE		1,780				1,780
026	JOINT COMMAND AND CONTROL PROGRAM		2,835				2,835
027	CYBER SECURITY INITIATIVE		18,188				18,188
	MAJOR EQUIPMENT, DLA						
028	MAJOR EQUIPMENT		7,728				7,728
	MAJOR EQUIPMENT, DMACT						
029	MAJOR EQUIPMENT	4	10,149			4	10,149
	MAJOR EQUIPMENT, DODEA						
030	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS		1,463				1,463
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGEN-						
	CY						
031	EQUIPMENT						
032	VEHICLES		50				50
033	OTHER MAJOR EQUIPMENT		7,447				7,447
	MAJOR EQUIPMENT, DTSA						
034	MAJOR EQUIPMENT		436				436
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY						
035	THAAD SYSTEM		420,300				420,300
036	SM-3		168,723				168,723
	MAJOR EQUIPMENT, NSA						
044	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)		4,013				4,013
	MAJOR EQUIPMENT, OSD						

047	MAJOR EQUIPMENT, OSD	111,487	111,487	
	MAJOR EQUIPMENT, TJS			
048	MAJOR EQUIPMENT, TJS	12,065	12,065	
	MAJOR EQUIPMENT, WHS			
049	WHS MOTOR VEHICLES	26,945	26,945	
050	MAJOR EQUIPMENT, WHS			
	CLASSIFIED PROGRAMS			
999	CLASSIFIED PROGRAMS	818,766	818,766	
	SPECIAL OPERATIONS COMMAND			
	AVIATION PROGRAMS			
051	ROTARY WING UPGRADES AND SUSTAINMENT	101,936	101,936	
052	MH-47 SERVICE LIFE EXTENSION PROGRAM	22,958	22,958	
053	MH-60 SOF MODERNIZATION PROGRAM	146,820	146,820	
054	NON-STANDARD AVIATION	227,552	227,552	9
055	UNMANNED VEHICLES			
056	SOF TANKER RECAPITALIZATION	34,200	34,200	
057	SOF U-28	2,518	2,518	
058	MC-130H, COMBAT TALON II			
059	CV-22 SOF MOD	114,553	114,553	5
060	MQ-1 UAV	10,930	10,930	
061	MQ-9 UAV	12,671	12,671	
062	STUASLO	12,223	12,223	9
063	C-130 MODIFICATIONS	59,950	59,950	
	MC-130W multi-mission modifications		85,000	
	AIRCRAFT SUPPORT	973	973	[85,000]
064	SHIPBUILDING			
065	ADVANCED SEAL DELIVERY SYSTEM (ASDS)	5,236	5,236	
066	MKS MOD1 SEAL DELIVERY VEHICLE	1,463	1,463	
	AMMUNITION PROGRAMS			
067	SOF ORDNANCE REPLENISHMENT	61,360	61,360	
068	SOF ORDNANCE ACQUISITION	26,791	26,791	
	OTHER PROCUREMENT PROGRAMS			
069	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	55,080	55,080	
070	SOF INTELLIGENCE SYSTEMS	72,811	72,811	

PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
071	SMALL ARMS AND WEAPONS		35,235		5,000		40,235
	Advanced lightweight grenade launcher				[5,000]		
072	MARITIME EQUIPMENT MODIFICATIONS		791				791
073	SPEC APPLICATION FOR CONT						
074	SOF COMBATANT CRAFT SYSTEMS		6,156				6,156
075	SPARES AND REPAIR PARTS		2,010				2,010
076	TACTICAL VEHICLES		18,821				18,821
077	MISSION TRAINING AND PREPARATION SYSTEMS		17,265				17,265
078	COMBAT MISSION REQUIREMENTS		20,000				20,000
079	MILCON COLLATERAL EQUIPMENT		6,835				6,835
081	SOF AUTOMATION SYSTEMS		60,836				60,836
082	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES		12,401				12,401
083	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE		26,070				26,070
084	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS		550				550
085	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS		33,741		15,400		49,141
	Special operations visual augmentation systems				[15,400]		
086	SOF TACTICAL RADIO SYSTEMS		53,034		31,300		84,334
	Special operations forces multi-band inter/intra team radio				[31,300]		
087	SOF MARITIME EQUIPMENT		2,777				2,777
088	DRUG INTERDICTION						
089	MISCELLANEOUS EQUIPMENT		7,576				7,576
090	SOF OPERATIONAL ENHANCEMENTS		273,998				273,998
091	PSYOP EQUIPMENT		43,081				43,081
	CLASSIFIED PROGRAMS						
999	CLASSIFIED PROGRAMS		5,573				5,573
	CHEMICAL/BIOLOGICAL DEFENSE						
	CBDP						
092	Installation Force Protection		65,590				65,590

093	Individual Force Protection	92,004	4,000	96,004
	M53 joint chemical biological protection mask		[4,000]	
094	Decontamination	22,008		22,008
095	Joint Bio Defense Program (Medical)	12,740		12,740
096	Collective Protection	27,938		27,938
097	Contamination Avoidance	151,765		151,765
097a	Procurement of computer services/systems		-75,000	-75,000
	Eliminate redundant activities		[-75,000]	
	TOTAL—PROCUREMENT, DEFENSE-WIDE	3,984,352	65,700	4,050,052
	RAPID ACQUISITION FUND			
001	JOINT RAPID ACQUISITION CELL	79,300		79,300
	TOTAL—RAPID ACQUISITION FUND	79,300		79,300
	Total Procurement	105,819,330	1,397,490	107,216,820

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY						
	AIRCRAFT						
	FIXED WING						
003	MQ-1 UAV	12	250,000			12	250,000
004	RQ-11 (RAVEN)	86	44,640			86	44,640
004A	C-12A	6	45,000			6	45,000
	ROTARY WING						
011	UH-60 BLACKHAWK (MYP)	4	74,340			4	74,340
013	CH-47 HELICOPTER	4	141,200			4	141,200
	MODIFICATION OF AIRCRAFT						
018	GUARDRAIL MODS (MIP)		50,210				50,210
019	MULTI SENSOR ABN RECON (MIP)		54,000				54,000
020	AH-64 MODS	4	315,300			4	315,300
026	UTILITY HELICOPTER MODS		2,500				2,500
027	KIOWA WARRIOR	6	94,335			6	94,335
030	RQ-7 UAV MODS		326,400				326,400
030A	C-12A		60,000				60,000
	SPARES AND REPAIR PARTS						
031	SPARE PARTS (AIR)		18,200				18,200
	SUPPORT EQUIPMENT AND FACILITIES						
	GROUND SUPPORT AVIONICS						
033	ASE INFRARED CM		111,600				111,600
	OTHER SUPPORT						

035	COMMON GROUND EQUIPMENT	23,704	23,704
036	AIRCREW INTEGRATED SYSTEMS	24,800	24,800
	TOTAL—AIRCRAFT PROCUREMENT, ARMY	1,636,229	1,636,229
	MISSILE PROCUREMENT, ARMY		
	OTHER MISSILES		
	AIR-TO-SURFACE MISSILE SYSTEM		
005	HELLFIRE SYS SUMMARY	2133	2133
	ANTI-TANK/ASSAULT MISSILE SYSTEM		
006	JAVELIN (AAWS-M) SYSTEM SUMMARY	864	864
007	TOW 2 SYSTEM SUMMARY	1294	1294
008	GUIDED MLRS ROCKET (GMLRS)	678	678
	MODIFICATIONS		
014	MLRS MODS	18,772	18,772
015	HIMARS MODIFICATIONS	32,319	32,319
	TOTAL—MISSILE PROCUREMENT, ARMY	531,570	531,570
	PROCUREMENT OF WEAPONS & TRACKED COMBAT VEHICLES		
	MODIFICATION OF TRACKED COMBAT VEHICLES		
009	FIST VEHICLE (MOD)	36,000	36,000
010	BRADLEY PROGRAM (MOD)	243,600	243,600
011	HOWITZER, MED SP FT 155MM M109A6 (MOD)	37,620	37,620
	WEAPONS AND OTHER COMBAT VEHICLES		
027	XME320 GRENADE LAUNCHER MODULE (GLM)	3643	3643
031	COMMON REMOTELY OPERATED WEAPONS STATION (CRO)	1000	1000
033	HOWITZER LT WT 155MM (T)	36	36
	MOD OF WEAPONS AND OTHER COMBAT VEH		
036	M2 50 CAL MACHINE GUN MODS	27,600	27,600
037	M249 SAW MACHINE GUN MODS	20,900	20,900
038	M240 MEDIUM MACHINE GUN MODS	4,800	4,800
040	M119 MODIFICATIONS	21,250	21,250
041A	M14 7.62 RIFLE MODS	5,800	5,800

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	SUPPORT EQUIPMENT & FACILITIES						
043	ITEMS LESS THAN \$5.0M (WOCV-WTCV)		5,000				5,000
	TOTAL—PROCUREMENT OF WTCV, ARMY		759,466				759,466
	PROCUREMENT OF AMMUNITION, ARMY						
	AMMUNITION						
	SMALL/MEDIUM CALIBER AMMUNITION						
001	CTG, 5.56MM, ALL TYPES		22,000				22,000
002	CTG, 7.62MM, ALL TYPES		8,300				8,300
003	CTG, HANDGUN, ALL TYPES		500				500
004	CTG, .50 CAL, ALL TYPES		26,500				26,500
006	CTG, 30MM, ALL TYPES		530				530
	MORTAR AMMUNITION						
008	60MM MORTAR, ALL TYPES		20,000				20,000
	ARTILLERY AMMUNITION						
014	CTG, ARTY, 105MM, ALL TYPES		9,200				9,200
016	PROJ 155MM EXTENDED RANGE XM982		52,200				52,200
017	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T		10,000				10,000
	ARTILLERY FUZES						
018	ARTILLERY FUZES, ALL TYPES		7,800				7,800
	MINES						
019	MINES, ALL TYPES		5,000				5,000
020	MINE, CLEARING CHARGE, ALL TYPES		7,000				7,000
	ROCKETS						
024	ROCKET, HYDRA 70, ALL TYPES		169,505				169,505
	OTHER AMMUNITION						
027	SIGNALS, ALL TYPES		100				100

030	MISCELLANEOUS								
	NON-LETHAL AMMUNITION, ALL TYPES					32,000			32,000
	TOTAL—PROCUREMENT OF AMMUNITION, ARMY					370,635			370,635
	OTHER PROCUREMENT, ARMY								
	TACTICAL AND SUPPORT VEHICLES								
	TACTICAL VEHICLES								
001	TACTICAL TRAILERS/DOLLY SETS	185	1,948					185	1,948
002	SEMITRAILERS, FLATBED	670	40,403					670	40,403
003	SEMITRAILERS, TANKERS	44	8,651					44	8,651
004	HI MOB MULTI-PURP WILD VEH (HMMVV)	8444	1,251,038					8444	1,251,038
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	1643	461,657					1643	461,657
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)		623,230						623,230
009	ARMORED SECURITY VEHICLES (ASV)		13,206						13,206
012	TRUCK, TRACTOR, LINE HAUL, M915/M916	259	62,654					259	62,654
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT								
	COMM-JOINT COMMUNICATIONS								
023	WIN-T—GROUND FORCES TACTICAL NETWORK		13,500						13,500
	COMM—SATELLITE COMMUNICATIONS								
028	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)		53,486						53,486
029	SMART-T (SPACE)		26,000						26,000
032	MOD OF IN-SVC EQUIP (TAC SAT)		23,900						23,900
	COMM—COMBAT SUPPORT COMM								
032A	MOD-IN-SERVICE PROFILER		6,070						6,070
	COMM—COMBAT COMMUNICATIONS								
034	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)		239						239
037	SINGGARS FAMILY		128,180						53,180
	Unjustified program growth								-75,000
038	AMC CRITICAL ITEMS—OPA2		100,000						100,000
046	RADIO, IMPROVED HF (COTS) FAMILY		11,286						11,286
047	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)		18						18
	INFORMATION SECURITY								
050	INFORMATION SYSTEM SECURITY PROGRAM—ISSP		32,095						32,095

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
COMM—BASE COMMUNICATIONS							
055	INFORMATION SYSTEMS		330,342				330,342
057	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM(.....		227,733				227,733
ELECT EQUIP—TACT INT REL ACT (TIARA)							
062	JTT/CIBS-M (MIP)		1,660				1,660
066	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)		265				265
069	DCGS-A (MIP)		167,100				167,100
073	CI HUMINT AUTO REPTING AND COLL(CLEARCS) (MIP)		34,208				34,208
075	ITEMS LESS THAN \$5.0M (MIP)		5,064				5,064
ELECT EQUIP—ELECTRONIC WARFARE (EW)							
076	LIGHTWEIGHT COUNTER MORTAR RADAR		58,590				58,590
077	WARLOCK		164,435				164,435
078	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES		126,030				126,030
ELECT EQUIP—TACTICAL SURV. (TAC SURV)							
082	NIGHT VISION DEVICES		93,183				93,183
084	NIGHT VISION, THERMAL WPN SIGHT		25,000				25,000
085	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF		15,000				15,000
087	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)		150,400				150,400
091	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE		1,900				1,900
094	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)		242,999		179,000		421,999
Unfunded requirement							
					[179,000]		
095	JOINT BATTLE COMMAND—PLATFORM (JBC-P)						
096	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD)		97,020				97,020
097	COMPUTER BALLISTICS: LHMC XM32		3,780				3,780
099	COUNTERFIRE RADARS		26,000				26,000
ELECT EQUIP—TACTICAL C2 SYSTEMS							
103	FIRE SUPPORT C2 FAMILY		14,840				14,840
104	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM (BC)		16				16

107	KNIGHT FAMILY	178,500	178,500
113	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	58,900	58,900
114	MANEUVER CONTROL SYSTEM (MCS)	5,000	5,000
115	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	1,440	1,440
	ELECT EQUIP—SUPPORT		
	CLASSIFIED PROGRAMS	760	760
	OTHER SUPPORT EQUIPMENT		
	CHEMICAL DEFENSIVE EQUIPMENT		
129	PROTECTIVE SYSTEMS	44,460	44,460
130	CBRN SOLDIER PROTECTION	38,811	38,811
	BRIDGING EQUIPMENT		
133	TACTICAL BRIDGE, FLOAT-RIBBON	13,525	13,525
136	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	10,800	10,800
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	LAUNDRIES, SHOWERS AND LATRINES	21,561	21,561
142	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	1,955	1,955
146	FORCE PROVIDER	245,382	245,382
147	FIELD FEEDING EQUIPMENT	4,011	4,011
150	ITEMS LESS THAN \$5M (ENG SPT)	4,987	4,987
	PETROLEUM EQUIPMENT		
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	58,554	58,554
	WATER EQUIPMENT		
153	WATER PURIFICATION SYSTEMS	3,017	3,017
	MEDICAL EQUIPMENT		
154	COMBAT SUPPORT MEDICAL	11,386	11,386
	MAINTENANCE EQUIPMENT		
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	12,365	12,365
156	ITEMS LESS THAN \$5.0M (MAINT EQ)	546	546
	CONSTRUCTION EQUIPMENT		
162	LOADERS	1,100	1,100
163	HYDRAULIC EXCAVATOR	290	290
166	PLANT, ASPHALT MIXING	2,500	2,500
167	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	16,500	16,500
169	ITEMS LESS THAN \$5.0M (CONST EQUIP)	360	360

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	RAIL FLOAT CONTAINERIZATION EQUIPMENT						
172	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)		3,550				3,550
	GENERATORS						
173	GENERATORS AND ASSOCIATED EQUIP		62,210				62,210
	MATERIAL HANDLING EQUIPMENT						
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH)		54,360				54,360
175	ALL TERRAIN LIFTING ARMY SYSTEM		49,319				49,319
	TRAINING EQUIPMENT						
176	COMBAT TRAINING CENTERS SUPPORT		60,200				60,200
177	TRAINING DEVICES, NONSYSTEM		28,200				28,200
	TEST MEASURE AND DIG EQUIPMENT (TMD)						
182	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)		1,524				1,524
183	TEST EQUIPMENT MODERNIZATION (TEMOD)		3,817				3,817
	OTHER SUPPORT EQUIPMENT						
184	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT		27,000				27,000
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)		555,950				555,950
	TOTAL—OTHER PROCUREMENT, ARMY		6,225,966		104,000		6,329,966
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND						
	NETWORK ATTACK						
001	ATTACK THE NETWORK		812,000				1,015,100
	Transfer from base budget				203,100		
					[203,100]		
	JIEDDO DEVICE DEFEAT						
002	DEFEAT THE DEVICE		536,000				735,100
	Transfer from base budget				199,100		
					[199,100]		
	FORCE TRAINING						
003	TRAIN THE FORCE		187,000				228,100

	Transfer from base budget	[41,100]	
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	121,550	121,550
	Transfer from base budget	[121,550]	
	TOTAL—JOINT IED DEFEAT FUND	564,850	2,099,850
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
010	UH-1Y/AH-1Z	55,006	2 55,006
	MODIFICATION OF AIRCRAFT		
028	EA-6 SERIES	45,000	45,000
029	AV-8 SERIES	28,296	28,296
030	F-18 SERIES	96,000	96,000
031	H-46 SERIES	17,485	17,485
033	H-53 SERIES	164,730	164,730
034	SH-60 SERIES	11,192	11,192
035	H-1 SERIES	11,217	11,217
037	P-3 SERIES	74,900	74,900
039	E-2 SERIES	17,200	17,200
041	C-2A	14,100	14,100
042	C-130 SERIES	52,324	52,324
049	POWER PLANT CHANGES	4,456	4,456
052	COMMON ECM EQUIPMENT	263,382	263,382
054	COMMON DEFENSIVE WEAPON SYSTEM	5,500	5,500
056	V-22 (TILT/ROTOR ACFT) OSPREY	53,500	53,500
	AIRCRAFT SPARES AND REPAIR PARTS		
057	SPARES AND REPAIR PARTS	2,265	2,265
	TOTAL—AIRCRAFT PROCUREMENT, NAVY	916,553	916,553
	WEAPONS PROCUREMENT, NAVY		
	OTHER MISSILES		
	TACTICAL MISSILES		

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
010	HELLFIRE	782	73,700			782	73,700
	TOTAL—WEAPONS PROCUREMENT, NAVY		73,700				73,700
	PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS						
	PROC AMMO, NAVY						
	NAVY AMMUNITION						
001	GENERAL PURPOSE BOMBS		40,500				40,500
003	AIRBORNE ROCKETS, ALL TYPES		42,510				42,510
004	MACHINE GUN AMMUNITION		109,200				109,200
007	AIR EXPENDABLE COUNTERMEASURES		5,501				5,501
009	5 INCH/54 GUN AMMUNITION		352				352
011	OTHER SHIP GUN AMMUNITION		2,835				2,835
012	SMALL ARMS & LANDING PARTY AMMO		14,229				14,229
013	PYROTECHNIC AND DEMOLITION		1,442				1,442
	PROC AMMO, MC						
	MARINE CORPS AMMUNITION						
015	SMALL ARMS AMMUNITION		16,930				16,930
016	LINEAR CHARGES, ALL TYPES		5,881				5,881
017	40 MM, ALL TYPES		104,824				104,824
018	60MM, ALL TYPES		43,623				43,623
019	81MM, ALL TYPES		103,647				103,647
020	120MM, ALL TYPES		62,265				62,265
021	CTG 25MM, ALL TYPES		563				563
022	GRENADAES, ALL TYPES		6,074				6,074
023	ROCKETS, ALL TYPES		8,117				8,117
024	ARTILLERY, ALL TYPES		81,975				81,975
026	DEMOLITION MUNITIONS, ALL TYPES		9,241				9,241

027	FUZE, ALL TYPES	51,071	51,071
	TOTAL—PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS.	710,780	710,780
	OTHER PROCUREMENT, NAVY		
	SHIPS SUPPORT EQUIPMENT		
	OTHER SHIPBOARD EQUIPMENT		
018	UNDERWATER EOD PROGRAMS	12,040	12,040
	SMALL BOATS		
025	STANDARD BOATS	13,000	13,000
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT		
	AVIATION ELECTRONIC EQUIPMENT		
056	MATCALS	400	400
	SHIPBOARD COMMUNICATIONS		
076	SHIP COMMUNICATIONS AUTOMATION	1,500	1,500
	AVIATION SUPPORT EQUIPMENT		
	AIRCRAFT SUPPORT EQUIPMENT		
092	EXPEDITIONARY AIRFIELDS	37,345	37,345
097	AVIATION LIFE SUPPORT	17,883	17,883
	ORDNANCE SUPPORT EQUIPMENT		
	OTHER ORDNANCE SUPPORT EQUIPMENT		
115	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	43,650	43,650
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
120	PASSENGER CARRYING VEHICLES	25	25
121	GENERAL PURPOSE TRUCKS	93	93
122	CONSTRUCTION & MAINTENANCE EQUIP	11,167	11,167
124	TACTICAL VEHICLES	54,008	54,008
127	ITEMS UNDER \$5 MILLION	10,842	10,842
128	PHYSICAL SECURITY VEHICLES	1,130	1,130
	SUPPLY SUPPORT EQUIPMENT		
129	MATERIALS HANDLING EQUIPMENT	25	25
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT		

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	COMMAND SUPPORT EQUIPMENT						
134	COMMAND SUPPORT EQUIPMENT		4,000				4,000
139	OPERATING FORCES SUPPORT EQUIPMENT		15,452				15,452
140	CHSR EQUIPMENT		3,100				3,100
142	PHYSICAL SECURITY EQUIPMENT		89,521				89,521
	SPARES AND REPAIR PARTS						
145	SPARES AND REPAIR PARTS		2,837				2,837
	TOTAL—OTHER PROCUREMENT, NAVY		318,018				318,018
	PROCUREMENT, MARINE CORPS						
	WEAPONS AND COMBAT VEHICLES						
	TRACKED COMBAT VEHICLES						
002	LAV PIP		58,229				58,229
	ARTILLERY AND OTHER WEAPONS						
006	155MM LIGHTWEIGHT TOWED HOWITZER	18	54,000			18	54,000
008	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION		3,351				3,351
	OTHER SUPPORT						
010	MODIFICATION KITS		20,183				20,183
011	WEAPONS ENHANCEMENT PROGRAM		9,151				9,151
	GUIDED MISSILES AND EQUIPMENT						
	OTHER SUPPORT						
016	MODIFICATION KITS		8,506				8,506
	COMMUNICATIONS & ELECTRONICS EQUIPMENT						
	REPAIR AND TEST EQUIPMENT						
018	REPAIR AND TEST EQUIPMENT		11,741				11,741
	OTHER SUPPORT (TEL)						
019	COMBAT SUPPORT SYSTEM		462				462

021	COMMAND AND CONTROL SYSTEM (NON-TEL)		
	ITEMS UNDER \$5 MILLION (COMM & ELEC)	4,153	4,153
022	AIR OPERATIONS C2 SYSTEMS	3,096	3,096
	RADAR + EQUIPMENT (NON-TEL)		
023	RADAR SYSTEMS	3,417	3,417
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	FIRE SUPPORT SYSTEM	521	521
025	INTELLIGENCE SUPPORT EQUIPMENT	37,547	37,547
026	RQ-11 UAV	13,000	13,000
	OTHER COMME/ELEC EQUIPMENT (NON-TEL)		
027	NIGHT VISION EQUIPMENT	12,570	12,570
	OTHER SUPPORT (NON-TEL)		
028	COMMON COMPUTER RESOURCES	23,105	23,105
029	COMMAND POST SYSTEMS	23,041	23,041
030	RADIO SYSTEMS	32,497	32,497
031	COMM SWITCHING & CONTROL SYSTEMS	2,044	2,044
032	COMM & ELEC INFRASTRUCTURE SUPPORT	64	64
	SUPPORT VEHICLES		
	TACTICAL VEHICLES		
035	MOTOR TRANSPORT MODIFICATIONS	205,036	205,036
036	MEDIUM TACTICAL VEHICLE REPLACEMENT	10,177	10,177
037	LOGISTICS VEHICLE SYSTEM REP	131,044	131,044
038	FAMILY OF TACTICAL TRAILERS	59,219	59,219
039	ENVIRONMENTAL CONTROL EQUIP ASSORT	13,388	13,388
	ENGINEER AND OTHER EQUIPMENT		
042	BULK LIQUID EQUIPMENT	5,119	5,119
043	TACTICAL FUEL SYSTEMS	4,549	4,549
044	POWER EQUIPMENT ASSORTED	33,421	33,421
045	EOD SYSTEMS	24,860	24,860
047	TRAINING DEVICES	47,697	47,697
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	19,720	19,720
050	MATERIAL HANDLING EQUIP	56,875	56,875
	GENERAL PROPERTY		
053	TRAINING DEVICES	157,734	157,734

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
055	FAMILY OF CONSTRUCTION EQUIPMENT		35,818				35,818
058	RAPID DEPLOYABLE KITCHEN		55				55
	OTHER SUPPORT						
059	ITEMS LESS THAN \$5 MILLION		39,055				39,055
	TOTAL—PROCUREMENT, MARINE CORPS		1,164,445				1,164,445
	AIRCRAFT PROCUREMENT, AIR FORCE						
	AIRLIFT AIRCRAFT						
	OTHER AIRLIFT						
006	C-130J		72,000				72,000
	MODIFICATION OF IN-SERVICE AIRCRAFT						
	STRATEGIC AIRCRAFT						
028	B-1B		20,500				20,500
	TACTICAL AIRCRAFT						
030	A-10		10,000				10,000
032	F-16		20,025				20,025
	AIRLIFT AIRCRAFT						
034	C-5		57,400				57,400
037	C-17A		132,300				132,300
	OTHER AIRCRAFT						
052	C-130		210,800				210,800
054	C-135		16,916				16,916
056	DARP		10,300				10,300
063	HC/MC-130 MODIFICATIONS		7,000				7,000
064	OTHER AIRCRAFT		90,000				90,000
065	MQ-1 MODS		65,000				65,000
066	MQ-9 MODS		99,200				99,200
							-40,000

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
	TOTAL—MISSILE PROCUREMENT, AIR FORCE		36,625				36,625
	OTHER PROCUREMENT, AIR FORCE						
	VEHICULAR EQUIPMENT						
	CARGO + UTILITY VEHICLES						
002	MEDIUM TACTICAL VEHICLE		3,364				3,364
	SPECIAL PURPOSE VEHICLES						
004	SECURITY AND TACTICAL VEHICLES		11,337				11,337
	FIRE FIGHTING EQUIPMENT						
005	FIRE FIGHTING/CRASH RESCUE VEHICLES		8,626				8,626
	ELECTRONICS AND TELECOMMUNICATIONS						
	SPCL COMM-ELECTRONICS PROJECTS						
023	AIR FORCE PHYSICAL SECURITY SYSTEM		1,600				1,600
	DISA PROGRAMS						
037	MILSATCOM SPACE		714				714
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP						
	PERSONAL SAFETY & RESCUE EQUIP						
047	NIGHT VISION GOGGLES		14,528				14,528
048	ITEMS LESS THAN \$5,000,000 (SAFETY)		4,900				4,900
	BASE SUPPORT EQUIPMENT						
051	CONTINGENCY OPERATIONS		11,300				11,300
	SPECIAL SUPPORT PROJECTS						
060	DEFENSE SPACE RECONNAISSANCE PROG.		34,400				34,400
	CLASSIFIED PROGRAMS						
999	CLASSIFIED PROGRAMS		2,230,780				2,230,780
	TOTAL—OTHER PROCUREMENT, AIR FORCE		2,321,549				2,321,549

	MINE RESISTANT AMBUSH PROT VEH FUND		
	MINE RESISTANT AMBUSH PROT VEH FUND		
	MINE RESISTANT AMBUSH PROT VEH FUND	5,456,000	5,456,000
	TOTAL—MINE RESISTANT AMBUSH PROT VEH FUND	5,456,000	5,456,000
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT		
	MAJOR EQUIPMENT, DISA		
	GLOBAL COMMAND AND CONTROL SYSTEM	1,500	1,500
	TELEPORT PROGRAM	7,411	7,411
	CLASSIFIED PROGRAMS		
	CLASSIFIED PROGRAMS	304,794	304,794
	SPECIAL OPERATIONS COMMAND		
	AVIATION PROGRAMS		
	MH-47 SERVICE LIFE EXTENSION PROGRAM	5,900	5,900
	SOF U-28	3,000	3,000
	MQ-1 UAV	1,450	1,450
	STUASLO	12,000	12,000
	C-130 MODIFICATIONS	19,500	19,500
	AMMUNITION PROGRAMS		
	SOF ORDNANCE REPLENISHMENT	51,156	51,156
	SOF ORDNANCE ACQUISITION	17,560	17,560
	OTHER PROCUREMENT PROGRAMS		
	COMMUNICATIONS EQUIPMENT AND ELECTRONICS	2,000	2,000
	SOF INTELLIGENCE SYSTEMS	23,260	23,260
	SMALL ARMS AND WEAPONS	3,800	3,800
	TACTICAL VEHICLES	6,865	6,865
	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,000	11,000
	SOF TACTICAL RADIO SYSTEMS	5,448	5,448
	SOF OPERATIONAL ENHANCEMENTS	11,900	11,900
	CLASSIFIED PROGRAMS		
019			
021			
999			
052			
057			
060			
062			
063			
067			
068			
069			
070			
071			
076			
083			
086			
090			

PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2010 Request		Senate Change		Senate Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost
999	CLASSIFIED PROGRAMS		2,886				2,886
	TOTAL—PROCUREMENT, DEFENSE-WIDE		491,430				491,430
	Total Procurement		23,741,226		628,850		24,370,076

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)					
RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY					
BASIC RESEARCH					
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,671		19,671
002	0601102A	DEFENSE RESEARCH SCIENCES	173,024	5,500	178,524
		Ballistic materials research		[3,500]	
		Military operating environments research		[2,000]	
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	88,421	4,000	92,421
		Nanocomposite materials research		[2,000]	
		Open source intelligence research		[2,000]	
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	96,144	7,700	103,844
		Advanced nanomaterials design		[2,000]	
		Electrolyte research for batteries		[1,000]	
		Immersive simulation research		[1,200]	
		Materials processing research		[2,000]	
		Structural modeling and analysis		[1,500]	

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
		SUBTOTAL, BASIC RESEARCH, ARMY	377,260	17,200	394,460
		APPLIED RESEARCH			
005	0602105A	MATERIALS TECHNOLOGY	27,206	23,000	50,206
		Advanced manufacturing technologies		[2,000]	
		Advanced renewable jet fuels		[4,000]	
		Applied composite materials research		[3,000]	
		High strength fibers for ballistic armor applications		[3,000]	
		Moldable fabric armor		[2,500]	
		Nanosensor manufacturing research		[4,000]	
		Smart materials and structures		[4,500]	
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	50,641	2,500	53,141
		Nanoelectronic memory, sensor and energy devices		[2,500]	
007	0602122A	TRACTOR HIP	14,324		14,324
008	0602211A	AVIATION TECHNOLOGY	41,332	2,000	43,332
		Manned-unmanned aerial system teaming technologies		[2,000]	
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	16,119		16,119
010	0602303A	MISSILE TECHNOLOGY	50,716		50,716
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	19,678		19,678
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	17,473	2,000	19,473
		Cognitive modeling and simulation research		[2,000]	
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	55,937	63,000	118,937
		Advanced composite materials research		[4,000]	
		Army vehicle modernization research		[25,000]	
		Composite vehicle shelters		[2,500]	
		Fuel cell APU systems		[3,000]	
		Hybrid electric vehicle reliability research		[2,000]	
		Materials research for alternative energy and transportation		[1,500]	
		Tactical metal fabrication program		[3,000]	

014	0602618A	Tribology research	[2,000]		
		Vehicle systems engineering and integration activities	[20,000]		
		BALLISTICS TECHNOLOGY	26,000	61,843	87,843
		Army vehicle survivability research	[25,000]		
		Electromagnetic gun	[-2,000]		
		Reactive armor research	[3,000]		
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY		5,293	5,293
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM		7,674	7,674
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	9,000	41,085	50,085
		Acoustic gun detection systems	[2,000]		
		Acoustic research	[3,000]		
018	0602705A	UGV weaponization	[4,000]		
		ELECTRONICS AND ELECTRONIC DEVICES	6,000	61,404	67,404
		Hybrid battery systems	[2,500]		
		Hybrid portable power program	[3,500]		
019	0602709A	NIGHT VISION TECHNOLOGY		26,893	26,893
020	0602712A	COUNTERMINE SYSTEMS		18,945	18,945
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY		18,605	18,605
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY		15,902	15,902
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY		24,833	24,833
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY		5,639	5,639
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	8,500	54,818	63,318
		Ballistic materials for force protection	[3,000]		
		Critical infrastructure monitoring and protection research	[3,500]		
		Geosciences research	[2,000]		
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY		18,701	18,701
027	0602786A	WARFIGHTER TECHNOLOGY	8,500	27,109	35,609
		Airbeam shelter protection systems	[3,000]		
		Enhanced ballistic protection research	[3,000]		
		Thermal resistant fiber research	[2,500]		
028	0602787A	MEDICAL TECHNOLOGY	26,500	99,027	125,527
		Bioengineering research	[2,500]		
		Biomechanics research	[3,500]		
		Blast protection for ground soldiers	[2,000]		

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
		Blast wave modeling		[3,000]	
		Dengue fever research		[2,000]	
		Hemorrhage research		[3,000]	
		Malaria vaccine development		[2,500]	
		Nanomaterials for biological processes		[2,000]	
		Neurotrauma research		[3,500]	
		Secondary trauma research		[2,500]	
		SUBTOTAL, APPLIED RESEARCH, ARMY	781,197	177,000	958,197
		ADVANCED TECHNOLOGY DEVELOPMENT			
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	37,574		37,574
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	72,940	38,000	110,940
		Biosensor controller systems development		[2,000]	
		Body temperature conditioner systems		[2,500]	
		Gulf War illness research		[12,000]	
		Integrated medical technology program		[7,500]	
		Lower limb prosthetics research		[2,000]	
		Prosthetics technology transition		[8,000]	
		Regenerative medical research		[4,000]	
031	0603003A	AVIATION ADVANCED TECHNOLOGY	60,097	19,750	79,847
		Advanced Affordable Turbine Engine Program		[4,000]	
		Advanced ultrasonic inspections		[2,000]	
		Aviation weapons technology integration		[2,000]	
		Full authority digital engine control systems		[5,000]	
		Heavy fuel UAV propulsion systems		[3,000]	
		Integration facility enterprise resource planning system		[3,750]	
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	66,410	-4,500	61,910
		Electromagnetic gun		[-11,500]	

033	0603005A	Lightweight advanced metals program	[3,000]	
		Nanotechnology manufacturing research	[4,000]	
		COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	183,100	272,686
		Advanced APU development	[6,000]	
		Advanced battery development program	[20,000]	
		Advanced lithium ion battery systems	[3,000]	
		Advanced suspension systems for heavy vehicles	[3,500]	
		Advanced thermal management systems	[5,500]	
		Alternative energy research	[20,000]	
		Applied power management controls	[3,000]	
		Army vehicle modernization technologies	[50,000]	
		Dynamometer facility upgrade	[4,000]	
		Electric drive advanced tactical wheeled armored vehicle system	[5,500]	
		Fuel cell unmanned robotic system	[4,500]	
		Ground robotics reliability research	[2,000]	
		Heavy fuel engines for unmanned ground vehicles	[2,500]	
		Hybrid blast protected vehicle technologies	[4,000]	
		Hybrid engine development program	[8,000]	
		Hybrid truck development	[4,000]	
		Hydraulic hybrid vehicles for the tactical wheeled fleet	[3,000]	
		Next generation superchargers for military engines	[3,000]	
		Silicon carbide electronics for ground vehicles	[2,500]	
		Simulations for vehicle reliability and performance	[2,000]	
		Smart plug-in hybrid electric vehicle program	[4,100]	
		Threat cue research	[2,000]	
		Tire development for JLTV program	[1,500]	
		Unmanned ground vehicle initiative	[12,000]	
		Vehicle autonomy research	[1,500]	
		Vehicle prognostics technologies	[4,000]	
		Water analysis technologies	[2,000]	
034	0603006A	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY		8,667
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY		7,410
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY		50,458
037	0603009A	TRACTOR HIKE		11,328

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	19,415	7,000	26,415
		Combat medic training systems		[2,500]	
		Joint Fires & Effects Trainer System enhancements		[4,500]	
039	0603020A	TRACTOR ROSE	14,569		14,569
040	0603103A	EXPLOSIVES DEMILITARIZATION TECHNOLOGY			
041	0603105A	MILITARY HIV RESEARCH	6,657		6,657
042	0603125A	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	11,989	3,500	15,489
		Mid-sized unmanned ground vehicle		[3,500]	
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	19,192	2,000	21,192
		Laser systems for light aircraft missile defense		[2,000]	
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	63,951	3,000	66,951
		Discriminatory imaging research		[3,000]	
045	0603322A	TRACTOR CAGE	12,154		12,154
046	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	30,317		30,317
047	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	8,996		8,996
048	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,329	5,000	45,329
		Bradley third generation FLIR		[5,000]	
049	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	15,706		15,706
050	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	5,911	8,500	14,411
		Permafrost tunnel		[500]	
		Photovoltaic technology development		[8,000]	
051	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	41,561	4,000	45,561
		Wideband digital airborne electronic sensing array		[4,000]	
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, ARMY	695,217	269,350	964,567
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			
052	0603024A	UNIQUE ITEM IDENTIFICATION (UID)			
053	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (NON SPACE)	14,683		14,683

054	0603308A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	117,471	117,471	
055	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	209,531	222,031	
		Adaptive robotic technology		12,500	
		Advanced electronics integration		[3,500]	
		Advanced environmental controls		[4,000]	
		Advanced environmental controls		[5,000]	
056	0603460A	JOINT AIR-TO-GROUND MISSILE (JAGM)	17,536	17,536	
057	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	4,920	4,920	
058	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—ADV DEV	33,934	33,934	
059	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	90,299	140,299	
060	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)		50,000	
		Advanced Tank Armament Systems		[50,000]	
061	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	31,752	31,752	
062	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	18,228	18,228	
063	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	4,770	4,770	
064	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY	180,673	180,673	
065	0603782A	WARFIGHTER INFORMATION NETWORK—TACTICAL	5,048	5,048	
066	0603790A	NATO RESEARCH AND DEVELOPMENT	8,537	58,537	
067	0603801A	AVIATION—ADV DEV		50,000	
		Joint Future Theater Lift		[50,000]	
068	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	56,373	46,373	
		Premature JLTIV program growth		-10,000	
069	0603805A	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	9,868	9,868	
070	0603807A	MEDICAL SYSTEMS—ADV DEV	31,275	31,275	
071	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	71,832	71,832	
072	0603850A	INTEGRATED BROADCAST SERVICE	1,476	1,476	
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, ARMY	908,206	1,025,500	1,010,706
		SYSTEM DEVELOPMENT & DEMONSTRATION			
073	0604201A	AIRCRAFT AVIONICS	92,977	92,977	
074	0604220A	ARMED, DEPLOYABLE HELOS	65,515	65,515	
075	0604270A	ELECTRONIC WARFARE DEVELOPMENT	248,463	248,463	
076	0604321A	ALL SOURCE ANALYSIS SYSTEM	13,107	13,107	
077	0604328A	TRACTOR CAGE	16,286	16,286	

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
078	0604601A	INFANTRY SUPPORT WEAPONS	74,814	8,000	82,814
		Lightweight caliber .50 machine gun		[5,000]	
		Next generation helmet ballistic materials technology		[3,000]	
079	0604604A	MEDIUM TACTICAL VEHICLES	5,683	10,000	15,683
		Medium tactical vehicle development		[10,000]	
080	0604609A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—SDD	978		978
081	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	7,477	10,000	17,477
		Heavy tactical vehicle development		[10,000]	
082	0604633A	AIR TRAFFIC CONTROL	7,578		7,578
083	0604646A	NON-LINE OF SIGHT LAUNCH SYSTEM	88,660		88,660
084	0604647A	NON-LINE OF SIGHT CANNON	58,216	-58,216	
		Excess termination costs		[-58,216]	
085	0604660A	FCS MANNED GRD VEHICLES & COMMON GRD VEHICLE	368,557	-323,557	45,000
		Excess termination costs		[-323,557]	
086	0604661A	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	1,067,191		1,067,191
087	0604662A	FCS RECONNAISSANCE (UAV) PLATFORMS	68,701		68,701
088	0604663A	FCS UNMANNED GROUND VEHICLES	125,616		125,616
089	0604664A	FCS UNATTENDED GROUND SENSORS	26,919		26,919
090	0604665A	FCS SUSTAINMENT & TRAINING R&D	749,182		749,182
091	0604666A	SPIN OUT TECHNOLOGY/CAPABILITY INSERTION			
092	0604710A	NIGHT VISION SYSTEMS—SDD	55,410		55,410
093	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,092		2,092
094	0604715A	NON-SYSTEM TRAINING DEVICES—SDD	30,209	3,000	33,209
		Urban training development		[3,000]	
095	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—SDD	28,936		28,936
096	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	33,213		33,213
097	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	15,320		15,320
098	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD	15,727		15,727
099	0604778A	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	9,446		9,446

100	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	26,243		26,243
101	0604783A	JOINT NETWORK MANAGEMENT SYSTEM			
102	0604802A	WEAPONS AND MUNITIONS—SDD	34,878	7,500	42,378
		Common guidance control module		[7,500]	
103	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—SDD	36,018		36,018
104	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	88,995		88,995
105	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—SDD	33,893		33,893
106	0604808A	LANDMINE WARFARE/BARRIER—SDD	82,260		82,260
107	0604814A	ARTILLERY MUNITIONS	42,452		42,452
108	0604817A	COMBAT IDENTIFICATION	20,070		20,070
109	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	90,864		90,864
110	0604820A	RADAR DEVELOPMENT			
111	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	6,002		6,002
112	0604823A	FIREFINDER	20,333		20,333
113	0604827A	SOLDIER SYSTEMS—WARRIOR DEMVAL	19,786		19,786
114	0604854A	ARTILLERY SYSTEMS	23,318	58,216	81,534
		Accelerate Paladui integration management		[58,216]	
115	0604869A	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	569,182		569,182
116	0604870A	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,140		7,140
117	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	35,309		35,309
118	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	127,439		127,439
119	0605625A	MANNED GROUND VEHICLE	100,000		100,000
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY	4,640,455	-285,057	4,355,398
		RDT&E MANAGEMENT SUPPORT			
120	0604256A	THREAT SIMULATOR DEVELOPMENT	22,222		22,222
121	0604258A	TARGET SYSTEMS DEVELOPMENT	13,615		13,615
122	0604759A	MAJOR T&E INVESTMENT	51,846		51,846
123	0605103A	RAND ARROYO CENTER	16,305		16,305
124	0605301A	ARMY KWAJALEIN ATOLL	163,514		163,514
125	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	23,445		23,445
126	0605502A	SMALL BUSINESS INNOVATIVE RESEARCH			
127	0605601A	ARMY TEST RANGES AND FACILITIES	354,693	25,600	380,293

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
128	0605602A	Program increase		[25,600]	
		ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	72,911	10,000	82,911
		Common regional operational systems		[3,000]	
		Data fusion systems		[2,500]	
		Dugway field test improvements		[4,500]	
129	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	45,016		45,016
130	0605605A	DOD HIGH ENERGY LASER TEST FACILITY	2,891	6,000	8,891
		Program increase		[6,000]	
131	0605606A	AIRCRAFT CERTIFICATION	3,766		3,766
132	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,391		8,391
133	0605706A	MATERIEL SYSTEMS ANALYSIS	19,969		19,969
134	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,432		5,432
135	0605712A	SUPPORT OF OPERATIONAL TESTING	77,877		77,877
136	0605716A	ARMY EVALUATION CENTER	66,309		66,309
137	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	5,357		5,357
138	0605801A	PROGRAMWIDE ACTIVITIES	77,823		77,823
139	0605803A	TECHNICAL INFORMATION ACTIVITIES	51,620		51,620
140	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	45,053	2,200	47,253
		3D woven preform technology for Army munitions		[2,200]	
141	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,191		5,191
142	0605898A	MANAGEMENT HQ—R&D	15,866		15,866
143	0909999A	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, ARMY	1,149,112	43,800	1,192,912
		OPERATIONAL SYSTEMS DEVELOPMENT			
144	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	27,693		27,693
145	0603820A	WEAPONS CAPABILITY MODIFICATIONS UAV			
146	0102419A	AEROSTAT JOINT PROJECT OFFICE	360,076	-20,000	340,076

147	0203726A	Program delay reduction	23,727	[-20,000]	23,727
148	0203735A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	190,301		190,301
149	0203740A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	21,394		21,394
150	0203744A	MANEUVER CONTROL SYSTEM	209,401		209,401
151	0203752A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	792		792
152	0203758A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	10,692		10,692
153	0203759A	DIGITIZATION			
154	0203801A	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	39,273	5,000	39,273
155	0203802A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM		[5,000]	5,000
		OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS			
		TOW LBS	20,035		20,035
156	0203808A	TRACTOR CARD			
157	0208010A	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	13,258	-13,258	
158	0208053A	JOINT TACTICAL GROUND SYSTEM		[-13,258]	
		Joint Tactical Ground System	3,082		3,082
159	0208058A	JOINT HIGH SPEED VESSEL (JHSV)			
160	0301359A	SPECIAL ARMY PROGRAM			
161	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	2,144	5,000	7,144
		Collection management tools		[5,000]	
162	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	74,355		74,355
163	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	144,733		144,733
164	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	40,097		40,097
165	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	12,034		12,034
166	0303158A	JOINT COMMAND AND CONTROL PROGRAM (JC2)	20,365		20,365
167	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	202,521	86,000	288,521
		A160 Afghanistan deployment		[86,000]	
168	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	188,414		188,414
169	0305287A	BASE EXPED TARGETING SURVEILLANCE SYS—COMBINED	210,035		210,035
170	0307207A	AERIAL COMMON SENSOR (ACS)			
171	0702239A	AVIONICS COMPONENT IMPROVEMENT PROGRAM	68,466	37,250	105,716
172	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES		[30,000]	
		Combat vehicle manufacturing technology		[2,750]	
		Manufacturing metrology research		[2,000]	
		Smart machine platform initiative			

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)					
Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
999	99999999	Weapon systems repair technologies	3,883	[2,500]	3,883
		OTHER PROGRAMS			
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY	1,886,771	99,992	1,986,763
		TOTAL, RDT&E ARMY	10,438,218	424,785	10,863,003
RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY					
BASIC RESEARCH					
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	99,472	2,000	101,472
		Blast and impact resistant structures		[2,000]	
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,076	1,000	19,076
		S&T educational outreach		[1,000]	
003	0601153N	DEFENSE RESEARCH SCIENCES	413,743	2,000	415,743
		Nanoscale research program		[2,000]	
		SUBTOTAL, BASIC RESEARCH, NAVY	531,291	5,000	536,291
APPLIED RESEARCH					
004	0602114N	POWER PROJECTION APPLIED RESEARCH	59,787	3,000	62,787
		Energetics research		[3,000]	
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	91,400	32,000	123,400
		Alternative energy research		[20,000]	
		Energy systems integration research		[4,000]	
		Port security technologies		[3,500]	
		Reconfigurable shipboard power systems		[2,500]	
		SOF combatant research		[2,000]	

006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	39,308		39,308
007	0602234N	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY			
008	0602235N	COMMON PICTURE APPLIED RESEARCH	83,163		83,163
009	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	104,169	5,000	109,169
		Anti-reverse engineering technologies		[1,000]	
		Asset lifecycle program		[4,000]	
010	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	64,816	3,000	67,816
		Photonic digital radar systems		[3,000]	
011	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	48,750	5,500	54,250
		Advanced UUV research		[3,500]	
		Laser underwater imaging and communications research		[2,000]	
012	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,008		6,008
013	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	55,694	3,750	59,444
		Littoral glider systems		[3,000]	
		Quiet power technologies		[750]	
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	40,880	2,000	42,880
		Electromagnetic signature assessment system		[2,000]	
		SUBTOTAL, APPLIED RESEARCH, NAVY	593,975	54,250	648,225
015	0603114N	ADVANCED TECHNOLOGY DEVELOPMENT POWER PROJECTION ADVANCED TECHNOLOGY	107,969	4,000	111,969
016	0603123N	Mobile target tracking technologies	66,035	[4,000]	74,035
		FORCE PROTECTION ADVANCED TECHNOLOGY		8,000	
		Advanced coatings for aviation components		[3,000]	
		Single generator operations lithium ion battery		[5,000]	
017	0603235N	COMMON PICTURE ADVANCED TECHNOLOGY	108,394	-59,100	49,294
		High-integrity GPS		[-59,100]	
018	0603236N	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	86,239		86,239
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	65,827		65,827
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	107,363	9,500	116,863
		Acoustic combat sensors		[7,500]	
		Unmanned vehicle conversion kits		[2,000]	
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	10,998		10,998

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	18,609		18,609
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	68,037		68,037
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	52,643		52,643
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	28,782		28,782
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, NAVY	720,896	-37,600	683,296
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	116,082	1,400	117,482
		Semi-submersible for UUV sensor developments		[1,400]	
027	0603216N	AVIATION SURVIVABILITY	6,505		6,505
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	6,032		6,032
029	0603254N	ASW SYSTEMS DEVELOPMENT	16,585	4,000	20,585
		Sonobuoy wave energy module		[4,000]	
030	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	7,713		7,713
031	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,677		1,677
032	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	76,739		76,739
033	0603506N	SURFACE SHIP TORPEDO DEFENSE	57,538		57,538
034	0603512N	CARRIER SYSTEMS DEVELOPMENT	173,594		173,594
035	0603513N	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	1,691	9,300	10,991
		DDG-51 hybrid propulsion system		[9,300]	
036	0603525N	PILOT FISH	79,194		79,194
037	0603527N	RETRACT LARCH	99,757		99,757
038	0603536N	RETRACT JUNIPER	120,752		120,752
039	0603542N	RADIOLOGICAL CONTROL	1,372		1,372
040	0603553N	SURFACE ASW	21,995		21,995
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	551,836		551,836
042	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,172		10,172
043	0603563N	SHIP CONCEPT ADVANCED DESIGN	22,541	5,820	28,361

		Remote monitoring & troubleshooting project			
044	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	28,135	[5,820]	28,135
045	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	259,887		259,887
046	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	5,599		5,599
047	0603576N	CHALK EAGLE	443,555		443,555
048	0603581N	LITTORAL COMBAT SHIP (LCS)	360,518		360,518
049	0603582N	COMBAT SYSTEM INTEGRATION	22,558		22,558
050	0603609N	CONVENTIONAL MUNITIONS	3,458		3,458
051	0603611M	MARINE CORPS ASSAULT VEHICLES	293,466		293,466
052	0603612M	USMC MINE COUNTERMEASURES SYSTEMS—ADV DEV			
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	73,798		73,798
		Model-based management decision tools			
		Premature J/LTV program growth			
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	21,054		21,054
055	0603658N	COOPERATIVE ENGAGEMENT	56,586		56,586
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	17,328		17,328
057	0603721N	ENVIRONMENTAL PROTECTION	20,661		20,661
058	0603724N	NAVY ENERGY PROGRAM	8,476		8,476
		Fuel cell and hydrogen generation technologies			
		Molten carbonate fuel cell demonstrator			
		Solar heat reflective film development			
		Unjustified request			
059	0603725N	FACILITIES IMPROVEMENT	4,002		4,002
060	0603734N	CHALK CORAL	70,772		70,772
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,301		4,301
		Highly integrated optical interconnects for advanced air vehicles			
		RFID technology exploitation			
062	0603746N	RETRACT MAPLE	210,237		210,237
063	0603748N	LINK PLUMERIA	69,313		69,313
064	0603751N	RETRACT ELM	152,151		152,151
065	0603755N	SHIP SELF DEFENSE	6,960		6,960
066	0603764N	LINK EVERGREEN	123,660		123,660
067	0603787N	SPECIAL PROCESSES	54,115		54,115
068	0603790N	NATO RESEARCH AND DEVELOPMENT	10,194		10,194
		Fuel cell and hydrogen generation technologies			
		Molten carbonate fuel cell demonstrator			
		Solar heat reflective film development			
		Unjustified request			
059	0603725N	FACILITIES IMPROVEMENT	4,002		4,002
060	0603734N	CHALK CORAL	70,772		70,772
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,301		4,301
		Highly integrated optical interconnects for advanced air vehicles			
		RFID technology exploitation			
062	0603746N	RETRACT MAPLE	210,237		210,237
063	0603748N	LINK PLUMERIA	69,313		69,313
064	0603751N	RETRACT ELM	152,151		152,151
065	0603755N	SHIP SELF DEFENSE	6,960		6,960
066	0603764N	LINK EVERGREEN	123,660		123,660
067	0603787N	SPECIAL PROCESSES	54,115		54,115
068	0603790N	NATO RESEARCH AND DEVELOPMENT	10,194		10,194

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
069	0603795N	LAND ATTACK TECHNOLOGY	1,238		1,238
070	0603851M	NONLETHAL WEAPONS	46,971		46,971
071	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS	150,304		150,304
072	0603879N	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE)	52,716		52,716
073	0603889N	COUNTERDRUG RDT&E PROJECTS			
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	5,003		5,003
075	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	63,702		63,702
076	0604450N	JOINT AIR-TO-GROUND MISSILE (JAGM)			
077	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	67,843		67,843
078	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	40,926		40,926
079	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	42,533		42,533
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY	4,163,795	19,794	4,183,589
SYSTEM DEVELOPMENT & DEMONSTRATION					
080	0604212N	OTHER HELO DEVELOPMENT	54,092		54,092
081	0604214N	AV-8B AIRCRAFT—ENG DEV	20,886		20,886
082	0604215N	STANDARDS DEVELOPMENT	53,540		53,540
083	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	81,953		81,953
084	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	7,485		7,485
085	0604221N	P-3 MODERNIZATION PROGRAM	3,659		3,659
086	0604230N	WARFARE SUPPORT SYSTEM	6,307		6,307
087	0604231N	TACTICAL COMMAND SYSTEM	86,462		86,462
088	0604234N	ADVANCED HAWKEYE	364,557		364,557
089	0604245N	H-1 UPGRADES	32,830		32,830
090	0604261N	ACOUSTIC SEARCH SENSORS	56,369		56,369
091	0604262N	V-22A	89,512		89,512
092	0604264N	AIR CREW SYSTEMS DEVELOPMENT	14,265		14,265
093	0604269N	EA-18	55,446		55,446

094	0604270N	ELECTRONIC WARFARE DEVELOPMENT	97,635	97,635
095	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	85,240	85,240
096	0604274N	NEXT GENERATION JAMMER (NGJ)	127,970	127,970
097	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	876,374	876,374
098	0604300N	SC-21 TOTAL SHIP SYSTEM ENGINEERING		
099	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	178,459	178,459
100	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	5,304	5,304
101	0604329N	SMALL DIAMETER BOMB (SDB)	43,902	43,902
102	0604366N	STANDARD MISSILE IMPROVEMENTS	182,197	182,197
103	0604373N	AIRBORNE MCM	48,712	48,712
104	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	11,727	11,727
105	0604501N	ADVANCED ABOVE WATER SENSORS	236,078	236,078
		Mobile maritime sensor technology development		
106	0604503N	SSN-688 AND TRIDENT MODERNIZATION	122,733	122,733
		SSN Communications		
107	0604504N	AIR CONTROL	6,533	6,533
108	0604512N	SHIPBOARD AVIATION SYSTEMS	80,623	80,623
109	0604518N	COMBAT INFORMATION CENTER CONVERSION	13,305	13,305
110	0604558N	NEW DESIGN SSN	154,756	154,756
		Common command & control system module		
		Mold-in-place coating development		
111	0604561N	SSN-21 DEVELOPMENTS	59,703	59,703
112	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM		
		Artificial Intelligence-based combat system kernel		
		Submarine environment for evaluation & development		
		Weapon acquisition & firing system		
113	0604567N	SHIP CONTRACT DESIGN/LIVE FIRE T&E	89,988	89,988
		Automated fiber optic manufacturing		
114	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,620	4,620
115	0604601N	MINE DEVELOPMENT	2,249	2,249
116	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	21,105	21,105
117	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,327	10,327
118	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	5,898	5,898
119	0604727N	JOINT STANDOFF WEAPON SYSTEMS	10,022	10,022

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
120	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) AUSV	35,459	5,000	40,459
121	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) Phalanx Next Generation	34,236	12,000 [12,000]	46,236
122	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) NULKA decoy R&D	88,895	9,000 [9,000]	97,895
123	0604761N	INTELLIGENCE ENGINEERING	14,438		14,438
124	0604771N	MEDICAL DEVELOPMENT Composite tissue transplantation research Custom body implant development Multivalent dengue vaccine program Orthopedic surgery instrumentation	9,888	10,500 [2,000] [2,000] [3,500] [3,000]	20,388
125	0604777N	NAVIGATION/ID SYSTEM	63,184		63,184
126	0604784N	DISTRIBUTED SURVEILLANCE SYSTEM			
127	0604800N	JOINT STRIKE FIGHTER (JSF) F136 development Excess management reserves	1,741,296	141,450 [219,450] [-78,000]	1,882,746
128	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	9,868		9,868
129	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT Information systems research Integrated network-centric technology systems	69,026	12,000 [7,000] [5,000]	81,026
130	0605212N	CH-53K RDTE	554,827		554,827
131	0605430N	C/KC-130 AVIONICS MODERNIZATION PROGRAM (AMP)			
132	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	81,434		81,434
133	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,162,417		1,162,417
134	0204201N	CG(X)	150,022		150,022
135	0204202N	DDG-1000	539,053		539,053
136	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	19,016		19,016

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
162	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	7,211		7,211
163	0101402N	NAVY STRATEGIC COMMUNICATIONS	43,982		43,982
164	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	39,125		39,125
165	0204136N	F/A-18 SQUADRONS	127,733		127,733
166	0204152N	E-2 SQUADRONS	63,058		63,058
167	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	37,431		37,431
168	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	13,238		13,238
169	0204311N	INTEGRATED SURVEILLANCE SYSTEM	24,835		24,835
170	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	2,324		2,324
171	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	49,293		49,293
172	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,609		1,609
173	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	37,524		37,524
174	0205601N	HARM IMPROVEMENT	30,045		30,045
175	0205604N	TACTICAL DATA LINKS	25,003		25,003
176	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	41,803		41,803
177	0205632N	MK-48 ADCAP	28,438		28,438
178	0205633N	AVIATION IMPROVEMENTS	135,840		135,840
179	0205658N	NAVY SCIENCE ASSISTANCE PROGRAM	3,716		3,716
180	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	72,031		72,031
181	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	287,348		287,348
182	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	120,379	8,200	128,579
		Expandable rigid wall composite shelters		[1,300]	
		Marine personnel carrier support system		[3,000]	
		Ultrasonic armor consolidation		[3,900]	
183	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	17,057	1,000	18,057
		High performance capabilities for military vehicles		[1,000]	
184	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	30,167		30,167
185	0207161N	TACTICAL AEM MISSILES	2,298		2,298
186	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	3,604		3,604

187	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	8,431	8,431
188	0301303N	MARITIME INTELLIGENCE	[]	[]
189	0301323N	COLLECTION MANAGEMENT	[]	[]
190	0301327N	TECHNICAL RECONNAISSANCE AND SURVEILLANCE	[]	[]
191	0301372N	CYBER SECURITY INITIATIVE—GDIP	[]	[]
192	0303109N	SATELLITE COMMUNICATIONS (SPACE)	442,009	442,009
		MUOS program transfer to WPN	-32,000	
		.....	[-32,000]	
193	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	45,513	45,513
194	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	24,226	27,726
		Policy decision point for Consolidated Afloat Networks and Enterprise Services	3,500	
		.....	[3,500]	
195	0303158M	JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,453	2,453
196	0303158N	JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,139	4,139
197	0305149N	COBRA JUDY	62,061	62,061
198	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS—SPACE (METOC)	28,094	28,094
199	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	4,600	4,600
200	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,971	8,971
201	0305205N	ENDURANCE UNMANNED AERIAL VEHICLES		
202	0305206N	AIRBORNE RECONNAISSANCE SYSTEMS	46,208	46,208
203	0305207N	MANNED RECONNAISSANCE SYSTEMS	22,599	22,599
204	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	18,079	18,079
205	0305220N	RQ-4 UAV	465,839	465,839
206	0305231N	MQ-8 UAV	25,639	25,639
207	0305232M	RQ-11 UAV	553	553
208	0305233N	RQ-7 UAV	986	986
209	0305234M	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	18,763	18,763
210	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	23,594	23,594
211	0307207N	AERIAL COMMON SENSOR (ACS)		
212	0307217N	EP-3E REPLACEMENT (EPX)	11,976	11,976
213	0308601N	MODELING AND SIMULATION SUPPORT	8,028	8,028
214	0702207N	DEPOT MAINTENANCE (NON-IF)	14,675	14,675
215	0702239N	AVIONICS COMPONENT IMPROVEMENT PROGRAM	2,725	2,725
216	0708011N	INDUSTRIAL PREPAREDNESS	56,691	64,191
		Integrated manufacturing enterprise	7,500	
		Life extension of weapon system structures research	[5,000]	
		.....	[2,500]	

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
217	0708730N	MARITIME TECHNOLOGY (MARITECH)		20,000	20,000
		National Shipbuilding Research Program		[20,000]	
999	99999999	OTHER PROGRAMS	1,258,018		1,258,018
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E	4,302,584	9,370	4,311,954
		TOTAL, RDT&E NAVY	19,270,932	326,764	19,597,696
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE			
		BASIC RESEARCH			
001	0601102F	DEFENSE RESEARCH SCIENCES	321,028	2,500	323,528
		Coal transformation research		[1,000]	
		Nanotechnology for portable power research		[1,500]	
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	132,249	13,500	145,749
		Cybersecurity for control networks research		[4,000]	
		End-user software safeguard research		[2,000]	
		Informatics research		[1,500]	
		Information security research		[4,000]	
		Integrated design and manufacturing research		[2,000]	
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	12,834		12,834
004	0301555F	CLASSIFIED PROGRAMS	[]		[]
005	0301556F	SPECIAL PROGRAM	[]		[]
		SUBTOTAL, BASIC RESEARCH, AIR FORCE	466,111	16,000	482,111
		APPLIED RESEARCH			
006	0602015F	MEDICAL DEVELOPMENT			

007	0602102F	MATERIALS	127,957	19,750	147,707
		Advanced aerospace heat exchangers		[3,000]	
		Aircraft active corrosion protection systems		[2,000]	
		Energy and automation technologies		[4,000]	
		Energy efficiency, recovery, and generation systems		[4,000]	
		Health monitoring sensors for aerospace components		[2,000]	
		Intelligent manufacturing research		[1,000]	
		Light alloy aerospace and automotive parts development		[1,000]	
		Mid-infrared laser source research	127,129	[2,750]	129,629
008	0602201F	AEROSPACE VEHICLE TECHNOLOGIES		2,500	
		Unmanned aerial system collaboration technologies		[2,500]	
009	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	85,122		85,122
010	0602203F	AEROSPACE PROPULSION	196,529		214,529
		Hybrid bearing development		18,000	
		Integrated electrical starter/generator systems		[1,000]	
		Lithium battery manufacturing		[2,500]	
		Lithium ion technologies for aviation batteries		[5,000]	
		Serapjet research		[2,000]	
		Thermally efficient engine pumping system		[3,500]	
011	0602204F	AEROSPACE SENSORS	121,768	9,500	121,768
012	0602601F	SPACE TECHNOLOGY	104,148	[2,000]	113,648
		Reconfigurable electronics research		[7,500]	
		Seismic research program	58,289		58,289
013	0602602F	CONVENTIONAL MUNITIONS	105,677	-5,750	99,927
014	0602605F	DIRECTED ENERGY TECHNOLOGY		[-5,750]	
		Chemical laser technology			
015	0602702F	COMMAND CONTROL AND COMMUNICATIONS			
016	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	115,278		115,278
017	0602890F	HIGH ENERGY LASER RESEARCH	52,754	-4,100	48,654
		Advanced deformable mirrors for high energy laser weapons		[2,000]	
		Chemical laser technology		[-6,100]	
		SUBTOTAL, APPLIED RESEARCH, AIR FORCE	1,094,651	39,900	1,134,551

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
ADVANCED TECHNOLOGY DEVELOPMENT					
018	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,901	14,000	51,901
		Metals Affordability Initiative		[7,000]	
		Sevage-derived biofuels program		[5,000]	
		Sonic infrared imaging technology development		[2,000]	
019	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	2,955		2,955
020	0603203F	ADVANCED AEROSPACE SENSORS	51,482	4,000	55,482
		Reconfigurable secure computing technologies		[4,000]	
021	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	76,844		76,844
022	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	175,676	39,500	215,176
		Alternative energy research		[20,000]	
		Long range supersonic engine for high speed strike		[10,000]	
		Scalable UAV engines		[3,500]	
		Silicon carbide power electronics research		[6,000]	
023	0603231F	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY			
024	0603270F	ELECTRONIC COMBAT TECHNOLOGY	31,021		31,021
025	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	83,909		83,909
026	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,813		5,813
027	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	24,565		24,565
028	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	14,356		14,356
029	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,056		30,056
030	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	39,913	3,250	43,163
		Next generation casting initiative		[3,250]	
031	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	39,708	2,500	42,208
		Optical interconnects research		[2,500]	
032	0603789F	C3I ADVANCED DEVELOPMENT			
033	0603924F	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	3,831		3,831
SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, AIR FORCE			618,030	63,250	681,280

ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES

034	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,009	5,009
035	0603287F	PHYSICAL SECURITY EQUIPMENT	3,623	3,623
036	0603421F	NAVSTAR GLOBAL POSITIONING SYSTEM III		
037	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT		
038	0603430F	ADVANCED EHF MILSATCOM (SPACE)	464,335	464,335
039	0603432F	POLAR MILSATCOM (SPACE)	253,150	253,150
040	0603438F	SPACE CONTROL TECHNOLOGY	97,701	110,201
		Space protection program		12,500
		Space situational awareness		[6,500]
		Space situational awareness		[6,000]
041	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	27,252	27,252
042	0603790F	NATO RESEARCH AND DEVELOPMENT	4,351	4,351
043	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	632	632
044	0603845F	TRANSFORMATIONAL SATCOM (TSAT)		
045	0603850F	INTEGRATED BROADCAST SERVICE	20,739	20,739
046	0603851F	INTERCONTINENTAL BALLISTIC MISSILE	66,079	61,079
		Program decrease		-5,000
		Program decrease		[-5,000]
047	0603854F	WIDEBAND GLOBAL SATCOM RDT&E (SPACE)	70,956	70,956
048	0603859F	POLLUTION PREVENTION	2,896	2,896
049	0603860F	JOINT PRECISION APPROACH AND LANDING SYSTEMS	23,174	23,174
050	0604015F	NEXT GENERATION BOMBER		
051	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	22,612	22,612
052	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	20,891	20,891
053	0604330F	JOINT DUAL ROLE AIR DOMINANCE MISSILE	6,882	6,882
054	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	35,533	35,533
055	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	18,778	18,778
056	0604796F	ALTERNATIVE FUELS	89,020	89,020
057	0604830F	AUTOMATED AIR-TO-AIR REFUELING	43,158	43,158
058	0604856F	COMMON AERO VEHICLE (CAV)		
059	0604857F	OPERATIONALLY RESPONSIVE SPACE	112,861	170,000
		ORS smallsat imaging prototyping		[115,000]
		ORS-1		[40,000]
		RSLV		[15,000]

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
060	0604858F	TECH TRANSITION PROGRAM	9,611		9,611
061	0305178F	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS). Program increase	396,641	80,000	476,641
061a	604xxxxf	NEXT GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT		[80,000]	53,000
		IRIS		[3,000]	53,000
		Next generation MILSATCOM technology development		[50,000]	
SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, AIR FORCE.			1,795,884	310,500	2,106,384
SYSTEM DEVELOPMENT & DEMONSTRATION					
062	0603840F	GLOBAL BROADCAST SERVICE (GBS)	31,124		31,124
063	0604222F	NUCLEAR WEAPONS SUPPORT	37,860		37,860
064	0604226F	B-1B		2,000	2,000
		B-1B AESA radar		[2,000]	
065	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	6,227		6,227
066	0604240F	B-2 ADVANCED TECHNOLOGY BOMBER			
067	0604261F	PERSONNEL RECOVERY SYSTEMS			
068	0604270F	ELECTRONIC WARFARE DEVELOPMENT	97,275		97,275
069	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	88,444		88,444
070	0604287F	PHYSICAL SECURITY EQUIPMENT	50		50
071	0604329F	SMALL DIAMETER BOMB (SDB)	153,815		153,815
072	0604421F	COUNTERSPACE SYSTEMS	64,248		64,248
073	0604425F	SPACE SITUATION AWARENESS SYSTEMS	308,134		308,134
074	0604429F	AIRBORNE ELECTRONIC ATTACK	11,107		11,107
075	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	512,642	15,000	527,642
		HBO ground and data exploitation		[15,000]	

076	0604443F	THIRD GENERATION INFRARED SURVEILLANCE (3GIRS)	143,169	143,169
077	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	18,671	18,671
078	0604604F	SUBMUNITIONS	1,784	1,784
079	0604617F	AGILE COMBAT SUPPORT	11,261	11,261
080	0604706F	LIFE SUPPORT SYSTEMS	10,711	10,711
081	0604735F	COMBAT TRAINING RANGES	29,718	29,718
082	0604740F	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
083	0604750F	INTELLIGENCE EQUIPMENT	1,495	1,495
084	0604800F	JOINT STRIKE FIGHTER (JSF)	1,858,055	1,999,505
		F136 development	141,450	141,450
		Excess management reserves	[219,450]	[219,450]
		INTERCONTINENTAL BALLISTIC MISSILE	60,010	60,010
085	0604851F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	26,545	38,545
086	0604853F	EELV metric tracking	12,000	12,000
087	0605011F	RDT&E FOR AGING AIRCRAFT	439,615	439,615
088	0605221F	NEXT GENERATION AERIAL REFUELING AIRCRAFT	89,975	89,975
089	0605277F	CSAR-X RDT&E	-89,975	-89,975
		Use available prior year funds	[-78,000]	[-78,000]
090	0605278F	HC/MC-130 RECAP RDT&E	20,582	20,582
091	0605432F	JOINT SLAP EXECUTIVE PROGRAM OFFICE	34,877	34,877
092	0207434F	LINK-16 SUPPORT AND SUSTAINMENT		
093	0207450F	E-10 SQUADRONS		
094	0207451F	SINGLE INTEGRATED AIR PICTURE (SIAP)	13,466	13,466
095	0207701F	FULL COMBAT MISSION TRAINING	99,807	99,807
096	0305176F	COMBAT SURVIVOR EVADER LOCATOR		
097	0401138F	JOINT CARGO AIRCRAFT (JCA)	9,353	9,353
098	0401318F	CV-22	19,640	19,640
099	0401845F	AIRBORNE SENIOR LEADER C3 (SLC3S)	20,056	20,056
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, AIR FORCE	4,219,726	80,475
		RDT&E MANAGEMENT SUPPORT		
100	0604256F	THREAT SIMULATOR DEVELOPMENT	27,789	27,789
101	0604759F	MAJOR T&E INVESTMENT	60,824	65,824
			5,000	
			80,475	4,300,201

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
102	0605101F	Holloman High Speed Test Track		[5,000]	
103	0605502F	RAND PROJECT AIR FORCE	27,501		27,501
104	0605712F	SMALL BUSINESS INNOVATION RESEARCH			
105	0605807F	INITIAL OPERATIONAL TEST & EVALUATION	25,833		25,833
		TEST AND EVALUATION SUPPORT	736,488	20,000	756,488
		Program increase		[20,000]	
106	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,637		14,637
107	0605864F	SPACE TEST PROGRAM (STP)	47,215		47,215
108	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	52,409		52,409
109	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	29,683		29,683
110	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	18,947		18,947
111	0804731F	GENERAL SKILL TRAINING	1,450		1,450
112	0909999F	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			
113	1001004F	INTERNATIONAL ACTIVITIES	3,748		3,748
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, AIR FORCE	1,046,524	25,000	1,071,524
OPERATIONAL SYSTEMS DEVELOPMENT					
114	0604263F	COMMON VERTICAL LIFT SUPPORT PLATFORM	9,513		9,513
115	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	47,276		47,276
116	0605798F	ANALYSIS SUPPORT GROUP			
117	0101113F	B-52 SQUADRONS	93,930		93,930
118	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,652		3,652
119	0101126F	B-1B SQUADRONS	148,025		148,025
120	0101127F	B-2 SQUADRONS	415,414		415,414
121	0101313F	SFRAT WAR PLANNING SYSTEM—USSTRATCOM	33,836		33,836
122	0101314F	NIGHT FIST—USSTRATCOM	5,328		5,328
123	0101815F	ADVANCED STRATEGIC PROGRAMS			
124	0102325F	ATMOSPHERIC EARLY WARNING SYSTEM	9,832		9,832

125	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	25,734	25,734
126	0102823F	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	18	18
127	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	11,996	11,996
128	0205219F	MQ-9 UAV	39,245	39,245
129	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	14,747	14,747
130	0207131F	A-10 SQUADRONS	9,697	9,697
131	0207133F	F-16 SQUADRONS	141,020	141,020
132	0207134F	F-15E SQUADRONS	311,167	311,167
133	0207136F	MANNED DESTRUCTIVE SUPPRESSION	10,748	10,748
134	0207138F	F-22A SQUADRONS	569,345	569,345
135	0207161F	TACTICAL AIM MISSILES	5,915	5,915
136	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	49,971	49,971
137	0207170F	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,529	2,529
138	0207227F	COMBAT RESCUE—PARARESCUE	2,950	2,950
139	0207247F	AF TENCAP	11,643	11,643
140	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	2,950	2,950
141	0207253F	COMPASS CALL	13,019	13,019
142	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	166,563	166,563
143	0207277F	CSAF INNOVATION PROGRAM	4,621	4,621
144	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	29,494	29,494
145	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	99,405	99,405
146	0207412F	CONTROL AND REPORTING CENTER (CRC)	52,508	52,508
147	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	176,040	176,040
148	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS		
149	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	63,782	63,782
150	0207424F	EVALUATION AND ANALYSIS PROGRAM .....	| |	| |
151	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	1,475	1,475
152	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	19,067	19,067
153	0207445F	FIGHTER TACTICAL DATA LINK	72,106	72,106
154	0207446F	BOMBER TACTICAL DATA LINK		
155	0207448F	C2ISR TACTICAL DATA LINK	1,667	1,667
156	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	26,792	26,792
157	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	140,670	92,000
		MP-RTIP integration & test on JSTARS aircraft		[92,000]

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
158	0207590F	SEEK EAGLE	22,071		22,071
159	0207601F	USAF MODELING AND SIMULATION	27,245		27,245
160	0207605F	WARGAMING AND SIMULATION CENTERS	7,018		7,018
161	0207697F	DISTRIBUTED TRAINING AND EXERCISES	6,740		6,740
162	0208006F	MISSION PLANNING SYSTEMS	91,995		91,995
163	0208021F	INFORMATION WARFARE SUPPORT	12,271		12,271
164	0208161F	SPECIAL EVALUATION SYSTEM			
165	0301310F	NATIONAL AIR INTELLIGENCE CENTER			
166	0301314F	COBRA BALL			
167	0301315F	MISSILE AND SPACE TECHNICAL COLLECTION			
168	0301324F	FOREST GREEN			
169	0301386F	GDIP COLLECTION MANAGEMENT			
170	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,107		26,107
171	0303112F	AIR FORCE COMMUNICATIONS (AIRCOM)			
172	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	72,694		72,694
173	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	196,621		196,621
174	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	3,375		3,375
175	0303150F	GLOBAL COMMAND AND CONTROL SYSTEM	3,149		3,149
176	0303158F	JOINT COMMAND AND CONTROL PROGRAM (JC2)	3,087		3,087
177	0303601F	MILSATCOM TERMINALS	257,693		257,693
179	0304260F	AIRBORNE SIGINT ENTERPRISE	176,989		176,989
180	0304311F	SELECTED ACTIVITIES			
181	0304348F	ADVANCED GEOSPATIAL INTELLIGENCE (AGI)			
182	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	6,028		6,028
183	0305103F	CYBER SECURITY INITIATIVE	2,065		2,065
184	0305110F	SATELLITE CONTROL NETWORK (SPACE)	20,991		20,991
185	0305111F	WEATHER SERVICE	33,531		33,531
186	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL)	9,006		9,006
187	0305116F	AERIAL TARGETS	54,807		54,807

188	0305124F	SPECIAL APPLICATIONS PROGRAM	[]	[]
189	0305127F	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[]	[]
190	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	742	742
191	0305142F	APPLIED TECHNOLOGY AND INTEGRATION	[]	[]
192	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	39	39
194	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	137,692	137,692
195	0305165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	52,039	52,039
196	0305172F	COMBINED ADVANCED APPLICATIONS	[]	[]
197	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,599	3,599
198	0305174F	SPACE WARFARE CENTER	3,009	3,009
199	0305182F	SPACECRAFT RANGE SYSTEM (SPACE)	9,957	9,957
200	0305193F	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	1,240	1,240
201	0305202F	DRAGON U-2		
202	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	73,736	73,736
		ISIS		-35,000
		AIRBORNE RECONNAISSANCE SYSTEMS	143,892	[-35,000]
203	0305206F	GORGON STARE		-46,000
		MANNED RECONNAISSANCE SYSTEMS	12,846	[-46,000]
204	0305207F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	82,765	
205	0305208F	MQ-1 PREDATOR A UAV	18,101	
206	0305219F	Sense and avoid		4,000
207	0305220F	RQ-4 UAV	317,316	[4,000]
208	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	8,160	
209	0305265F	GPS III SPACE SEGMENT	815,095	
210	0305614F	JSPOC MISSION SYSTEM	131,271	6,000
		Karnac		[6,000]
211	0305887F	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,267	5,267
212	0305906F	NCMC—TW/AA SYSTEM		
213	0305913F	NUDET DETECTION SYSTEM (SPACE)	84,021	84,021
214	0305924F	NATIONAL SECURITY SPACE OFFICE	10,634	10,634
215	0305940F	SPACE SITUATION AWARENESS OPERATIONS	54,648	54,648
216	0307141F	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEVELOPMENT	30,076	30,076
217	0308699F	SHARED EARLY WARNING (SEW)	3,082	3,082
218	0401115F	C-130 AIRLIFT SQUADRON	201,250	201,250

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
219	0401119F	C-5 AIRLIFT SQUADRONS (IF)	95,266		95,266
220	0401130F	C-17 AIRCRAFT (IF)	161,855		161,855
221	0401132F	C-130J PROGRAM	30,019		30,019
222	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM)	31,784		31,784
223	0401218F	KC-135S	10,297		10,297
224	0401219F	KC-108	35,586		35,586
225	0401221F	KC-135 TANKER REPLACEMENT			
226	0401314F	OPERATIONAL SUPPORT AIRLIFT	4,916		4,916
227	0401839F	AIR MOBILITY TACTICAL DATA LINK			
228	0408011F	SPECIAL TACTICS/COMBAT CONTROL	8,222		8,222
229	0702207F	DEPOT MAINTENANCE (NON-IF)	1,508		1,508
230	0702976F	FACILITIES RESTORATION & MODERNIZATION—LOGISTICS			
231	0708011F	INDUSTRIAL PREPAREDNESS			
232	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	246,483		246,483
233	0708611F	SUPPORT SYSTEMS DEVELOPMENT	6,288		6,288
234	0804743F	OTHER FLIGHT TRAINING	805		805
235	0804757F	JOINT NATIONAL TRAINING CENTER	3,220		3,220
236	0804772F	TRAINING DEVELOPMENTS	1,769		1,769
237	0808716F	OTHER PERSONNEL ACTIVITIES	116		116
238	0901202F	JOINT PERSONNEL RECOVERY AGENCY	6,376	5,000	11,376
		Biometric signature and passive physiological monitoring		[5,000]	
239	0901212F	SERVICE-WIDE SUPPORT (NOT OTHERWISE ACCOUNTED FOR)			
240	0901218F	CIVILIAN COMPENSATION PROGRAM	8,174		8,174
241	0901220F	PERSONNEL ADMINISTRATION	10,492		10,492
242	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	55,991		55,991
999	99999999	OTHER PROGRAMS	11,955,084	140,000	12,095,084
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE	18,751,901	166,000	18,917,901

TOTAL, RDT&E AIR FORCE 27,992,827 701,125 28,693,952

RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE

BASIC RESEARCH

001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	48,544		48,544
002	0601101E	DEFENSE RESEARCH SCIENCES	226,125		226,125
003	0601111D8Z	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH			
004	0601114D8Z	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH		8,000	8,000
		Program Increase		[8,000]	
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	89,980		89,980
006	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	58,974	2,000	60,974
		In-vitro models for bio-defense vaccines		[2,000]	

SUBTOTAL, BASIC RESEARCH, DEFENSE-WIDE 423,623 10,000 433,623

APPLIED RESEARCH

007	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	22,669		22,669
008	0602227D8Z	MEDICAL FREE ELECTRON LASER			
009	0602228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	15,164		15,164
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	34,034		34,034
011	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	282,749	-12,000	270,749
		Content distribution		[-4,500]	
		CORONET		[-7,500]	
012	0602304E	COGNITIVE COMPUTING SYSTEMS	142,840	-25,000	117,840
		Cognitive networking		[-25,000]	
013	0602383E	BIOLOGICAL WARFARE DEFENSE	40,587		40,587
014	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	209,072		222,950
		Chemical and biological infrared detector		13,878	
		Biological decontamination research		[3,000]	
		Funding for meritorious unfunded TMTI projects		[1,000]	
015	0602663D8Z	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT	4,940		4,940
016	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH	9,446	[9,878]	9,446

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
017	0602702E	TACTICAL TECHNOLOGY	276,075	-13,000	263,075
		EXACTO		[-10,000]	
		Submersible aircraft		[-3,000]	
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	268,859		268,859
019	0602716E	ELECTRONICS TECHNOLOGY	223,841		223,841
020	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	219,130	2,000	221,130
		Blast mitigation and protection		[2,000]	
021	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	27,384		27,384
022	1160407BB	SOF MEDICAL TECHNOLOGY DEVELOPMENT			
		SUBTOTAL, APPLIED RESEARCH, DEFENSE-WIDE	1,776,790	-34,122	1,742,668
		ADVANCED TECHNOLOGY DEVELOPMENT			
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,538		23,538
024	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	43,808		43,808
025	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	81,868	6,000	87,868
		Impact and blast loading laboratory testing program		[2,500]	
		Reconnaissance and data exploitation systems		[3,500]	
026	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	233,203		233,203
027	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	109,760		109,760
028	0603200D8Z	JOINT ADVANCED CONCEPTS	7,817	3,000	10,817
		Joint Future Theater Lift joint advanced concepts		[3,000]	
029	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	23,276		23,276
030	0603286E	ADVANCED AEROSPACE SYSTEMS	338,360	-106,000	232,360
		Disc-rotor compound helicopter		[-5,000]	
		Endurance UAS programs		[-90,000]	
		Heliplane		[-4,000]	
		Triple target terminator		[-7,000]	
031	0603287E	SPACE PROGRAMS AND TECHNOLOGY	200,612		200,612

032	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	282,235	282,235
033	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	10,838	10,838
034	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	198,352	173,352
		JCTD new starts	-25,000	
			[-25,000]	
035	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	28,212	28,212
036	0603663D8Z	JOINT DATA MANAGEMENT RESEARCH	4,935	4,935
037	0603665D8Z	BIOMETRICS SCIENCE AND TECHNOLOGY	10,993	10,993
038	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT.	11,480	11,480
039	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	14,638	24,638
		High performance defense manufacturing technology	[10,000]	
040	0603711D8Z	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,110	11,110
		Robotics training systems	[2,000]	
041	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	19,043	60,293
		Alternative energy research	[20,000]	
		Biofuels program	[4,000]	
		Biomass conversion research	[2,500]	
		Fuel cell manufacturing research	[3,750]	
		Renewable power for forward operating bases	[3,000]	
		Vehicle fuel cell and hydrogen logistics program	[8,000]	
042	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,356	29,356
043	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	69,175	69,175
044	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	26,310	26,310
045	0603727D8Z	JOINT WARFIGHTING PROGRAM	11,135	11,135
046	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	205,912	205,912
047	0603745D8Z	SYNTHETIC APERTURE RADAR (SAR) COHERENT CHANGE DETECTION (CDD)	4,864	4,864
048	0603750D8Z	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS		
049	0603755D8Z	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	221,286	224,286
		Computational design of novel materials	3,000	
050	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	293,476	283,476
		Deep Green	[-10,000]	
051	0603764E	LAND WARFARE TECHNOLOGY		
052	0603765E	CLASSIFIED DARPA PROGRAMS	186,526	186,526
053	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	135,941	135,941

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
054	0603767E	SENSOR TECHNOLOGY	243,056	-7,500	235,556
		SUDS		[-7,500]	
055	0603768E	GUIDANCE TECHNOLOGY	37,040		37,040
056	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,822		13,822
057	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	31,298		31,298
058	0603805S	DUAL USE TECHNOLOGY			
059	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	107,984	-13,200	94,784
		Quick Reaction Fund		[-15,000]	
		Special warfare domain awareness		[1,800]	
060	0603828D8Z	JOINT EXPERIMENTATION	124,480	-5,000	119,480
		Space control and GPS experimentation		[-5,000]	
061	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	38,505		38,505
062	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	95,734		95,734
063	0603942D8Z	TECHNOLOGY TRANSFER	2,219		2,219
064	0909999D8Z	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			
065	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	31,675	1,600	33,275
		Lithium ion battery safety research		[1,600]	
066	1160422BB	AVIATION ENGINEERING ANALYSIS	3,544		3,544
067	1160472BB	SOF INFORMATION AND BROADCAST SYSTEMS ADVANCED TECHNOLOGY	4,988		4,988
		SUBTOTAL, ADVANCED TECHNOLOGY DEVELOPMENT, DEFENSE-WIDE	3,570,404	-99,850	3,470,554
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			
068	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	36,019		36,019
069	0603228D8Z	PHYSICAL SECURITY EQUIPMENT			
070	0603527D8Z	RETRACT LARCH	21,718		21,718
071	0603709D8Z	JOINT ROBOTICS PROGRAM	11,803		11,803
072	0603714D8Z	ADVANCED SENSOR APPLICATIONS PROGRAM	17,771		17,771
073	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	31,613		31,613

074	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	719,465	719,465
075	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	982,922	982,922
076	0603883C	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	186,697	186,697
077	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	205,952	207,952
		Real-time non-specific viral agent detector		2,000
		.....		[2,000]
078	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	636,856	641,856
		Airborne infrared surveillance technology		5,000
		.....		[5,000]
079	0603886C	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR		
080	0603888C	BALLISTIC MISSILE DEFENSE TEST & TARGETS	966,752	966,752
081	0603890C	BMD ENABLING PROGRAMS	369,145	369,145
082	0603891C	SPECIAL PROGRAMS—MDA	301,566	301,566
083	0603892C	AEGIS BMD	1,690,758	1,660,758
		Excess to execution		-30,000
		.....		[-30,000]
084	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	180,000	180,000
085	0603894C	MULTIPLE KILL VEHICLE		
086	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	12,549	12,549
087	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATION	340,014	340,014
088	0603897C	BALLISTIC MISSILE DEFENSE HERCULES	48,186	48,186
089	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	60,921	60,921
090	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	86,949	86,949
091	0603906C	REGARDING TRENCH	6,164	6,164
092	0603907C	SEA BASED X-BAND RADAR (SBX)	174,576	174,576
093	0603908C	BMD EUROPEAN INTERCEPTOR SITE		
094	0603909C	BMD EUROPEAN MIDCOURSE RADAR		
095	0603911C	BMD EUROPEAN CAPABILITY	50,504	50,504
096	0603912C	BMD EUROPEAN COMMUNICATIONS SUPPORT		
097	0603913C	ISRAELI COOPERATIVE PROGRAMS	119,634	144,634
		Short-range ballistic missile defense		25,000
		.....		[25,000]
098	0603920D8Z	HUMANITARIAN DEMINING	14,687	14,687
099	0603923D8Z	COALITION WARFARE	13,885	13,885
100	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,887	8,387
		Corrosion control research		3,500
		.....		[3,500]

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
101	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	55,289		55,289
102	0604648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	18,577		18,577
103	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.	7,006		7,006
104	0604787D8Z	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	19,744	50,000	69,744
		Systems engineering and prototyping program		[50,000]	
105	0604828D8Z	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	16,972		16,972
106	0605017D8Z	REDUCTION OF TOTAL OWNERSHIP COST	24,647		24,647
107	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,949		3,949
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, DEFENSE-WIDE.	7,438,177	55,500	7,493,677
		SYSTEM DEVELOPMENT & DEMONSTRATION			
108	0604051D8Z	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	28,862		28,862
109	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	7,628		7,628
110	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	166,913		166,913
111	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	332,895		332,895
112	0604709D8Z	JOINT ROBOTICS PROGRAM	5,127		5,127
113	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	39,911		39,911
114	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,633		20,633
115	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	8,735		8,735
116	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	11,705		11,705
117	0605018BTA	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)	70,000		70,000
118	0605020BTA	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	197,008		197,008
119	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	395		395
120	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	5,000		5,000

121	0605140D8Z	TRUSTED FOUNDRY	41,223	41,223
122	0605648D8Z	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	4,267	4,267
123	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	18,431	18,431
124	0303158K	JOINT COMMAND AND CONTROL PROGRAM (JC2)	49,047	49,047
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, DEFENSE-WIDE	1,007,780	1,007,780
		RDT&E MANAGEMENT SUPPORT		
125	0807708D8Z	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE (WII-SOC) STAFF OFFICE	1,609	1,609
126	0603757D8Z	TRAINING TRANSFORMATION (T2)	13,121	13,121
127	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	15,247	15,247
128	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	145,052	145,052
129	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	4,000	4,000
		SAM hardware simulators	[4,000]	[4,000]
130	0604943D8Z	THERMAL VICAR	9,045	9,045
131	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	9,455	9,455
132	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	44,760	44,760
133	0605110D8Z	USD (A&T)—CRITICAL TECHNOLOGY SUPPORT	4,914	4,914
134	0605117D8Z	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	94,921	94,921
135	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	96,909	96,909
136	0605128D8Z	CLASSIFIED PROGRAM USD(P)	35,054	35,054
137	0605130D8Z	FOREIGN COMPARATIVE TESTING	6,474	6,474
138	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	14,916	14,916
139	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,888	5,888
140	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	106,477	106,477
141	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM		
142	0605502BR	SMALL BUSINESS INNOVATION RESEARCH		
143	0605502C	SMALL BUSINESS INNOVATION RESEARCH—MDA		
144	0605502D8Z	SMALL BUSINESS INNOVATIVE RESEARCH		
145	0605502E	SMALL BUSINESS INNOVATIVE RESEARCH		
146	0605502S	SMALL BUSINESS INNOVATIVE RESEARCH		
147	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION	2,163	2,163
		Anti-tamper software systems	3,000	3,000
			[3,000]	[3,000]

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
148	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	11,005		11,005
149	0605798S	DEFENSE TECHNOLOGY ANALYSIS			
150	0605799D8Z	FORCE TRANSFORMATION DIRECTORATE	19,981		19,981
151	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	54,411		54,411
152	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	19,554		19,554
153	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	23,512		23,512
154	0605897E	DARPA AGENCY RELOCATION	45,000		45,000
155	0605898E	MANAGEMENT HQ—R&D	51,055		51,055
156	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	5,929		5,929
157	0606301D8Z	AVIATION SAFETY TECHNOLOGIES	8,000		8,000
158	0204571J	JOINT STAFF ANALYTICAL SUPPORT	1,250		1,250
159	0301555G	CLASSIFIED PROGRAMS	[]		[]
160	0301556G	SPECIAL PROGRAM	[]		[]
161	0303166D8Z	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	30,604		30,604
162	0303169D8Z	INFORMATION TECHNOLOGY RAPID ACQUISITION	4,667		4,667
163	0305103E	CYBER SECURITY INITIATIVE	50,000	-19,600	30,400
		Program decrease		[-19,600]	
164	0305193D8Z	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	20,648		20,648
165	0305193G	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[]		[]
166	0305400D8Z	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	829		829
167	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	34,306		34,306
168	0901585C	PENTAGON RESERVATION	19,709		19,709
169	0901598C	MANAGEMENT HQ—MDA	57,403		57,403
170	0901598D8W	IT SOFTWARE DEV INITIATIVES	980		980
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DEFENSE-WIDE	1,064,848	-12,600	1,052,248
		OPERATIONAL SYSTEMS DEVELOPMENT			
171	0604130V	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	1,384		1,384

172	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.....	2,001	2,001
173	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHA SIS)	292	292
174	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	6,198	6,198
175	0607828D8Z	JOINT INTEGRATION AND INTEROPERABILITY	46,214	46,214
176	0204571J	JOINT STAFF ANALYTICAL SUPPORT		
177	0208043J	CLASSIFIED PROGRAMS	2,179	2,179
178	0208045K	C4I INTEROPERABILITY	74,786	74,786
180	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	10,767	10,767
181	0301301L	GENERAL DEFENSE INTELLIGENCE PROGRAM	[]	[]
182	0301318BB	HUMINT (CONTROLLED)	[]	[]
183	0301371G	CYBER SECURITY INITIATIVE—CCP	[]	[]
184	0301372L	CYBER SECURITY INITIATIVE—GDIP	[]	[]
185	0301555BZ	CLASSIFIED PROGRAMS	[]	[]
186	0301556BZ	SPECIAL PROGRAM	[]	[]
187	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	548	548
188	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	17,655	17,655
189	0303126K	LONG-HAUL COMMUNICATIONS—DCS	9,406	9,406
190	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	9,830	9,830
191	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	8,116	8,116
192	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	41,002	41,002
193	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	13,477	13,477
194	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	408,316	410,116
		Software assurance courseware	1,800	1,800
		INFORMATION SYSTEMS SECURITY PROGRAM	[1,800]	[1,800]
195	0303140K	DISA MISSION SUPPORT OPERATIONS	1,205	1,205
196	0303148K	C4I FOR THE WARRIOR	4,098	4,098
197	0303149J	GLOBAL COMMAND AND CONTROL SYSTEM	23,761	23,761
198	0303150K	JOINT SPECTRUM CENTER	18,944	18,944
199	0303153K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	1,782	1,782
200	0303170K	JOINT MILITARY DECEPTION INITIATIVE	942	942
201	0303260D8Z	TELEPORT PROGRAM	5,239	5,239
202	0303610K	SPECIAL APPLICATIONS FOR CONTINGENCIES	16,381	16,381
203	0304210BB	NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP)	[]	[]
204	0304345BQ			

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Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
206	0305103D8Z	CYBER SECURITY INITIATIVE	993		993
207	0305103G	CYBER SECURITY INITIATIVE	[]		[]
208	0305103K	CYBER SECURITY INITIATIVE	10,080		10,080
209	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,725		12,725
210	0305127BZ	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[]		[]
211	0305127L	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[]		[]
212	0305146BZ	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	[]		[]
213	0305146L	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	[]		[]
214	0305183L	DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES	[]		[]
215	0305186D8Z	POLICY R&D PROGRAMS	6,948	-6,000	948
		Program reduction		[-6,000]	
216	0305193L	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)			
217	0305199D8Z	NET CENTRICITY	1,479		1,479
218	0305202G	DRAGON U-2	[]		[]
219	0305206G	AIRBORNE RECONNAISSANCE SYSTEMS	[]		[]
220	0305207G	MANED RECONNAISSANCE SYSTEMS			
221	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,407		1,407
222	0305208BQ	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]		[]
223	0305208G	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]		[]
224	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,158		3,158
225	0305208L	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]		[]
226	0305219BB	MQ-1 PREDATOR A UAV	2,067		2,067
227	0305229G	REAL-TIME ARCHITECTURE DEVELOPMENT (RT10)	[]		[]
228	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,963		2,963
229	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT AND INTEGRATION.	1,389		1,389
230	0305866L	DIA SUPPORT TO SOUTHCOM INTELLIGENCE ACTIVITIES			
231	0305880L	COMBATANT COMMAND INTELLIGENCE OPERATIONS			

232	0305883L	HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT	[]	[]	[]
233	0305884L	INTELLIGENCE PLANNING AND REVIEW ACTIVITIES	[]	[]	[]
		Technology applications for security enhancement			[4,000]
235	0305889G	COUNTERDRUG INTELLIGENCE SUPPORT	[]	[]	[4,000]
236	0307141G	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV	[]	[]	[]
237	0307207G	AERIAL COMMON SENSOR (ACS)	[]	[]	[]
238	0708011S	INDUSTRIAL PREPAREDNESS	20,514		60,514
		Advanced microcircuit emulation			40,000
		Castings for improved defense readiness			[4,500]
		Industrial Base Innovation Fund			[30,000]
		Insensitive munitions manufacturing			[2,500]
239	0708012S	LOGISTICS SUPPORT ACTIVITIES	2,798		2,798
240	0902298J	MANAGEMENT HEADQUARTERS (JCS)	8,303		8,303
241	1001018D8Z	NATO AGS	74,485		74,485
242	1105219BB	MQ-9 UAV	4,380		4,380
243	1130435BB	STORM			
244	1160279BB	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG			
245	1160403BB	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	82,621		82,621
246	1160404BB	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	6,182		6,182
247	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	21,273		26,273
		Long endurance unmanned ground sensor technologies			5,000
248	1160408BB	SOF OPERATIONAL ENHANCEMENTS	60,310		60,310
249	1160421BB	SPECIAL OPERATIONS CY-22 DEVELOPMENT	12,687		12,687
250	1160423BB	JOINT MULTI-MISSION SUBMERSIBLE	43,412		43,412
251	1160425BB	SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS			
252	1160426BB	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT	1,321		1,321
253	1160427BB	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	3,192		3,192
254	1160428BB	UNMANNED VEHICLES (UV)			
255	1160429BB	MCI30J SOF TANKER RECAPITALIZATION	5,957		5,957
256	1160474BB	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	733		733
257	1160476BB	SOF TACTICAL RADIO SYSTEMS	2,368		2,368
258	1160477BB	SOF WEAPONS SYSTEMS	1,081		1,081
259	1160478BB	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	597		597
260	1160479BB	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEMS	3,369		3,369

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
261	1160480BB	SOF TACTICAL VEHICLES	1,973		1,973
262	1160482BB	SOF ROTARY WING AVIATION	18,863		18,863
263	1160483BB	SOF UNDERWATER SYSTEMS	3,452		3,452
264	1160484BB	SOF SURFACE CRAFT	12,250		12,250
265	1160488BB	SOF PSYOP	9,887		9,887
266	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,944		4,944
267	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,547		11,547
999	99999999	OTHER PROGRAMS	4,273,689	4,000	4,277,689
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE	5,459,920	44,800	5,504,720
		DARPA execution adjustment		-150,000	-150,000
		Total, RDT&E Defense-Wide	20,741,542	-186,272	20,555,270
		OPERATIONAL TEST & EVALUATION, DEFENSE			
001	06051180TE	OPERATIONAL TEST AND EVALUATION	58,647		58,647
002	06051310TE	LIVE FIRE TEST AND EVALUATION	12,285		12,285
003	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	119,838		119,838
		Total, Operational Test & Evaluation, Defense	190,770		190,770
		TOTAL RDT&E	78,634,289	1,266,402	79,900,691

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Line	Program Element	Item	FY 2010 Request	Senate Change Authorized
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY		
		SYSTEM DEVELOPMENT & DEMONSTRATION		
075	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,598	18,598
		SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION, ARMY	18,598	18,598
		OPERATIONAL SYSTEMS DEVELOPMENT		
160	0301359A	SPECIAL ARMY PROGRAM	[]	[]
161	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,644	7,644
162	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	2,220	2,220
167	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	29,500	29,500
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, ARMY	39,364	39,364
		TOTAL, RDT&E ARMY	57,962	57,962
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
027	0603216N	AVIATION SURVIVABILITY	8,000		8,000
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	9,000		9,000
		SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES, NAVY ...	17,000		17,000
		OPERATIONAL SYSTEMS DEVELOPMENT			
188	0301303N	MARITIME INTELLIGENCE	[]		[]
189	0301323N	COLLECTION MANAGEMENT	[]		[]
190	0301327N	TECHNICAL RECONNAISSANCE AND SURVEILLANCE	[]		[]
191	0301372N	CYBER SECURITY INITIATIVE—GDIP	[]		[]
203	0305207N	MANNE RECONNAISSANCE SYSTEMS	51,900		51,900
210	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	6,000		6,000
999	99999999	OTHER PROGRAMS	32,280		32,280
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, RDT&E	90,180		90,180
		TOTAL, RDT&E NAVY	107,180		107,180
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE			
		BASIC RESEARCH			
004	0301555F	CLASSIFIED PROGRAMS	[]		[]
005	0301556F	SPECIAL PROGRAM	[]		[]
		SUBTOTAL, BASIC RESEARCH, AIR FORCE			
		OPERATIONAL SYSTEMS DEVELOPMENT			
116	0605798F	ANALYSIS SUPPORT GROUP	[]		[]

123	0101815F	ADVANCED STRATEGIC PROGRAMS	[]	[]
128	0205219F	MQ-9 UAV	1,400	1,400
149	0207423F	ADVANCED COMMUNICATIONS SYSTEMS	9,375	9,375
150	0207424F	EVALUATION AND ANALYSIS PROGRAM	[]	[]
164	0208161F	SPECIAL EVALUATION SYSTEM	[]	[]
165	0301310F	NATIONAL AIR INTELLIGENCE CENTER	[]	[]
166	0301314F	COBRA BALL	[]	[]
167	0301315F	MISSILE AND SPACE TECHNICAL COLLECTION	[]	[]
168	0301324F	FOREST GREEN	[]	[]
169	0301386F	GDIP COLLECTION MANAGEMENT	[]	[]
180	0304311F	SELECTED ACTIVITIES	[]	[]
181	0304348F	ADVANCED GEOSPATIAL INTELLIGENCE (AGI)	[]	[]
188	0305124F	SPECIAL APPLICATIONS PROGRAM	[]	[]
189	0305127F	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[]	[]
191	0305142F	APPLIED TECHNOLOGY AND INTEGRATION	[]	[]
196	0305172F	COMBINED ADVANCED APPLICATIONS	[]	[]
206	0305219F	MQ-1 PREDATOR A UAV	1,400	1,400
999	9999999	OTHER PROGRAMS	17,111	17,111
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, AIR FORCE	29,286	29,286
		TOTAL, RDT&E AIR FORCE	29,286	29,286
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE		
		RDT&E MANAGEMENT SUPPORT		
159	0301555G	CLASSIFIED PROGRAMS	[]	[]
160	0301556G	SPECIAL PROGRAM	[]	[]
165	0305193G	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[]	[]
		SUBTOTAL, RDT&E MANAGEMENT SUPPORT, DEFENSE-WIDE		
		OPERATIONAL SYSTEMS DEVELOPMENT		

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

Line	Program Element	Item	FY 2010 Request	Senate Change	Senate Authorized
181	0301301L	GENERAL DEFENSE INTELLIGENCE PROGRAM	[[[[
182	0301318BB	HUMINT (CONTROLLED)	[[[[
183	0301371G	CYBER SECURITY INITIATIVE—CCP	[[[[
184	0301372L	CYBER SECURITY INITIATIVE—GDIP	[[[[
185	0301555BZ	CLASSIFIED PROGRAMS	[[[[
186	0301556BZ	SPECIAL PROGRAM	[[[[
198	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	2,750		2,750
204	0304345BQ	NATIONAL GEOSPATIAL-INTELLIGENCE PROGRAM (NGP)	[[[[
207	0305103G	CYBER SECURITY INITIATIVE	[[[[
211	0305127L	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[[[[
212	0305146BZ	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	[[[[
213	0305146L	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	[[[[
214	0305183L	DEFENSE HUMAN INTELLIGENCE (HUMINT) ACTIVITIES	[[[[
218	0305202G	DRAGON U-2	[[[[
219	0305206G	AIRBORNE RECONNAISSANCE SYSTEMS	[[[[
221	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[[[[
222	0305208BQ	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[[[[
223	0305208G	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[[[[
225	0305208L	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[[[[
226	0305219BB	MQ-1 PREDATOR A UAV	[[[[
227	0305229G	REAL-TIME ARCHITECTURE DEVELOPMENT (RT10)	[[[[
231	0305880L	COMBATANT COMMAND INTELLIGENCE OPERATIONS	[[[[
232	0305883L	HARD AND DEEPLY BURIED TARGET (HDET) INTEL SUPPORT	[[[[
233	0305884L	INTELLIGENCE PLANNING AND REVIEW ACTIVITIES	[[[[
236	0307141G	INFORMATION OPERATIONS TECHNOLOGY INTEGRATION & TOOL DEV	[[[[
237	0307207G	AERIAL COMMON SENSOR (ACS)	[[[[
999	9999999	OTHER PROGRAMS	113,076		113,076
		SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT, DEFENSE-WIDE	115,826		115,826

Total, RDT&E Defense-Wide	115,826	115,826
TOTAL RDT&E	310,254	310,254

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

OPERATION AND MAINTENANCE (In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
Operation and Maintenance, Army					
BUDGET ACTIVITY 01: OPERATING FORCES					
LAND FORCES					
2020	010	MANUEVER UNITS	1,020,490		1,020,490
2020	020	MODULAR SUPPORT BRIGADES	105,178		105,178
2020	030	ECHELONS ABOVE BRIGADE	708,038		708,038
2020	040	THEATER LEVEL ASSETS	718,233		718,233
2020	050	LAND FORCES OPERATIONS SUPPORT	1,379,529		1,379,529
2020	060	AVIATION ASSETS	850,750		850,750
LAND FORCES READINESS					
2020	070	FORCE READINESS OPERATIONS SUPPORT	2,088,233	8,000	2,096,233
		Generation III extended cold weather clothing system		[8,000]	
2020	080	LAND FORCES SYSTEMS READINESS	633,704		633,704
2020	090	LAND FORCES DEPOT MAINTENANCE	692,601		692,601
LAND FORCES READINESS SUPPORT					
2020	100	BASE OPERATIONS SUPPORT	7,586,455		7,586,455

2020	110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,221,446	2,221,446	
2020	120	MANAGEMENT AND OPERATIONAL HQ	333,119	333,119	
2020	130	COMBATANT COMMANDERS CORE OPERATIONS	123,163	123,163	
2020	170	COMBATANT COMMANDERS ANCILLARY MISSIONS	460,159	460,159	
		TOTAL, BA 01: OPERATING FORCES	18,921,098	18,921,098	8,000
		BUDGET ACTIVITY 02: MOBILIZATION			
		MOBILITY OPERATIONS			
2020	180	STRATEGIC MOBILITY	228,376	228,376	
2020	190	ARMY PREPOSITIONING STOCKS	98,129	98,129	
2020	200	INDUSTRIAL PREPAREDNESS	5,705	5,705	
		TOTAL, BA 02: MOBILIZATION	332,210	332,210	332,210
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
		ACCESSION TRAINING			
2020	210	OFFICER ACQUISITION	125,615	125,615	
2020	220	RECRUIT TRAINING	87,488	87,488	
2020	230	ONE STATION UNIT TRAINING	59,302	59,302	
2020	240	SENIOR RESERVE OFFICERS TRAINING CORPS	449,397	449,397	
		BASIC SKILL/ADVANCE TRAINING			
2020	250	SPECIALIZED SKILL TRAINING	970,777	970,777	
		Rule of law increase			[500]
2020	260	FLIGHT TRAINING	843,893	843,893	
2020	270	PROFESSIONAL DEVELOPMENT EDUCATION	166,812	166,812	
2020	280	TRAINING SUPPORT	702,031	702,031	
		RECRUITING/OTHER TRAINING			
2020	290	RECRUITING AND ADVERTISING	541,852	541,852	
2020	300	EXAMINING	147,915	147,915	

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
2020	310	OFF-DUTY AND VOLUNTARY EDUCATION	238,353		238,353
2020	320	CIVILIAN EDUCATION AND TRAINING	217,386		217,386
2020	330	JUNIOR ROTC	156,904		156,904
		TOTAL, BA 03: TRAINING AND RECRUITING	4,707,725		4,707,725
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
		SECURITY PROGRAMS			
2020	340	SECURITY PROGRAMS	1,017,055		1,017,055
		LOGISTICS OPERATIONS			
2020	350	SERVICEWIDE TRANSPORTATION	540,249		540,249
2020	360	CENTRAL SUPPLY ACTIVITIES	614,093		614,093
2020	370	LOGISTIC SUPPORT ACTIVITIES	481,318		481,318
2020	380	AMMUNITION MANAGEMENT	434,661		434,661
		SERVICEWIDE SUPPORT			
2020	390	ADMINISTRATION	776,866		776,866
2020	400	SERVICEWIDE COMMUNICATIONS	1,166,491		1,166,491
2020	410	MANPOWER MANAGEMENT	289,383		289,383
2020	420	OTHER PERSONNEL SUPPORT	221,779		221,779
2020	430	OTHER SERVICE SUPPORT	993,852		993,852
2020	440	ARMY CLAIMS ACTIVITIES	215,168		215,168
2020	450	REAL ESTATE MANAGEMENT	118,785		118,785
		SUPPORT OF OTHER NATIONS			
2020	460	SUPPORT OF NATO OPERATIONS	430,449		430,449
2020	470	MISC. SUPPORT OF OTHER NATIONS	13,700		13,700

	Unobligated balances		[-350,000]	-350,000
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	7,313,849	-350,000	6,963,849
2020	Total Operation and Maintenance, Army	31,274,882	-342,000	30,932,882
	Operation and Maintenance, Navy			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	AIR OPERATIONS			
1804	010 MISSION AND OTHER FLIGHT OPERATIONS	3,814,000		3,814,000
1804	020 FLEET AIR TRAINING	120,868		120,868
1804	030 AVIATION TECHNICAL DATA & ENGINEERING SERVICES	52,259		52,259
1804	040 AIR OPERATIONS AND SAFETY SUPPORT	121,649		121,649
1804	050 AIR SYSTEMS SUPPORT	485,321		485,321
1804	060 AIRCRAFT DEPOT MAINTENANCE	1,057,747	195,000	1,252,747
	Aviation depot maintenance increase		[195,000]	
1804	070 AIRCRAFT DEPOT OPERATIONS SUPPORT	32,083		32,083
	SHIP OPERATIONS			
1804	080 MISSION AND OTHER SHIP OPERATIONS	3,320,222		3,320,222
1804	090 SHIP OPERATIONS SUPPORT & TRAINING	699,581		699,581
1804	100 SHIP DEPOT MAINTENANCE	4,296,544	768,850	5,065,394
	Ship depot maintenance increase		[200,000]	
	Transfer to Base		[568,850]	
1804	110 SHIP DEPOT OPERATIONS SUPPORT	1,170,785		1,170,785
	COMBAT OPERATIONS/SUPPORT			
1804	120 COMBAT COMMUNICATIONS	601,595		601,595
1804	130 ELECTRONIC WARFARE	86,019		86,019
1804	140 SPACE SYSTEMS AND SURVEILLANCE	167,050		167,050

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
1804	150	WARFARE TACTICS	407,674		407,674
1804	160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	315,228		315,228
1804	170	COMBAT SUPPORT FORCES	758,789		758,789
1804	180	EQUIPMENT MAINTENANCE	186,794		186,794
1804	190	DEPOT OPERATIONS SUPPORT	3,305		3,305
1804	200	COMBATANT COMMANDERS CORE OPERATIONS	167,789		167,789
1804	210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	259,188	-7,000	252,188
		Reduction for National Program for Small Unit Excellence		[-7,000]	
		WEAPONS SUPPORT			
1804	220	CRUISE MISSILE	131,895		131,895
1804	230	FLEET BALLISTIC MISSILE	1,145,020		1,145,020
1804	240	IN-SERVICE WEAPONS SYSTEMS SUPPORT	64,731		64,731
1804	250	WEAPONS MAINTENANCE	448,777	12,000	460,777
		Gun depot overhauls		[12,000]	
1804	260	OTHER WEAPON SYSTEMS SUPPORT	326,535		326,535
		BASE SUPPORT			
1804	270	ENTERPRISE INFORMATION	1,095,587		1,095,587
1804	280	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,746,418		1,746,418
1804	290	BASE OPERATING SUPPORT	4,058,046		4,058,046
		TOTAL, BA 01: OPERATING FORCES	27,141,499	968,850	28,110,349
		BUDGET ACTIVITY 02: MOBILIZATION			
		READY RESERVE AND REPOSITIONING FORCES			
1804	300	SHIP REPOSITIONING AND SURGE	407,977		407,977

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
		SERVICEWIDE SUPPORT			
1804	470	ADMINISTRATION	768,048		768,048
1804	480	EXTERNAL RELATIONS	6,171		6,171
1804	490	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	114,675		114,675
1804	500	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	182,115		182,115
1804	510	OTHER PERSONNEL SUPPORT	298,729		298,729
1804	520	SERVICEWIDE COMMUNICATIONS	408,744		408,744
		LOGISTICS OPERATIONS AND TECHNICAL SUPPORT			
1804	540	SERVICEWIDE TRANSPORTATION	246,989		246,989
1804	560	PLANNING, ENGINEERING AND DESIGN	244,337		244,337
1804	570	ACQUISITION AND PROGRAM MANAGEMENT	778,501		778,501
1804	580	HULL, MECHANICAL AND ELECTRICAL SUPPORT	60,223		60,223
1804	590	COMBAT/WEAPONS SYSTEMS	17,328		17,328
1804	600	SPACE AND ELECTRONIC WARFARE SYSTEMS	79,065		79,065
		INVESTIGATIONS AND SECURITY PROGRAMS			
1804	610	NAVAL INVESTIGATIVE SERVICE	515,989		515,989
		SUPPORT OF OTHER NATIONS			
1804	670	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,918		5,918
		OTHER PROGRAMS			
1804	999	OTHER PROGRAMS	608,840		608,840
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	4,335,672		4,335,672
		Unobligated balances		[-150,000]	-150,000

1804		Total Operation and Maintenance, Navy	35,070,346	819,700	35,890,046
1804		Operation and Maintenance, Marine Corps			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		EXPEDITIONARY FORCES			
1106	010	OPERATIONAL FORCES	730,931	11,000	741,931
		Advanced load bearing equipment		[3,000]	
		Family of shelter and tents		[3,000]	
		Cold weather layering system		[5,000]	
1106	020	FIELD LOGISTICS	591,020		591,020
1106	030	DEPOT MAINTENANCE	80,971		80,971
		USMC PREPOSITIONING			
1106	050	MARITIME PREPOSITIONING	72,182		72,182
1106	060	NORWAY PREPOSITIONING	5,090		5,090
		BASE SUPPORT			
1106	080	SUSTAINMENT, RESTORATION, & MODERNIZATION	666,330		666,330
1106	090	BASE OPERATING SUPPORT	2,250,191		2,250,191
		TOTAL, BA 01: OPERATING FORCES	4,396,715	11,000	4,407,715
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
		ACCESSION TRAINING			
1106	100	RECRUIT TRAINING	16,129		16,129
1106	110	OFFICER ACQUISITION	418		418
		BASIC SKILLS AND ADVANCED TRAINING			

OPERATION AND MAINTENANCE (In Thousands of Dollars)					
Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
1106	120	SPECIALIZED SKILL TRAINING	67,336		67,336
1106	130	FLIGHT TRAINING	369		369
1106	140	PROFESSIONAL DEVELOPMENT EDUCATION	28,112		28,112
1106	150	TRAINING SUPPORT	330,885		330,885
RECRUITING AND OTHER TRAINING EDUCATION					
1106	160	RECRUITING AND ADVERTISING	240,832		240,832
1106	170	OFF-DUTY AND VOLUNTARY EDUCATION	64,254		64,254
1106	180	JUNIOR ROTC	19,305		19,305
TOTAL, BA 03: TRAINING AND RECRUITING			767,640		767,640
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
SERVICEWIDE SUPPORT					
1106	210	SPECIAL SUPPORT	299,065		299,065
1106	220	SERVICEWIDE TRANSPORTATION	28,924		28,924
1106	230	ADMINISTRATION	43,879		43,879
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			371,868		371,868
1106	Total Operation and Maintenance, Marine Corps		5,536,223	11,000	5,547,223
1106	Operation and Maintenance, Air Force				
1106	BUDGET ACTIVITY 01: OPERATING FORCES				

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
		TOTAL, BA 02: MOBILIZATION	4,496,948		4,496,948
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
		ACCESSION TRAINING			
3400	210	OFFICER ACQUISITION	120,870		120,870
3400	220	RECRUIT TRAINING	18,135		18,135
3400	230	RESERVE OFFICERS TRAINING CORPS (ROTC)	88,414		88,414
3400	240	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	372,788		372,788
3400	250	BASE SUPPORT	685,029		685,029
		BASIC SKILLS AND ADVANCED TRAINING			
3400	260	SPECIALIZED SKILL TRAINING	514,048		514,048
3400	270	FLIGHT TRAINING	833,005		833,005
3400	280	PROFESSIONAL DEVELOPMENT EDUCATION	215,676		215,676
3400	290	TRAINING SUPPORT	118,877		118,877
3400	300	DEPOT MAINTENANCE	576		576
		RECRUITING, AND OTHER TRAINING AND EDUCATION			
3400	320	RECRUITING AND ADVERTISING	152,983		152,983
3400	330	EXAMINING	5,584		5,584
3400	340	OFF-DUTY AND VOLUNTARY EDUCATION	188,198		188,198
3400	350	CIVILIAN EDUCATION AND TRAINING	174,151		174,151
3400	360	JUNIOR ROTC	67,549		67,549
		TOTAL, BA 03: TRAINING AND RECRUITING	3,555,883		3,555,883
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			

3400	370	LOGISTICS OPERATIONS			
3400	380	LOGISTICS OPERATIONS	1,055,672		1,055,672
3400	400	TECHNICAL SUPPORT ACTIVITIES	735,036		735,036
3400	410	DEPOT MAINTENANCE	15,411		15,411
3400	420	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	359,562		359,562
		BASE SUPPORT	1,410,097		1,410,097
		SERVICEWIDE ACTIVITIES			
3400	430	ADMINISTRATION	646,080		646,080
3400	440	SERVICEWIDE COMMUNICATIONS	581,951		581,951
3400	450	OTHER SERVICEWIDE ACTIVITIES	1,062,803		1,062,803
3400	460	CIVIL AIR PATROL	22,433		22,433
		SECURITY PROGRAMS			
3400	470	SECURITY PROGRAMS	1,148,704		1,148,704
		SUPPORT TO OTHER NATIONS			
3400	480	INTERNATIONAL SUPPORT	49,987		49,987
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	7,087,736		7,087,736
		Overstatement of civilian pay		[-538,100]	-538,100
		Unobligated balances		[-150,000]	-150,000
3400		Total Operation and Maintenance, Air Force	34,748,159	-694,600	34,053,559
3400		Operation and Maintenance, Defense-wide			
		BUDGET ACTIVITY 1: OPERATING FORCES			
		DEFENSEWIDE ACTIVITIES			

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
0100	010	JOINT CHIEFS OF STAFF	457,169		457,169
0100	020	SPECIAL OPERATIONS COMMAND	3,611,492		3,611,492
		TOTAL, BUDGET ACTIVITY 1:	4,068,661		4,068,661
		BUDGET ACTIVITY 3: TRAINING AND RECRUITING			
		DEFENSEWIDE ACTIVITIES			
0100	030	DEFENSE ACQUISITION UNIVERSITY	115,497		115,497
		RECRUITING AND OTHER TRAINING EDUCATION			
0100	040	NATIONAL DEFENSE UNIVERSITY	103,408		103,408
		TOTAL, BUDGET ACTIVITY 3:	218,905		218,905
		BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES			
		DEFENSEWIDE ACTIVITIES			
0100	060	CIVIL MILITARY PROGRAMS	132,231		132,231
0100	090	DEFENSE BUSINESS TRANSFORMATION AGENCY	139,579		139,579
0100	100	DEFENSE CONTRACT AUDIT AGENCY	458,316		458,316
0100	120	DEFENSE HUMAN RESOURCES ACTIVITY	665,743		665,743
0100	130	DEFENSE INFORMATION SYSTEMS AGENCY	1,322,163		1,322,163
0100	150	DEFENSE LEGAL SERVICES	42,532		42,532
0100	160	DEFENSE LOGISTICS AGENCY	405,873		405,873
0100	170	DEFENSE MEDIA ACTIVITY	253,667		253,667
0100	180	DEFENSE POW/MIA OFFICE	20,679		20,679
0100	190	DEFENSE TECHNOLOGY SECURITY AGENCY	34,325		34,325
0100	200	DEFENSE THREAT REDUCTION AGENCY	385,453		385,453

0100	210	DEPARTMENT OF DEFENSE EDUCATION AGENCY	2,302,116	5,000	2,307,116
		Family support for military children with autism		[5,000]	
0100	220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,058,721		1,058,721
0100	230	DEFENSE SECURITY COOPERATION AGENCY	721,756		721,756
0100	240	DEFENSE SECURITY SERVICE	497,857		497,857
0100	260	OFFICE OF ECONOMIC ADJUSTMENT	37,166		37,166
0100	270	OFFICE OF THE SECRETARY OF DEFENSE	1,955,985	35,000	1,990,985
		Readiness and environmental protection initiative		[25,000]	
		Director of operational energy plans and programs		[5,000]	
		Acceleration of Defense Readiness Reporting System		[5,000]	
0100	280	WASHINGTON HEADQUARTERS SERVICE	589,309		589,309
		OTHER PROGRAMS			
0100	999	OTHER PROGRAMS	13,046,209		13,046,209
		TOTAL, BUDGET ACTIVITY 4:	24,069,680	40,000	24,109,680
		Impact aid		[30,000]	30,000
		Impact aid for children with severe disabilities		[5,000]	5,000
		Special assistance to local education agencies		[10,000]	10,000
		Undistributed Bulk Fuel Adjustment		[-596,249]	-596,249
		Decrease for software licenses		[-50,000]	-50,000
		Unobligated balances		[-150,000]	-150,000
		Total Operation and Maintenance, Defense-Wide	28,357,246	-711,249	27,645,997
0100					
0100					
0100					
0100					
		Operation and Maintenance, Army Reserve			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		LAND FORCES			
2080	010	MANEUVER UNITS	1,403		1,403

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
2080	020	MODULAR SUPPORT BRIGADES	12,707		12,707
2080	030	ECHELONS ABOVE BRIGADE	468,288		468,288
2080	040	THEATER LEVEL ASSETS	152,439		152,439
2080	050	LAND FORCES OPERATIONS SUPPORT	520,420		520,420
2080	060	AVIATION ASSETS	61,063		61,063
		LAND FORCES READINESS			
2080	070	FORCE READINESS OPERATIONS SUPPORT	290,443		290,443
2080	080	LAND FORCES SYSTEMS READINESS	106,569	3,600	110,169
		Mobile corrosion protection		[3,600]	
2080	090	LAND FORCES DEPOT MAINTENANCE	94,499		94,499
		LAND FORCES READINESS SUPPORT			
2080	100	BASE OPERATIONS SUPPORT	522,310		522,310
2080	110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	234,748		234,748
		TOTAL, BA 01: OPERATING FORCES	2,464,889	3,600	2,468,489
		LOGISTICS OPERATIONS			
2080	130	SERVICEWIDE TRANSPORTATION	9,291		9,291
		SERVICEWIDE SUPPORT			
2080	140	ADMINISTRATION	72,075		72,075
2080	150	SERVICEWIDE COMMUNICATIONS	3,635		3,635
2080	160	MANPOWER MANAGEMENT	9,104		9,104
2080	170	RECRUITING AND ADVERTISING	61,202		61,202
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	155,307		155,307

2080		Total Operation and Maintenance, Army Reserve	2,620,196	3,600	2,623,796
2080		Operation and Maintenance, Navy Reserve			
2080		BUDGET ACTIVITY 01: OPERATING FORCES			
		AIR OPERATIONS			
1806	010	MISSION AND OTHER FLIGHT OPERATIONS	570,319		570,319
1806	020	INTERMEDIATE MAINTENANCE	16,596		16,596
1806	030	AIR OPERATIONS AND SAFETY SUPPORT	3,171		3,171
1806	040	AIRCRAFT DEPOT MAINTENANCE	125,004		125,004
1806	050	AIRCRAFT DEPOT OPERATIONS SUPPORT	397		397
		SHIP OPERATIONS			
1806	060	MISSION AND OTHER SHIP OPERATIONS	55,873		55,873
1806	070	SHIP OPERATIONS SUPPORT & TRAINING	592		592
1806	080	SHIP DEPOT MAINTENANCE	41,899		41,899
		COMBAT OPERATIONS SUPPORT			
1806	090	COMBAT COMMUNICATIONS	15,241		15,241
1806	100	COMBAT SUPPORT FORCES	142,924		142,924
		WEAPONS SUPPORT			
1806	110	WEAPONS MAINTENANCE	5,494		5,494
		BASE SUPPORT			
1806	120	ENTERPRISE INFORMATION	83,611		83,611
1806	130	SUSTAINMENT, RESTORATION AND MODERNIZATION	69,853		69,853
1806	140	BASE OPERATING SUPPORT	124,757		124,757
		TOTAL, BA 01: OPERATING FORCES	1,255,731		1,255,731

OPERATION AND MAINTENANCE (In Thousands of Dollars)				
Account	Line	Item	FY 2010 Request	Senate Change Authorized
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES				
SERVICEWIDE SUPPORT				
1806	150	ADMINISTRATION	3,323	3,323
1806	160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,897	13,897
1806	170	SERVICEWIDE COMMUNICATIONS	1,957	1,957
LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
1806	190	ACQUISITION AND PROGRAM MANAGEMENT	3,593	3,593
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			22,770	22,770
1806	Total Operation and Maintenance, Navy Reserve		1,278,501	1,278,501
1806	Operation and Maintenance, Marine Corps Reserve			
BUDGET ACTIVITY 01: OPERATING FORCES				
EXPEDITIONARY FORCES				
1107	010	OPERATING FORCES	61,117	61,117
1107	020	DEPOT MAINTENANCE	13,217	13,217
1107	030	TRAINING SUPPORT	29,373	29,373
BASE SUPPORT				
1107	040	SUSTAINMENT, RESTORATION AND MODERNIZATION	25,466	25,466
1107	050	BASE OPERATING SUPPORT	73,899	73,899

			203,072	203,072	
		TOTAL, BA 01: OPERATING FORCES			
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
		SERVICEWIDE ACTIVITIES			
1107	060	SPECIAL SUPPORT	5,639	5,639	
1107	070	SERVICEWIDE TRANSPORTATION	818	818	
1107	080	ADMINISTRATION	10,642	10,642	
1107	090	RECRUITING AND ADVERTISING	8,754	8,754	
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	25,853	25,853	
1107		Total Operation and Maintenance, Marine Corps Reserve	228,925	228,925	
1107		Operation and Maintenance, Air Force Reserve			
1107					
		BUDGET ACTIVITY 01: OPERATING FORCES			
		AIR OPERATIONS			
3740	010	PRIMARY COMBAT FORCES	2,049,303	2,049,303	
3740	020	MISSION SUPPORT OPERATIONS	121,417	121,417	
3740	030	DEPOT MAINTENANCE	441,958	441,958	
3740	040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	78,763	78,763	
3740	050	BASE SUPPORT	258,091	258,091	
		TOTAL, BA 01: OPERATING FORCES	2,949,532	2,949,532	
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
		SERVICEWIDE ACTIVITIES			
3740	060	ADMINISTRATION	77,476	77,476	
3740	070	RECRUITING AND ADVERTISING	24,553	24,553	

OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
3740	080	MILITARY MANPOWER AND PERS MGMT (ARPC)	20,838		20,838
3740	090	OTHER PERS SUPPORT (DISABILITY COMP)	6,121		6,121
3740	100	AUDIOVISUAL	708		708
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	129,696		129,696
3740		Total Operation and Maintenance, Air Force Reserve	3,079,228		3,079,228
3740					
3740					
		Operation and Maintenance, Army National Guard			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		LAND FORCES			
2065	010	MANUEVER UNITS	876,269		876,269
2065	020	MODULAR SUPPORT BRIGADES	173,843		173,843
2065	030	ECHELONS ABOVE BRIGADE	615,160		615,160
2065	040	THEATER LEVEL ASSETS	253,997		253,997
2065	050	LAND FORCES OPERATIONS SUPPORT	34,441		34,441
2065	060	AVIATION ASSETS	819,031		819,031
		LAND FORCES READINESS			
2065	070	FORCE READINESS OPERATIONS SUPPORT	436,799		436,799
2065	080	LAND FORCES SYSTEMS READINESS	99,757	3,600	103,357
		Mobile corrosion protection		[3,600]	
2065	090	LAND FORCES DEPOT MAINTENANCE	379,646		379,646
		LAND FORCES READINESS SUPPORT			

2065	100	BASE OPERATIONS SUPPORT	798,343		798,343
2065	110	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	580,171		580,171
2065	120	MANAGEMENT AND OPERATIONAL HQ	573,452		573,452
		TOTAL, BA 01: OPERATING FORCES	5,640,909	3,600	5,644,509
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
		SERVICEWIDE SUPPORT			
2065	140	ADMINISTRATION	119,186		119,186
2065	150	SERVICEWIDE COMMUNICATIONS	48,020		48,020
2065	160	MANPOWER MANAGEMENT	7,920		7,920
2065	170	RECRUITING AND ADVERTISING	440,999		440,999
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	616,125		616,125
2065		Total Operation and Maintenance, Army National Guard	6,257,034	3,600	6,260,634
2065		Operation and Maintenance, Air National Guard			
2065		BUDGET ACTIVITY 01: OPERATING FORCES			
		AIR OPERATIONS			
3840	010	AIRCRAFT OPERATIONS	3,347,685	2,700	3,350,385
		Controlled humidity protection		[2,700]	
3840	020	MISSION SUPPORT OPERATIONS	779,917		779,917
3840	030	DEPOT MAINTENANCE	780,347		780,347
3840	040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	302,949		302,949
3840	050	BASE SUPPORT	606,916		606,916
		TOTAL, BA 01: OPERATING FORCES	5,817,814	2,700	5,820,514

OPERATION AND MAINTENANCE (In Thousands of Dollars)					
Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
SERVICEWIDE ACTIVITIES					
3840	060	ADMINISTRATION	35,174		35,174
3840	070	RECRUITING AND ADVERTISING	32,773		32,773
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	67,947		67,947
3840		Total Operation and Maintenance, Air National Guard	5,885,761	2,700	5,888,461
3840					
MISCELLANEOUS APPROPRIATIONS					
0104	010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,932		13,932
0111	010	ACQUISITION WORKFORCE DEVELOPMENT FUND	100,000		100,000
0819	010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,869		109,869
0134	010	COOPERATIVE THREAT REDUCTION	404,093	20,000	424,093
		Program increase		[20,000]	
0810	020	ENVIRONMENTAL RESTORATION, ARMY	415,864		415,864
0810	030	ENVIRONMENTAL RESTORATION, NAVY	285,869		285,869
0810	040	ENVIRONMENTAL RESTORATION, AIR FORCE	494,276		494,276
0810	050	ENVIRONMENTAL RESTORATION, DEFENSE	11,100		11,100
0811	060	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	267,700		267,700
0118	070	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000		5,000
		TOTAL, MISCELLANEOUS APPROPRIATIONS	2,107,703	20,000	2,127,703
		TOTAL TITLE III—OPERATION AND MAINTENANCE	156,444,204	-887,249	155,556,955

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)				
Account	Line	Item	FY 2010 Request	Senate Change Authorized
		Operation and Maintenance, Army		
		BUDGET ACTIVITY 01: OPERATING FORCES		
2020	140	ADDITIONAL ACTIVITIES	36,330,899	36,330,899
2020	150	COMMANDERS EMERGENCY RESPONSE PROGRAM	1,500,000	-100,000
		Program decrease		[-100,000]
2020	160	RESET	7,867,551	7,867,551
		TOTAL, BA 01: OPERATING FORCES	45,698,450	-100,000
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES		
		SECURITY PROGRAMS		
2020	340	SECURITY PROGRAMS	1,426,309	1,426,309
		LOGISTICS OPERATIONS		
2020	350	SERVICEWIDE TRANSPORTATION	5,045,902	5,045,902
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	6,472,211	6,472,211

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
2020		Total Operation and Maintenance, Army	52,170,661	-100,000	52,070,661
		Operation and Maintenance, Navy			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		AIR OPERATIONS			
1804	010	MISSION AND OTHER FLIGHT OPERATIONS	1,138,398		1,138,398
1804	020	FLIET AIR TRAINING	2,640		2,640
1804	030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,212		1,212
1804	040	AIR OPERATIONS AND SAFETY SUPPORT	26,815		26,815
1804	050	AIR SYSTEMS SUPPORT	44,532		44,532
1804	060	AIRCRAFT DEPOT MAINTENANCE	158,559		158,559
		SHIP OPERATIONS			
1804	080	MISSION AND OTHER SHIP OPERATIONS	651,209		651,209
1804	090	SHIP OPERATIONS SUPPORT & TRAINING	22,489		22,489
1804	100	SHIP DEPOT MAINTENANCE	1,001,037	-568,850	432,187
		Transfer from OCO		[-568,850]	
		COMBAT OPERATIONS/SUPPORT			
1804	120	COMBAT COMMUNICATIONS	20,704		20,704
1804	150	WARFARE TACTICS	15,918		15,918
1804	160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	16,889		16,889
1804	170	COMBAT SUPPORT FORCES	1,891,799		1,891,799
1804	180	EQUIPMENT MAINTENANCE	306		306
1804	200	COMBATANT COMMANDERS CORE OPERATIONS	6,929		6,929
1804	210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	7,344		7,344

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
1804	470	ADMINISTRATION	3,899		3,899
1804	480	EXTERNAL RELATIONS	463		463
1804	500	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	563		563
1804	510	OTHER PERSONNEL SUPPORT	2,525		2,525
1804	520	SERVICEWIDE COMMUNICATIONS	23,557		23,557
		LOGISTICS OPERATIONS AND TECHNICAL SUPPORT			
1804	540	SERVICEWIDE TRANSPORTATION	223,890		223,890
1804	570	ACQUISITION AND PROGRAM MANAGEMENT	642		642
		INVESTIGATIONS AND SECURITY PROGRAMS			
1804	610	NAVAL INVESTIGATIVE SERVICE	37,452		37,452
		OTHER PROGRAMS			
1804	999	OTHER PROGRAMS	25,299		25,299
1804		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	318,290		318,290
		Total Operation and Maintenance, Navy	6,219,583	-568,850	5,650,733
1804		Operation and Maintenance, Marine Corps			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		EXPEDITIONARY FORCES			
1106	010	OPERATIONAL FORCES	2,048,844		2,048,844
1106	020	FIELD LOGISTICS	486,014		486,014
1106	030	DEPOT MAINTENANCE	554,000		554,000

1106	060	USMC PREPOSITIONING	950	950
		NORWAY PREPOSITIONING		
1106	090	BASE SUPPORT	121,700	121,700
		BASE OPERATING SUPPORT		
		TOTAL, BA 01: OPERATING FORCES	3,211,508	3,211,508
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING		
		BASIC SKILLS AND ADVANCED TRAINING		
1106	120	SPECIALIZED SKILL TRAINING	6,303	6,303
1106	140	PROFESSIONAL DEVELOPMENT EDUCATION	923	923
1106	150	TRAINING SUPPORT	205,625	205,625
		TOTAL, BA 03: TRAINING AND RECRUITING	212,851	212,851
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES		
		SERVICEWIDE SUPPORT		
1106	210	SPECIAL SUPPORT	2,576	2,576
1106	220	SERVICEWIDE TRANSPORTATION	269,415	269,415
1106	230	ADMINISTRATION	5,250	5,250
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	277,241	277,241
1106		Total Operation and Maintenance, Marine Corps	3,701,600	3,701,600
1106		Operation and Maintenance, Air Force		
1106		BUDGET ACTIVITY 01: OPERATING FORCES		

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
		AIR OPERATIONS			
3400	010	PRIMARY COMBAT FORCES	1,582,431		1,582,431
3400	020	COMBAT ENHANCEMENT FORCES	1,460,018		1,460,018
3400	030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	109,255		109,255
3400	050	DEPOT MAINTENANCE	304,540		304,540
3400	060	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	121,881		121,881
3400	070	BASE SUPPORT	1,394,809		1,394,809
		COMBAT RELATED OPERATIONS			
3400	080	GLOBAL C3I AND EARLY WARNING	130,885		130,885
3400	090	OTHER COMBAT OPS SPT PROGRAMS	407,554		407,554
		SPACE OPERATIONS			
3400	130	SPACE CONTROL SYSTEMS	38,677		38,677
		COCOM			
3400	140	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	157,000		157,000
		TOTAL, BA 01: OPERATING FORCES	5,707,050		5,707,050
		BUDGET ACTIVITY 02: MOBILIZATION			
		MOBILITY OPERATIONS			
3400	160	AIRLIFT OPERATIONS	3,171,148		3,171,148
3400	170	MOBILIZATION PREPAREDNESS	169,659		169,659
3400	180	DEPOT MAINTENANCE	167,070		167,070
3400	190	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	942		942
3400	200	BASE SUPPORT	45,998		45,998

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
3400		Operation and Maintenance, Defense-wide			
		BUDGET ACTIVITY 1: OPERATING FORCES			
		DEFENSEWIDE ACTIVITIES			
0100	010	JOINT CHIEFS OF STAFF	25,000		25,000
0100	020	SPECIAL OPERATIONS COMMAND	2,519,935		2,519,935
		TOTAL, BUDGET ACTIVITY 1:	2,544,935		2,544,935
		BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES			
		DEFENSEWIDE ACTIVITIES			
0100	100	DEFENSE CONTRACT AUDIT AGENCY	13,908		13,908
0100	130	DEFENSE INFORMATION SYSTEMS AGENCY	245,117		245,117
0100	150	DEFENSE LEGAL SERVICES	115,000		115,000
0100	170	DEFENSE MEDIA ACTIVITY	13,364		13,364
0100	200	DEFENSE THREAT REDUCTION AGENCY	2,018		2,018
0100	210	DEPARTMENT OF DEFENSE EDUCATION AGENCY	553,600		553,600
0100	220	DEFENSE CONTRACT MANAGEMENT AGENCY	63,130		63,130
0100	230	DEFENSE SECURITY COOPERATION AGENCY	1,950,000		1,950,000
0100	270	OFFICE OF THE SECRETARY OF DEFENSE	79,047		79,047
		OTHER PROGRAMS			
0100	999	OTHER PROGRAMS	1,998,181		1,998,181
		TOTAL, BUDGET ACTIVITY 4:	5,033,365		5,033,365

0100		Total Operation and Maintenance, Defense-Wide	7,578,300	7,578,300
0100				
0100				
0100				
		Operation and Maintenance, Army Reserve		
		BUDGET ACTIVITY 01: OPERATING FORCES		
		LAND FORCES		
2080	030	ECHELONS ABOVE BRIGADE	86,881	86,881
2080	050	LAND FORCES OPERATIONS SUPPORT	40,675	40,675
		LAND FORCES READINESS		
2080	070	FORCE READINESS OPERATIONS SUPPORT	21,270	21,270
2080	080	LAND FORCES SYSTEMS READINESS	17,500	17,500
		LAND FORCES READINESS SUPPORT		
2080	100	BASE OPERATIONS SUPPORT	38,000	38,000
		TOTAL, BA 01: OPERATING FORCES	204,326	204,326
2080		Total Operation and Maintenance, Army Reserve	204,326	204,326
		Operation and Maintenance, Navy Reserve		
		BUDGET ACTIVITY 01: OPERATING FORCES		
		AIR OPERATIONS		
1806	010	MISSION AND OTHER FLIGHT OPERATIONS	26,673	26,673
1806	020	INTERMEDIATE MAINTENANCE	400	400
1806	040	AIRCRAFT DEPOT MAINTENANCE	3,600	3,600

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
		SHIP OPERATIONS			
1806	060	MISSION AND OTHER SHIP OPERATIONS	7,416		7,416
1806	080	SHIP DEPOT MAINTENANCE	8,917		8,917
		COMBAT OPERATIONS SUPPORT			
1806	090	COMBAT COMMUNICATIONS	3,147		3,147
1806	100	COMBAT SUPPORT FORCES	13,428		13,428
		BASE SUPPORT			
1806	140	BASE OPERATING SUPPORT	4,478		4,478
		TOTAL, BA 01: OPERATING FORCES	68,059		68,059
1806		Total Operation and Maintenance, Navy Reserve	68,059		68,059
1806					
1806					
		Operation and Maintenance, Marine Corps Reserve			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		EXPEDITIONARY FORCES			
1107	010	OPERATING FORCES	77,849		77,849
		BASE SUPPORT			
1107	050	BASE OPERATING SUPPORT	8,818		8,818
		TOTAL, BA 01: OPERATING FORCES	86,667		86,667

1107		Total Operation and Maintenance, Marine Corps Reserve	86,667	86,667
1107		Operation and Maintenance, Air Force Reserve		
1107		Operation and Maintenance, Air Force Reserve		
		BUDGET ACTIVITY 01: OPERATING FORCES		
		AIR OPERATIONS		
3740	010	PRIMARY COMBAT FORCES	3,618	3,618
3740	020	MISSION SUPPORT OPERATIONS	7,276	7,276
3740	030	DEPOT MAINTENANCE	114,531	114,531
3740	050	BASE SUPPORT	500	500
		TOTAL, BA 01: OPERATING FORCES	125,925	125,925
3740		Total Operation and Maintenance, Air Force Reserve	125,925	125,925
3740		Operation and Maintenance, Army National Guard		
3740		Operation and Maintenance, Army National Guard		
		BUDGET ACTIVITY 01: OPERATING FORCES		
		LAND FORCES		
2065	010	MANEUVER UNITS	89,666	89,666
2065	020	MODULAR SUPPORT BRIGADES	1,196	1,196
2065	030	ECHELONS ABOVE BRIGADE	18,360	18,360
2065	040	THEATER LEVEL ASSETS	380	380
2065	060	AVIATION ASSETS	59,357	59,357
		LAND FORCES READINESS		
2065	070	FORCE READINESS OPERATIONS SUPPORT	94,458	94,458

OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	Line	Item	FY 2010 Request	Senate Change	Senate Authorized
		LAND FORCES READINESS SUPPORT			
2065	100	BASE OPERATIONS SUPPORT	22,536		22,536
2065	120	MANAGEMENT AND OPERATIONAL HQ	35,693		35,693
2065	130	ADDITIONAL ACTIVITIES			
		TOTAL, BA 01: OPERATING FORCES	321,646		321,646
2065		Total Operation and Maintenance, Army National Guard	321,646		321,646
2065					
2065		Operation and Maintenance, Air National Guard			
		BUDGET ACTIVITY 01: OPERATING FORCES			
		AIR OPERATIONS			
3840	010	AIRCRAFT OPERATIONS	103,259		103,259
3840	020	MISSION SUPPORT OPERATIONS	51,300		51,300
3840	030	DEPOT MAINTENANCE	135,303		135,303
		TOTAL, BA 01: OPERATING FORCES	289,862		289,862
3840		Total Operation and Maintenance, Air National Guard	289,862		289,862
3840					
3840					

Afghanistan Security Forces Fund

2091	010	INFRASTRUCTURE	868,320	868,320	
2091	020	EQUIPMENT AND TRANSPORTATION	1,615,192	1,615,192	
2091	030	TRAINING AND OPERATIONS	272,998	272,998	
2091	040	SUSTAINMENT	1,945,887	1,945,887	
2091	060	INFRASTRUCTURE	605,584	605,584	
2091	070	EQUIPMENT AND TRANSPORTATION	279,186	279,186	
2091	080	TRAINING AND OPERATIONS	648,217	648,217	
2091	090	SUSTAINMENT	1,219,966	1,219,966	
2091	120	SUSTAINMENT	5,919	5,919	
2091	130	TRAINING AND OPERATIONS	1,500	1,500	
2091		TOTAL, Afghanistan Security Forces Fund	7,462,769	7,462,769	
Pakistan Counterinsurgency Capability Fund					
2095		INFRASTRUCTURE	41,970	41,970	[-41,970]
2095		EQUIPMENT/TRANSPORTATION	397,907	397,907	[-397,907]
2095		TRAINING AND OPERATIONS	67,953	67,953	[-67,953]
2095		INFRASTRUCTURE	73,000	73,000	[-73,000]
2095		EQUIPMENT/TRANSPORTATION	107,000	107,000	[-107,000]
2095		TRAINING AND OPERATIONS	8,170	8,170	[-8,170]
2095		HUMANITARIAN ASSISTANCE	4,000	4,000	[-4,000]
2095		TOTAL, Pakistan Counterinsurgency Capability Fund	700,000	700,000	-700,000
MISCELLANEOUS APPROPRIATIONS					
0141	080	IRAQ FREEDOM FUND	115,300	115,300	115,300
		TOTAL, MISCELLANEOUS APPROPRIATIONS	115,300	115,300	115,300
		TOTAL TITLE III—OPERATION AND MAINTENANCE	89,071,566	-1,368,850	87,702,716

TITLE XLIV—OTHER AUTHORIZATIONS

SEC. 4401. OTHER AUTHORIZATIONS.

OTHER AUTHORIZATIONS (In Thousands of Dollars)				
Item	FY 2010 Request	Senate Change	Senate Authorized	
REVOLVING AND MANAGEMENT FUNDS				
DEFENSE WORKING CAPITAL FUNDS				
Defense Working Capital Funds	141,388		141,388	
Defense Commissary Agency	1,313,616		1,313,616	
NATIONAL DEFENSE SEALIFT FUND				744
National Defense Sealift Fund	1,642,758	-400,000	1,242,758	
T-AKE Program Reduction		[-400,000]		
DEFENSE COALITION SUPPORT FUND				
Defense Coalition Support Fund	22,000	-22,000		
Total Revolving and Management Funds	3,119,762	-422,000	2,697,762	
MILITARY PROGRAMS				
DEFENSE HEALTH PROGRAM				
DEFENSE HEALTH PROGRAM—O&M	26,967,919	26,000	26,993,919	
TRICARE Continuation Pending MEDICARE Eligibility		[4,000]		

Reimbursement for exceptional travel under TRICARE			
TRICARE eligibility for Retired Reservists under the age of 60			[10,000]
Expansion of survivor eligibility for the TRICARE dental program			[10,000]
DEFENSE HEALTH PROGRAM—R&D	613,102		[2,000]
Program Reduction (PE 67100HP)			-15,300
Cancer Center of Excellence (PE 63115HP)			597,802
DEFENSE HEALTH PROGRAM—PROCUREMENT	322,142		[-10,000]
Total Defense Health Program	27,903,163	10,700	27,913,863
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION			
CHEM DEMILITARIZATION—O&M	1,146,802		1,146,802
CHEM DEMILITARIZATION—RDT&E	401,269		401,269
CHEM DEMILITARIZATION—PROC	12,689		12,689
Total Chemical Agents and Munitions Destruction	1,560,760		1,560,760
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES			
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,058,984		1,077,784
High Priority National Guard Counterdrug Programs			[30,000]
Mobile Sensor Barrier			[5,000]
United States European Command (EUCOM) Counternarcotics Support (Project Code (PC) 9205)			[-8,000]
EUCOM Headquarters Support (PC2346)			[-800]
EUCOM Interagency Fusion Centers (PC2365)			[-1,000]
Relocatable Over-the-Horizon-Radar (PC3217)			[-5,000]
U.S. Special Operations Command Support to Combatant Commanders (PC6505)			[-200]
EUCOM Counternarcotics Reserve Support (PC9215)			[-1,200]
Total Drug Interdiction and Counter-Drug Activities	1,058,984	18,800	1,077,784
OFFICE OF THE INSPECTOR GENERAL			
OFFICE OF THE INSPECTOR GENERAL—O&M	271,444		15,000
Second year growth plan			[15,000]
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	1,000		1,000
Second year growth plan			[1,000]
Total Office of the Inspector General	272,444	16,000	288,444

OTHER AUTHORIZATIONS (In Thousands of Dollars)				
Item	FY 2010 Request	Senate Change	Senate Authorized	
TOTAL OTHER AUTHORIZATIONS	33,915,113	-376,500	33,538,613	
Memorandum: Civil Program (non-defense)				
Armed Forces Retirement Home (Budget Function 600)	134,000			134,000

SEC. 4402. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS			
<small>(In Thousands of Dollars)</small>			
Item	FY 2010 Request	Senate Change	Senate Authorized
REVOLVING AND MANAGEMENT FUNDS			
DEFENSE WORKING CAPITAL FUNDS			
Defense Working Capital Funds	396,915		396,915
Total Revolving and Management Funds	396,915		396,915
MILITARY PROGRAMS			
DEFENSE HEALTH PROGRAM			
DEFENSE HEALTH PROGRAM—O&M	1,155,235		1,155,235
Total Defense Health Program	1,155,235		1,155,235
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES			
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	324,603		324,603
Total Drug Interdiction and Counter-Drug Activities	324,603		324,603
OFFICE OF THE INSPECTOR GENERAL			
OFFICE OF THE INSPECTOR GENERAL—O&M	8,876		8,876
Total Office of the Inspector General	8,876		8,876
TOTAL OTHER AUTHORIZATIONS	1,885,629		1,885,629

TITLE XLV—MILITARY CONSTRUCTION

SEC. 4501. MILITARY CONSTRUCTION.

MILITARY CONSTRUCTION (In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Air Force	AK	CLEAR AFS	POWER PLANT FACILITY	24,300		24,300
Air Force	AK	EIELSON AFB	ARCTIC UTILIDORS—PHASE 11		9,900	9,900
Air Force	AK	EIELSON AFB	TAXIWAY LIGHTING		3,450	3,450
Air Force	AK	ELMENDORF AFB	RED FLAG ALASKA ADD/ALTER OPERATIONS CENTER ...	3,100		3,100
Air Force	AK	ELMENDORF AFB	F-22 WEAPONS LOAD TRAINING FACILITY	12,600		12,600
Def:Wide	AK	ELMENDORF AFB	AEROMEDICAL SERVICES/MENTAL HEALTH CLINIC	25,017		25,017
Army	AK	FORT RICHARDSON	AIRBORNE SUSTAINMENT TRAINING COMPLEX	6,100		6,100
Army	AK	FORT RICHARDSON	TRAINING AIDS CENTER	2,050		2,050
Army	AK	FORT RICHARDSON	WARRIOR IN TRANSITION COMPLEX	43,000		43,000
Army	AK	FORT RICHARDSON	COMBAT PISTOL RANGE		4,900	4,900
Def:Wide	AK	FORT RICHARDSON	HEALTH CLINIC	3,518		3,518
Army	AK	FORT WAINWRIGHT	RAILHEAD COMPLEX	26,000		26,000
Army	AK	FORT WAINWRIGHT	AVIATION UNIT OPERATIONS COMPLEX	19,000		19,000
Army	AK	FORT WAINWRIGHT	AVIATION TASK FORCE COMPLEX, PH 1	125,000		125,000
Army	AK	FORT WAINWRIGHT	WARRIOR IN TRANSITION COMPLEX	28,000		28,000
ARNG	AL	FORT MC CLELLAN	URBAN ASSAULT COURSE	3,000		3,000
Army	AL	REDSTONE ARSENAL	GATE 7 ACCESS CONTROL POINT		3,550	3,550
Def:Wide	AL	REDSTONE ARSENAL	MISSILE AND SPACE INTEL CENTER EOE COMPLEX		12,000	12,000
Air Force	AR	LITTLE ROCK AFB	C-130 FLIGHT SIMULATOR ADDITION	5,800		5,800
Air Force	AR	LITTLE ROCK AFB	SECURITY FORCES OPERATIONS FACILITY		10,400	10,400
Army	AR	PINE BLUFF ARSENAL	FUSE & DETONATOR MAGAZINE, DEPOT LEVEL	25,000		25,000

ARNG	AZ	CAMP NAVAJO	COMBAT PISTOL QUALIFICATION COURSE	3,000	3,000
Air Guard	AZ	DAVIS-MONTHAN AFB	TFL-PREDATOR BEDDOWN-FOC	5,600	5,600
Air Force	AZ	DAVIS-MONTHAN AFB	DORMITORY (144 RM)	20,000	20,000
Air Force	AZ	DAVIS-MONTHAN AFB	CSAR HC-130J SIMULATOR FACILITY	8,400	8,400
Air Force	AZ	DAVIS-MONTHAN AFB	CSAR HC-130J RQS OPERATIONS FACILITY	8,700	8,700
Air Force	AZ	DAVIS-MONTHAN AFB	CSAR HC-130J INFRASTRUCTURE	4,800	4,800
Army	AZ	FORT HUACHUCA	UAV ER/MPER/MP	15,000	15,000
Army	AZ	FORT HUACHUCA	BATTALION HEADQUARTERS UAV	6,000	6,000
Naval Res	AZ	PHOENIX	RESERVE CENTER MOVE TO LUKE AFB, NOSC PHOENIX	10,986	10,986
Navy	AZ	YUMA	AIRCRAFT MAINTENANCE HANGAR (PHASE 1)	27,050	27,050
Navy	AZ	YUMA	AIRFIELD ELEC. DIST. AND CONTROL	1,720	1,720
Naval Res	CA	ALAMEDA	RESERVE TRAINING CENTER—ALAMEDA, CA	5,960	5,960
Navy	CA	BRIDGEPORT	FIRE STATION—RENOVATION—MWTC	4,460	4,460
Navy	CA	CAMP PENDLETON	ANGLICO OPERATIONS COMPLEX	25,190	25,190
Navy	CA	CAMP PENDLETON	RECON BN OPERATIONS COMPLEX	77,660	77,660
Navy	CA	CAMP PENDLETON	COMMELEC MAINTENANCE FACILITY	13,170	13,170
Navy	CA	CAMP PENDLETON	EXPANSION OF SRTTP TO 7.5 MGD	55,180	55,180
Navy	CA	CAMP PENDLETON	NORTH REGION TERTIARY TREATMENT PLANT (PH 1)	142,330	142,330
Navy	CA	CAMP PENDLETON	GAS/ELECTRICAL UPGRADES	51,040	51,040
Navy	CA	CAMP PENDLETON	RECRUIT BARRACKS—SCHOOL OF INFANTRY	53,320	53,320
Navy	CA	CAMP PENDLETON	ENLISTED DINING FACILITY	32,300	32,300
Navy	CA	CAMP PENDLETON	RECRUIT BARRACKS—FIELD/K-SPAN	23,200	23,200
Navy	CA	CAMP PENDLETON	COMMUNICATIONS UPGRADES	79,492	79,492
Navy	CA	CAMP PENDLETON	ELECTRICAL DISTRIBUTION SYSTEM	76,950	76,950
Navy	CA	CAMP PENDLETON	OPERATIONS ACCESS POINTS	12,740	12,740
Navy	CA	CAMP PENDLETON	ENLISTED DINING FACILITY—EDSON RANGE	37,670	37,670
Navy	CA	CAMP PENDLETON	BEQ	39,610	39,610
Navy	CA	CAMP PENDLETON	RECRUIT MARKSMANSHIP TRAINING FACILITY	13,730	13,730
Navy	CA	CAMP PENDLETON	EXPAND COMBAT AIRCRAFT LOADING APRON	12,240	12,240
Navy	CA	CAMP PENDLETON	AVIATION TRANSMITTER/RECEIVER SITE	13,560	13,560
Navy	CA	CAMP PENDLETON	WFTBN SUPPORT FACILITIES	15,780	15,780
USAR	CA	CAMP PENDLETON	ARMY RESERVE CENTER	19,500	19,500
Def-Wide	CA	CORONADO	SOFT CLOSE QUARTERS COMBAT TRAINING FACILITY	15,722	15,722
Navy	CA	EDWARDS AIR FORCE BASE	EDWARDS RAMP EXTENSION	3,007	3,007

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Def:Wide	CA	EL CENTRO	AIRCRAFT DIRECT FUELING STATION	11,000		11,000
Army	CA	FORT IRWIN	MOUT ASSAULT COURSE, PH 4	9,500		9,500
ARNG	CA	FRESNO YOSEMITE IAP	144th SQUADRON OPERATIONS FACILITY		9,900	9,900
ARNG	CA	LOS ALAMITOS	READINESS CENTER PH1	31,000		31,000
USAR	CA	LOS ANGELES	ARMY RESERVE CENTER	29,000		29,000
Navy	CA	MIRAMAR	AIRCRAFT PARKING APRON MODIFICATION	9,280		9,280
Def:Wide	CA	POINT LOMA ANNEX	REPLACE FUEL STORAGE FAC INCR 2	92,300		92,300
Navy	CA	POINT LOMA ANNEX	PUBLIC WORKS SHOPS CONSOLIDATION	8,730		8,730
Navy	CA	SAN DIEGO	MESSHALL EXPANSION	23,590		23,590
Air Guard	CA	SOCAL LOGISTICS AIRPORT	TFL-PREDATOR BEDDOWN-FTU/LRE SITE	8,400		8,400
Air Force	CA	TRAVIS AFB	CONSTRUCT KC-10 CARGO LOAD TRAINING FACILITY	6,900		6,900
Def:Wide	CA	TRAVIS AFB	REPLACE FUEL DISTRIBUTION SYSTEM	15,357		15,357
Navy	CA	TWENTYNINE PALMS	STATION COMM FACILITY AND INFRASTRUCTURE	49,040		49,040
Navy	CA	TWENTYNINE PALMS	SUB-STATION AND ELECTRICAL UPGRADES	31,310		31,310
Navy	CA	TWENTYNINE PALMS	ELEC. INPRA. UPGRADE—34.5KV TO 115KV	46,220		46,220
Navy	CA	TWENTYNINE PALMS	ELEC. POWER PLANT/CO-GEN/GAS TURBINE—N	53,260		53,260
Navy	CA	TWENTYNINE PALMS	WATER IMPROVEMENTS AND STORAGE TANK	30,610		30,610
Navy	CA	TWENTYNINE PALMS	SEWAGE SYSTEM IMP. AND LIFT STATION	5,800		5,800
Navy	CA	TWENTYNINE PALMS	HTHW/CHILLED WATER SYSTEM	25,790		25,790
Navy	CA	TWENTYNINE PALMS	NATURAL GAS SYSTEM EXTENSION	19,990		19,990
Navy	CA	TWENTYNINE PALMS	INDUSTRIAL WASTE WATER PRETREATMENT SYS.	3,330		3,330
Navy	CA	TWENTYNINE PALMS	LAYDOWN SITE WORK—NORTH MAINSIDE	21,740		21,740
Navy	CA	TWENTYNINE PALMS	SECONDARY ELEC. DIST.—NORTH MAINSIDE	31,720		31,720
Navy	CA	TWENTYNINE PALMS	CONSTRUCT ROADS—NORTH MAINSIDE	29,360		29,360
Navy	CA	TWENTYNINE PALMS	MAINT. SHOP—WHEELED	16,040		16,040
Navy	CA	TWENTYNINE PALMS	MAINT. SUNSHADES—WHEELED	12,580		12,580
Navy	CA	TWENTYNINE PALMS	COMM/ELECT MAINT/STORAGE	12,660		12,660
Navy	CA	TWENTYNINE PALMS	DINING FACILITY—NORTH MAINSIDE	17,200		17,200
Navy	CA	TWENTYNINE PALMS	BEQ	37,290		37,290

Navy	CA	TWENTYNINE PALMS	MAINT. SHOP—TRACKED	19,780	19,780
Navy	CA	TWENTYNINE PALMS	BEQ	37,290	37,290
Navy	CA	TWENTYNINE PALMS	CONSOLIDATED ARMORY—TANKS	12,670	12,670
Air Force	CA	VANDENBERG AFB	CHILD DEVELOPMENT CENTER	13,000	13,000
Air Guard	CO	BUCKLEY ANG BASE	ADD/ALTER WEAPONS RELEASE	4,500	4,500
USAR	CO	COLORADO SPRINGS	ARMY RESERVE CENTER/LAND	13,000	13,000
Army	CO	FORT CARSON	TRAINING AIDS CENTER	18,500	18,500
Army	CO	FORT CARSON	BRIGADE COMPLEX	69,000	69,000
Army	CO	FORT CARSON	BRIGADE COMPLEX, PH 1	102,000	-102,000
Army	CO	FORT CARSON	RAILROAD TRACKS	14,000	14,000
Army	CO	FORT CARSON	WARRIOR IN TRANSITION (WT) COMPLEX	56,000	56,000
Army	CO	FORT CARSON	AUTOMATED QUALIFICATION TRAINING RANGE	11,000	11,000
Army	CO	FORT CARSON	MODIFIED RECORD FIRE RANGE	4,450	-4,450
Army	CO	FORT CARSON	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	7,400	7,400
Army	CO	FORT CARSON	SCOUT/RECCE GUNNERY COMPLEX	16,000	16,000
Army	CO	FORT CARSON	URBAN ASSAULT COURSE	3,100	-3,100
Army	CO	FORT CARSON	CONVOY LIVE FIRE RANGE	6,500	6,500
Army	CO	FORT CARSON	COMMISSARY	35,000	35,000
Army	CO	FORT CARSON	BARRACKS & DINING, INCREMENT 2	60,000	60,000
Def-Wide	CO	FORT CARSON	HEALTH AND DENTAL CLINIC	52,773	31,900
Def-Wide	CO	FORT CARSON	SOF BATTALION OPS COMPLEX	45,200	45,200
Def-Wide	CO	FORT CARSON	SOF MILITARY WORKING DOG FACILITY	3,046	3,046
Air Force	CO	PETERSON AFB	C-130 SQUAD OPS/AMU (TFI)	5,200	5,200
Air Force	CO	PETERSON AFB	NATIONAL SECURITY SPACE INSTITUTE	19,900	19,900
Chem Demil	CO	PUEBLO DEPOT	AMMUNITION DEMILITARIZATION FACILITY, PH XI	92,500	92,500
AF Reserve	CO	SCHRIEVER AFB	WING HEADQUARTERS	10,200	10,200
Air Force	CO	U.S. AIR FORCE ACADEMY	ADD TO CADET FITNESS CENTER	17,500	17,500
Air Guard	CT	BRADLEY NATL AP	CNAF BEDDOWN UPGRADE FACILITIES	9,100	9,100
USAR	CT	BRIDGEPORT	ARMY RESERVE CENTER/LAND	18,500	18,500
Air Force	DE	DOVER AFB	C-5 CARGO AIRCRAFT MAINT TRAINING FACILITY P1	5,300	5,300
Air Force	DE	DOVER AFB	CONSOL COMM FAC	12,100	12,100
Air Force	DE	DOVER AFB	CHAPEL CENTER	7,500	7,500
Navy	FL	BLOUNT ISLAND	FORT OPERATIONS FACILITY	3,760	3,760
Air Force	FL	EGLIN AFB	F-35 DUKE CONTROL TOWER	3,420	3,420

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Air Force	FL	EGLIN AFB	CONSTRUCT DORMITORY (96 RM)	11,000		11,000
Air Force	FL	EGLIN AFB	F-35 POL OPS FACILITY	3,180		3,180
Air Force	FL	EGLIN AFB	F-35 HYDRANT REFUELING SYSTEM PHASE 1	8,100		8,100
Air Force	FL	EGLIN AFB	F-35 PARALLEL TAXIWAY LADDER	1,440		1,440
Air Force	FL	EGLIN AFB	F-35 JPS FLIGHTLINE FILLSTANDS	5,400		5,400
Air Force	FL	EGLIN AFB	F-35 JP-8 WEST SIDE BULK FUEL TANK UPGRADES	960		960
Air Force	FL	EGLIN AFB	F-35 LIVE ORDNANCE LOAD FACILITY	9,900		9,900
Air Force	FL	EGLIN AFB	F-35 A/C PARKING APRON	16,400		16,400
Army	FL	EGLIN AFB	OPERATIONS COMPLEX, PH 3	80,000		80,000
Army	FL	EGLIN AFB	INDOOR FIRING RANGE	8,900		8,900
Army	FL	EGLIN AFB	LIVE FIRE EXERCISE SHOOTHOUSE	8,000		8,000
Army	FL	EGLIN AFB	LIVE FIRE EXERCISE BREACH FACILITY	4,950		4,950
Army	FL	EGLIN AFB	NON-STANDARD SMALL ARMS RANGE	3,400		3,400
Army	FL	EGLIN AFB	GRENADE LAUNCHER RANGE	1,600		1,600
Army	FL	EGLIN AFB	ILAND GRENADE QUALIFICATION COURSE	1,400		1,400
Army	FL	EGLIN AFB	URBAN ASSAULT COURSE	2,700		2,700
Army	FL	EGLIN AFB	ANTI-ARMOR, TRACKING & LIVE FIRE RANGE	3,400		3,400
Army	FL	EGLIN AFB	AUTOMATED QUALIFICATION/TRAINING RANGE	12,000		12,000
Army	FL	EGLIN AFB	LIGHT DEMOLITION RANGE	2,200		2,200
Army	FL	EGLIN AFB	BASIC 10M-25M FIRING RANGE (ZERO)	3,050		3,050
Def-Wide	FL	EGLIN AFB	SOF MILITARY WORKING DOG FACILITY	3,046		3,046
Navy	FL	EGLIN AFB	F-35 HYDRANT REFUELING SYS, PH 1	6,208		6,208
Navy	FL	EGLIN AFB	F-35 PARALLEL TAXIWAY LADDER	931		931
Navy	FL	EGLIN AFB	F-35 A/C PARKING APRON	11,252		11,252
Navy	FL	EGLIN AFB	BACHELOR ENLISTED QUARTERS, EOD SCHOOL, PHASE	26,287		26,287
Navy	FL	EGLIN AFB	F-35 JPS WEST SIDE BULK TANK UPGRADES	621		621
Navy	FL	EGLIN AFB	F-35 POL OPERATIONS FACILITY (EGLIN)	2,056		2,056
Navy	FL	EGLIN AFB	F-35 JPS FLIGHTLINE FILLSTANDS (EGLIN)	3,492		3,492
Army	FL	EGLIN AFB (CAMP RUDDER)	ELEVATED WATER STORAGE TANK		1,200	1,200

Air Force	FL	HURLBURT FIELD	REFUELING VEHICLE MAINTENANCE FACILITY	2,200	2,200
Air Force	FL	HURLBURT FIELD	ELECTRICAL DISTRIBUTION SUBSTATION	8,300	8,300
Def-Wide	FL	HURLBURT FIELD	SOF SIMULATOR FACILITY FOR MC-130 (RECAP)	8,156	8,156
Navy	FL	JACKSONVILLE	P-8/MMA FACILITIES MODIFICATION	5,917	5,917
Def-Wide	FL	JACKSONVILLE IAP	REPLACE JET FUEL STORAGE COMPLEX	11,500	11,500
Air Force	FL	MACDILL AFB	DORMITORY (120 ROOM)	16,000	16,000
Air Force	FL	MACDILL AFB	CHILD DEVELOPMENT CENTER	7,000	7,000
Air Force	FL	MACDILL AFB	CENTCOM COMMANDANT FACILITY	15,300	15,300
Navy	FL	MAYPORT	WHARF CHARLIE REPAIR	29,682	29,682
Navy	FL	MAYPORT	CHANNEL DREDGING	46,303	46,303
Army	FL	MIAMI DORAL	SOUTHCOM HEADQUARTERS, INCR 3	55,400	55,400
USAR	FL	PANAMA CITY	ARMY RESERVE CENTER/LAND	7,300	7,300
Air Force	FL	PATRICK AFB	COMBAT WEAPONS TRAINING FACILITY	8,400	8,400
Navy	FL	PENSACOLA	CORRY "A" SCHOOL BACHELOR ENLISTED QUARTERS R	22,950	22,950
Navy	FL	PENSACOLA	SIMULATOR ADDITION FOR UMFO PROGRAM	3,211	3,211
USAR	FL	WEST PALM BEACH	ARMY RESERVE CENTER/LAND	26,000	26,000
Navy	FL	WHITING FIELD	T-6B JPATS TRNG. OPS PARALOFT FACILITY	4,120	4,120
USAR	GA	ATLANTA	ARMY RESERVE CENTER/LAND	14,000	14,000
Army	GA	FORT BENNING	COMBINED ARMS COLLECTIVE TRAINING FACILITY	10,800	10,800
Army	GA	FORT BENNING	FIRE AND MOVEMENT RANGE	2,800	2,800
Army	GA	FORT BENNING	BATTLE LAB	30,000	30,000
Army	GA	FORT BENNING	TRAINING AREA TANK TRAILS	9,700	9,700
Army	GA	FORT BENNING	TRAINING BATTALION COMPLEX	38,000	38,000
Army	GA	FORT BENNING	DINING FACILITY	15,000	15,000
Army	GA	FORT BENNING	WARRIOR IN TRANSITION (WT) COMPLEX	53,000	53,000
Army	GA	FORT BENNING	TRAINING BATTALION COMPLEX, PH 1	31,000	31,000
Army	GA	FORT BENNING	TRAINING BATTALION COMPLEX, PH 1	31,000	31,000
Army	GA	FORT BENNING	TRAINEE BARRACKS COMPLEX, PH 1	74,000	74,000
ARNG	GA	FORT BENNING	READINESS CENTER	15,500	15,500
Def-Wide	GA	FORT BENNING	BLOOD DONOR CENTER REPLACEMENT	12,313	12,313
Def-Wide	GA	FORT BENNING	DENTAL CLINIC	4,887	4,887
Def-Wide	GA	FORT BENNING	SOF EXPAND BATTALION HEADQUARTERS	3,046	3,046
Def-Wide	GA	FORT BENNING	WILSON ES CONSTRUCT GYMNASIUM	2,330	2,330
Army	GA	FORT GILLEM	FORENSIC LAB	10,800	10,800

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Army	GA	FORT STEWART	BRIGADE COMPLEX	93,000	-45,000	48,000
Army	GA	FORT STEWART	AUTOMATED SNIPER FIELD FIRE RANGE	3,400	-3,400	
Army	GA	FORT STEWART	WARRIOR IN TRANSITION (WT) COMPLEX	49,000		49,000
Army	GA	FORT STEWART	BARRACKS & DINING, INCREMENT 2	80,000		80,000
Def:Wide	GA	FORT STEWART	HEALTH AND DENTAL CLINIC	26,386	-4,186	22,200
Def:Wide	GA	FORT STEWART	NEW ELEMENTARY SCHOOL	22,502	-22,502	
Def:Wide	GA	FORT STEWART	NEW ELEMENTARY SCHOOL	22,501		22,501
Army	GA	HUNTER ARMY AIRFIELD	AVIATION READINESS CENTER		8,967	8,967
Air Force	GA	MOODY AFB	RESCUE OPNS/MAINT HQ FAC		8,900	8,900
Def:Wide	HI	FORD ISLAND	PACIFIC OPERATIONS FACILITY UPGRADE	9,633		9,633
Air Guard	HI	HICKAM AFB	TFL-F-22 LO/COMPOSITE REPAIR FACILITY	26,000		26,000
Air Guard	HI	HICKAM AFB	TFL-F-22 PARKING APRON AND TAXIWAYS	7,000		7,000
Navy	HI	NAVSTA PEARL HARBOR	PRODUCTION SERVICES SUPPORT FACILITY		30,360	30,360
Navy	HI	OAHU	RANGE, 1000—PUULOA	5,380		5,380
Navy	HI	PEARL HARBOR	PACFLT SUB DRIVE-IN MAG SILENCING FAC (INCR3)	8,645		8,645
Navy	HI	PEARL HARBOR	APCSS CONF & TECH LEARNING CENTER	12,775		12,775
Navy	HI	PEARL HARBOR	MISSILE MAGAZINES (5), WEST LOCH	22,407		22,407
Army	HI	SCHOFIELD BARRACKS	VEHICLE MAINTENANCE SHOP	63,000		63,000
Army	HI	SCHOFIELD BARRACKS	VEHICLE MAINTENANCE SHOP	36,000		36,000
Army	HI	SCHOFIELD BARRACKS	WARRIOR IN TRANSITION (WT) BARRACKS	55,000		55,000
Army	HI	SCHOFIELD BARRACKS	WARRIOR IN TRANSITION COMPLEX	30,000		30,000
Air Force	HI	WHEELER AFB	CONSTRUCT ASOC COMPLEX	15,000		15,000
Army	HI	WHEELER AFB	REGIONAL SATCOM INFORMATION CENTER	7,500		7,500
Air Guard	IA	DES MOINES	DES MOINES ALT SECURITY FORCES FAC		4,600	4,600
ARNG	IA	JOHNSTON	US PROPERTY AND FISCAL OFFICE		4,000	4,000
ARNG	ID	GOWEN FIELD	COMBINED ARMS COLLECTIVE TRAINING FACILITY	16,100		16,100
Air Force	ID	MOUNTAIN HOME AFB	LOGISTICS READINESS CENTER	20,000		20,000
USAR	IL	CHICAGO	ARMY RESERVE CENTER	23,000		23,000
Naval Res	IL	JOLIET ARMY AMMO PLANT	RESERVE TRAINING CENTER—JOLIET, IL	7,957		7,957

ARNG	IL	MILAN	READINESS CENTER	5,600	5,600
Air Force	IL	SCOTT AIR FORCE BASE	AFROMEDICAL EVAC FACILITY	7,400	7,400
ARNG	IN	MUSCATATUCK	COMBINED ARMS COLLECTIVE TRAINING FACILITY PH	10,100	10,100
Navy	IN	NAVAL SUP ACT CRANE	STRATEGIC WEAPONS SYSTEMS ENG FACILITY	13,710	13,710
Army	KS	FORT RILEY	TRAINING AIDS CENTER	15,500	15,500
Army	KS	FORT RILEY	ADVANCED WASTE WATER TREATMENT PLANT	28,000	28,000
Army	KS	FORT RILEY	IGLOO STORAGE, INSTALLATION	7,200	7,200
Army	KS	FORT RILEY	BRIGADE COMPLEX	49,000	49,000
Army	KS	FORT RILEY	BATTALION COMPLEX	59,000	59,000
Army	KS	FORT RILEY	LAND VEHICLE FUELING FACILITY	3,700	3,700
Army	KS	FORT RILEY	ESTES ROAD ACCESS CONTROL POINT	6,100	6,100
ARNG	KS	SALINA ARNG AV FAC	TAXIWAY ALTERATIONS	2,227	2,227
Chem Demil	KY	BLUE GRASS ARMY DEPOT	AMMUNITION DEMILITARIZATION PH X	5,000	59,041
Army	KY	FORT CAMPBELL	INSTALLATION CHAPEL CENTER	14,400	14,400
Army	KY	FORT CAMPBELL	5TH SFG LANGUAGE SUSTAINMENT TRNG FAC	5,800	5,800
Def-Wide	KY	FORT CAMPBELL	HEALTH CLINIC	8,600	8,600
Def-Wide	KY	FORT CAMPBELL	SOF BATTALION OPERATIONS COMPLEX	29,289	29,289
Def-Wide	KY	FORT CAMPBELL	SOF MILITARY WORKING DOG FACILITY	3,046	3,046
Army	KY	FORT KNOX	WARRIOR IN TRANSITION (WT) COMPLEX	70,000	70,000
Air Force	LA	BARKSDALE AFB	PHASE FIVE RAMP REPLACEMENT—AIRCRAFT APRON ..	12,800	12,800
Army	LA	FORT POLK	WARRIOR IN TRANSITION (WT) COMPLEX	32,000	32,000
Army	LA	FORT POLK	LAND PURCHASES AND CONDEMNATION	17,000	17,000
ARNG	MA	HANSCOM AFB	ARMED FORCES RESERVE CENTER (JFHQ)	29,000	29,000
Air Guard	MA	OTIS ANGB	COMPOSITE OPERATIONS AND TRAINING FACILITY	12,800	12,800
Army	MD	ABERDEEN PG	ANALYTICAL CHEM WING—ADVANCED CHEM LAB	15,500	15,500
Def-Wide	MD	ABERDEEN PG	USAMRIID REPLACEMENT, INC II	111,400	111,400
Air Force	MD	ANDREWS AFB	REPLACE MUNITIONS STORAGE AREA	9,300	9,300
Air Guard	MD	ANDREWS AFB	RPL MUNITIONS MAINTENANCE AND STORAGE COM- PLEX	14,000	14,000
Army	MD	FORT DETRICK	SATELLITE COMMUNICATIONS CENTER	18,000	18,000
Army	MD	FORT DETRICK	SATELLITE COMMUNICATIONS FACILITY	21,000	21,000
Def-Wide	MD	FORT DETRICK	BOUNDARY GATE AT NALIN POND	10,750	10,750
Def-Wide	MD	FORT DETRICK	EMERGENCY SERVICE CENTER	16,125	16,125
Def-Wide	MD	FORT DETRICK	USAMRIID STAGE I, INC IV	108,000	108,000

MILITARY CONSTRUCTION
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Def:Wide	MD	FORT DETRICK	NIBC TRUCK INSPECTION STATION & ROAD	2,932		2,932
Def:Wide	MD	FORT MEADE	SOUTH CAMPUS UTILITY PLANT PH 2	175,900		175,900
Def:Wide	MD	FORT MEADE	NSAW CAMPUS CHILLED WATER BACKUP	19,100		19,100
Def:Wide	MD	FORT MEADE	MISSION SUPPORT—PSAT	8,800		8,800
Air Guard	ME	BANGOR IAP	REPLACE AIRCRAFT MAINT HANGAR/SHOPS	28,000		28,000
Navy	ME	PORTSMOUTH NAV SHIP	GATE 2 SECURITY IMPROVEMENTS		7,100	7,100
Air Guard	MI	ALPENA CRTC	REPLACE TROOP QUARTERS		8,900	8,900
Air Guard	MI	BATTLE CREEK ANG BASE	CNAF BED DOWN FACILITIES		14,000	14,000
Air Guard	MI	SELFRIEDGE ANG BASE	A-10 SQUAD OPERATIONS FACILITY		7,100	7,100
ARNG	MN	ARDEN HILLS	READINESS CENTER PH2	6,700		6,700
ARNG	MN	CAMP RIPLEY	URBAN ASSAULT COURSE	1,710		1,710
Def:Wide	MN	DULUTH IAP	JET FUEL STOARGE COMPLEX	15,000		15,000
USAR	MN	FORT SNELLING	ARMY RESERVE CENTER	12,000		12,000
Air Guard	MN	MINN/ST. PAUL IAP 133RD AW BASE	MINNESOTA STARBASE FACILITY ALTERATION		1,900	1,900
ARNG	MO	BOONVILLE	READINESS CENTER ADD/ALT	1,800		1,800
Army	MO	FORT LEONARD WOOD	AUTOMATED-AIDED INSTRUCTION FACILITY	27,000		27,000
Army	MO	FORT LEONARD WOOD	WHEELED VEHICLE DRIVERS COURSE	17,500		17,500
Army	MO	FORT LEONARD WOOD	WARRIOR IN TRANSITION COMPLEX	19,500		19,500
Army	MO	FORT LEONARD WOOD	TRANSIENT ADVANCED TRAINEE BARRACKS, PH 1	99,000		99,000
Def:Wide	MO	FORT LEONARD WOOD	DENTAL CLINIC ADDITION	5,570		5,570
Air Guard	MO	ROSECRANS MEM AP	REPLACE FIRE/CRASH RESCUE STATION PHASE II		9,300	9,300
ARNG	MS	CAMP SHELBY	COMBINED ARMS COLLECTIVE TNG FAC ADD/ALT	16,100		16,100
Air Guard	MS	COLUMBUS AFB	AIRCRAFT MAINTENANCE ADMINISTRATION FACILITY ..		10,000	10,000
AF Reserve	MS	KEESLER AFB	AERIAL PORT SQUADRON FACILITY	9,800		9,800
ARNG	MS	MONTECELLO	MONTECELLO NATIONAL GUARD READINESS CENTER		14,350	14,350
Air Guard	MT	MALMSTROM AFB	UPGRADE WEAPONS STORAGE AREA		9,600	9,600
Def:Wide	NC	CAMP LEJEUNE	SOF ACADEMIC INSTRUCTION FACILITY EXPANSION	11,791		11,791
Navy	NC	CAMP LEJEUNE	MAINTENANCE/OPS COMPLEX	52,390		52,390

Navy	NC	CAMP LEJUNE	BEQ—WALLACE CREEK	34,160	34,160
Navy	NC	CAMP LEJUNE	UTILITY EXPANSION—COURTHOUSE BAY	56,280	56,280
Navy	NC	CAMP LEJUNE	SOI—EAST FACILITIES—CAMP GEIGER	56,940	56,940
Navy	NC	CAMP LEJUNE	FIELD TRAINING FAC.—DEVIL DOG—SOI	37,170	37,170
Navy	NC	CAMP LEJUNE	ROAD NETWORK—WALLACE CREEK	15,130	15,130
Navy	NC	CAMP LEJUNE	MP WORKING DOG KENNEL—RELOCATION	8,370	8,370
Navy	NC	CAMP LEJUNE	CONSOLIDATED INFO TECH/TELECOM COMPLEX	46,120	46,120
Navy	NC	CAMP LEJUNE	NEW BASE ENTRY POINT AND ROAD (PHASE 1)	79,150	79,150
Navy	NC	CAMP LEJUNE	BEQ—WALLACE CREEK	43,480	43,480
Navy	NC	CAMP LEJUNE	BEQ—WALLACE CREEK	44,390	44,390
Navy	NC	CAMP LEJUNE	BEQ—WALLACE CREEK	44,390	44,390
Navy	NC	CAMP LEJUNE	BEQ—WALLACE CREEK	42,110	42,110
Navy	NC	CAMP LEJUNE	PRE-TRIAL DETAINEE FACILITY	18,580	18,580
Navy	NC	CAMP LEJUNE	PHYSICAL FITNESS CENTER	39,760	39,760
Navy	NC	CAMP LEJUNE	4TH INFANTRY BATTALION OPS COMPLEX	55,150	55,150
Navy	NC	CAMP LEJUNE	ORDNANCE MAGAZINES	12,360	12,360
Navy	NC	CHERRY POINT MCAS	EMS/FIRE VEHICLE FACILITY	10,600	10,600
Navy	NC	CHERRY POINT MCAS	VEHICLE MAINTENANCE SHOP	19,500	19,500
Army	NC	FORT BRAGG	SIMULATIONS CENTER	50,000	50,000
Army	NC	FORT BRAGG	VEHICLE MAINTENANCE SHOP	17,500	17,500
Army	NC	FORT BRAGG	COMPANY OPERATIONS FACILITY	3,300	3,300
Army	NC	FORT BRAGG	TRANSIENT TRAINING BARRACKS COMPLEX	16,500	16,500
Army	NC	FORT BRAGG	AUTOMATED SNIPER FIELD FIRE RANGE	2,500	2,500
Army	NC	FORT BRAGG	AUTOMATED MULTIPURPOSE MACHINE GUN	4,350	4,350
Def-Wide	NC	FORT BRAGG	CONSOLIDATED HEALTH CLINIC	26,386	26,386
Def-Wide	NC	FORT BRAGG	HEALTH CLINIC	31,272	31,272
Def-Wide	NC	FORT BRAGG	SPECIAL OPS PREP & CONDITIONING COURSE	24,600	24,600
Def-Wide	NC	FORT BRAGG	SOF BATTALION & COMPANY HQ	15,500	15,500
Def-Wide	NC	FORT BRAGG	SOF OPERATIONS SUPPORT ADDITION	13,756	13,756
Def-Wide	NC	FORT BRAGG	SOF MILITARY WORKING DOG FACILITY	1,125	1,125
Def-Wide	NC	FORT BRAGG	SOF BATTALION HEADQUARTERS FACILITY	13,000	13,000
Def-Wide	NC	FORT BRAGG	SOF OPERATIONS ADDITION NORTH	27,513	27,513
Def-Wide	NC	FORT BRAGG	SOF TUAV HANGAR	2,948	2,948
Def-Wide	NC	FORT BRAGG	SOF MILITARY WORKING DOG FACILITY	3,046	3,046

MILITARY CONSTRUCTION
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Def:Wide	NC	FORT BRAAGG	ALBRITTON JHS ADDITION	3,439		3,439
Navy	NC	NEW RIVER	APRON EXPANSION (PHASE 2)	35,600		35,600
Navy	NC	NEW RIVER	VMMT-204 MAINTENANCE HANGAR—PHASE 3	28,210		28,210
Navy	NC	NEW RIVER	PARALLEL TAXIWAY	17,870		17,870
Navy	NC	NEW RIVER	TACTICAL SUPPORT VAN PAD ADDITION	5,490		5,490
Navy	NC	NEW RIVER	GYMNASIUM/OUTDOOR POOL	19,920		19,920
Air Force	NC	POPE AFB	POPE AFB AIR TRAFFIC CONTROL TOWER		7,700	7,700
Army	NC	SUNNY POINT MOT	TOWERS	3,900		3,900
Army	NC	SUNNY POINT MOT	LIGHTNING PROTECTION SYSTEM	25,000		25,000
Air Force	ND	GRAND FORKS AFB	CONSOLIDATED SECURITY FORCES FACILITY		12,000	12,000
Air Force	ND	MINOT AFB	MUNITIONS TRAILER STORAGE FACILITY	1,500		1,500
Air Force	ND	MINOT AFB	MISSILE PROCEDURES TRNG OPERATIONS	10,000		10,000
ARNG	NE	LINCOLN	ARMED FORCES RESERVE CENTER (JFHQ)	23,000		23,000
Air Guard	NE	LINCOLN MAP	JOINT FORCES OPERATIONS CENTER—ANG SHARE	1,500		1,500
Air Force	NE	OFFUTT AIR FORCE BASE	STRATCOM GATE		10,400	10,400
Air Guard	NH	PEASE ANGB	REPLACE SQUADRON OPERATIONS FACILITIES		10,000	10,000
Air Guard	NJ	108TH AIR REFUEL WNG, MCGUIRE AFB	BASE CIVIL ENGINEERING COMPLEX		9,700	9,700
Air Force	NM	CANNON AFB	WB—CONSOLIDATED COMMUNICATION FAC	15,000		15,000
Def:Wide	NM	CANNON AFB	SOF FUEL CELL HANGAR (MC-130)	41,269		41,269
Def:Wide	NM	CANNON AFB	SOF AMU ADDITION (CV-22)	11,595		11,595
Air Force	NM	HOLLOMAN AFB	F-22A CONSOLIDATED MUNITIONS MAINT (TFI)	5,500		5,500
Air Force	NM	HOLLOMAN AFB	FIRE-CRASH RESCUE STATION		10,400	10,400
Air Force	NM	KIRTLAND AFB	MC-130J SIMULATOR FACILITY	8,000		8,000
Air Force	NM	KIRTLAND AFB	HC-130J SIMULATOR FACILITY	8,700		8,700
ARNG	NM	SANTA FE	ARMY AVIATION SUPPORT FACILITY	39,000		39,000
ARNG	NV	CARSON CITY	NATIONAL GUARD ENERGY SUSTAINABLE PROJECTS		2,000	2,000
Air Force	NV	CREECH AFB	UAS AT/FP SECURITY UPDATES	2,700		2,700
Navy	NV	NAV AIR STA FALLON	WARRIOR PHYSICAL TRAINING FACILITY		11,450	11,450

ARNG	NV	NORTH LAS VEGAS	READINESS CENTER	26,000		26,000
Air Guard	NV	RENO, NV	NV ANG FIRE STATION REPLACEMENT	10,800	10,800	10,800
Army	NY	FORT DRUM	WATER SYSTEM EXPANSION	6,500		6,500
Army	NY	FORT DRUM	BARRACKS	57,000		57,000
Army	NY	FORT DRUM	WARRIOR IN TRANSITION COMPLEX	21,000		21,000
AF Reserve	NY	NIAGRA FALLS ARB	INDOOR SMALL ARMS RANGE	5,700	5,700	5,700
USAR	NY	ROCHESTER	ARMY RESERVE CENTER/LAND	13,600		13,600
USAR	OH	CINCINNATI	ARMY RESERVE CENTER/LAND	13,000		13,000
Air Guard	OH	MANSFIELD LAHM AIRPORT	TPI—RED HORSE SQUADRON BEDDOWN	11,400		11,400
Air Force	OH	WRIGHT-PATTERSON AFB	INFO TECH COMPLEX PH 1	27,000		27,000
Air Force	OH	WRIGHT-PATTERSON AFB	CONVERSION FOR ADVANCED POWER RESEARCH LAB	21,000		21,000
Air Force	OH	WRIGHT-PATTERSON AFB	REPLACE WEST RAMP, PHASE II	10,600	10,600	10,600
Air Force	OK	ALTUS AFB	REPAIR TAXIWAYS	20,300		20,300
Def:Wide	OK	ALTUS AFB	REPLACE UPLOAD FACILITY	2,700		2,700
Army	OK	FORT SILL	AUTOMATED INFANTRY SQUAD BATTLE COURSE	3,500		3,500
Army	OK	FORT SILL	BARRACKS	65,000		65,000
Army	OK	FORT SILL	WARRIOR IN TRANSITION COMPLEX	22,000		22,000
Def:Wide	OK	FORT SILL	DENTAL CLINIC	10,554		10,554
Army	OK	MCALESTER	HIGH EXPLOSIVE MAGAZINE, DEPOT LEVEL	1,300		1,300
Army	OK	MCALESTER	GENERAL PURPOSE STORAGE BUILDING	11,200		11,200
Air Force	OK	TINKER AFB	BUILDING 3001 HANGER DOOR	13,037		13,037
Air Force	OK	VANCE, AIR FORCE BASE	CONTROL TOWER	10,700	10,700	10,700
Air Guard	OK	WILL ROGERS AP	TPI—AIR SUPT OPERS SQDN (ASOS) BEDDN	7,300		7,300
ARNG	OR	CLATSOP CTNY, WARRENTON	CAMP RILEA INFRASTRUCTURE (WATER SUPPLY)	3,369	3,369	3,369
USAR	PA	ASHLEY	ARMY RESERVE CENTER	9,800		9,800
FH Con DW	PA	DEF DISTRO DEPOT	DEF DISTRIBUTION DEPOT NEW CUMBERLAND	2,859		2,859
USAR	PA	HARRISBURG	ARMY RESERVE CENTER	7,600		7,600
USAR	PA	NEWTON SQUARE	ARMY RESERVE CENTER/LAND	20,000		20,000
AF Reserve	PA	PITTSBURGH AIR RES BASE	VISITING QUARTERS PHASE 1	12,400	12,400	12,400
USAR	PA	UNIONTOWN	ARMY RESERVE CENTER/LAND	11,800		11,800
Navy	RI	NEWPORT	OFFICER TRAINING COMMAND QUARTERS	45,803		45,803
Navy	RI	NEWPORT	VISITING QUARTERS PHASE 1	10,550	10,550	10,550
Air Guard	SC	AIR NATIONAL GUARD	JOINT FORCE HQ BUILDING MCENTIRE	1,300	1,300	1,300

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Navy	SC	BEAUFORT	WIDEBODY AIRCRAFT FUEL LANE	1,280		1,280
Naval Res	SC	CHARLESTON	RESERVE VEHICLE MAINTENANCE FACILITY	4,240		4,240
Army	SC	CHARLESTON NWS	STAGING AREA	4,100		4,100
Army	SC	CHARLESTON NWS	RAILROAD TRACKS	12,000		12,000
Army	SC	CHARLESTON NWS	PIER AND LOADING/UNLOADING RAMPS	5,700		5,700
ARNG	SC	EASTOVER	ARMY AVIATION SUPPORT FACILITY ADD/ALT	26,000		26,000
Army	SC	FORT JACKSON	ADVANCED SKILLS TRAINEE BARRACKS	32,000		32,000
Army	SC	FORT JACKSON	MODIFIED RECORD FIRE RANGE	3,600		3,600
Army	SC	FORT JACKSON	TRAINING BATTALION COMPLEX	66,000		66,000
Army	SC	FORT JACKSON	INFILTRATION COURSE	1,900		1,900
ARNG	SC	GREENVILLE	ARMY AVIATION SUPPORT FACILITY	40,000		40,000
Navy	SC	PARRIS ISLAND	ELECTRICAL SUBSTATION AND IMPROVEMENTS	6,972	7,890	6,972
ARNG	SD	CAMP RAPID	JOINT FORCE HQ READINESS CENTER SUPPLEMENT		1,950	7,890
ARNG	SD	CAMP RAPID	TROOP MEDICAL CLINIC ADDITION AND ALTERATION		14,500	1,950
Air Force	SD	ELLSWORTH AFB	ADD/ALTER DEPLOYMENT CENTER		1,300	14,500
Air Guard	SD	JOE FOSS FIELD	ADD AND ALTER MUNITIONS MAINTENANCE COMPLEX		1,300	1,300
Air Guard	SD	JOE FOSS FIELD	ABOVE GROUND MULTI-CUBICLE MAGAZINE STORAGE		9,800	1,300
Air Guard	TN	164 AIRLIFT WING, MEM	164TH AIRLIFT WING ANG ENG MAINT TRNG FAC			9,800
ARNG	TX	AUSTIN	ARMED FORCES RESERVE CENTER	16,500		16,500
ARNG	TX	AUSTIN	FIELD MAINTENANCE SHOP, JOINT	5,700		5,700
USAR	TX	AUSTIN	ARMED FORCES RESERVE CENTER/AMSA	20,000		20,000
Navy	TX	CORPUS CHRISTI	OPERATIONAL FACILITIES FOR T-6	19,764		19,764
Air Force	TX	DYESS AFB	C-130J ALTER HANGAR	4,500		4,500
Army	TX	FORT BLISS	VEHICLE MAINTENANCE SHOP	16,000		16,000
Army	TX	FORT BLISS	BRIGADE STAGING AREA COMPLEX	14,800		14,800
Army	TX	FORT BLISS	DIGITAL MULTIPURPOSE RANGE COMPLEX	45,000		45,000
Army	TX	FORT BLISS	FIRE AND MILITARY POLICE STATIONS	16,500		16,500
Army	TX	FORT BLISS	AIRCRAFT FUEL STORAGE	10,800		10,800
Army	TX	FORT BLISS	VEHICLE MAINTENANCE SHOP	20,000		20,000

Army	TX	FORT BLISS	AUTOMATED SNIPER FIELD FIRE RANGE	4,250	4,250
Army	TX	FORT BLISS	KNOWN DISTANCE RANGE	4,750	4,750
Army	TX	FORT BLISS	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	6,900	6,900
Army	TX	FORT BLISS	SCOUT/RECCE GUNNERY COMPLEX	17,000	17,000
Army	TX	FORT BLISS	LIGHT DEMOLITION RANGE	2,400	2,400
Army	TX	FORT BLISS	AUTOMATED INFANTRY PLATOON BATTLE COURSE	7,000	7,000
Army	TX	FORT BLISS	SIMULATION CENTER	23,000	23,000
Army	TX	FORT BLISS	VEHICLE MAINTENANCE & COMPANY OPS FAC	31,000	31,000
Def-Wide	TX	FORT BLISS	HEALTH AND DENTAL CLINIC	30,295	24,600
Def-Wide	TX	FORT BLISS	HOSPITAL REPLACEMENT PHASE 1 (INCR 1)	86,975	62,975
USAR	TX	FORT BLISS	ARMY RESERVE CENTER	9,500	9,500
Army	TX	FORT HOOD	VEHICLE MAINTENANCE SHOP	23,000	23,000
Army	TX	FORT HOOD	URBAN ASSAULT COURSE	2,400	2,400
Army	TX	FORT HOOD	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	6,700	6,700
Def-Wide	TX	FORT HOOD	ALTER FUEL PUMP HOUSE AND FILL STAND	3,000	3,000
Army	TX	FORT HOOD	ACCESS CONTROL POINT AND ROAD IMPROVEMENTS	10,800	10,800
Army	TX	FORT SAM HOUSTON	GENERAL INSTRUCTION BUILDING	9,000	9,000
Air Force	TX	GOODFELLOW AFB	JOINT INTEL TECH TRNG FAC, PH 1 (TFI)	18,400	18,400
Air Force	TX	GOODFELLOW AFB	STUDENT DORMITORY (100 RM)	14,000	14,000
Air Force	TX	GOODFELLOW AFB	CONSOLIDATED LEARNING CENTER	12,000	12,000
USAR	TX	HOUSTON	ARMY RESERVE CENTER/LAND	24,000	24,000
AF Reserve	TX	LACKLAND AFB	C-5 GROUND TRAINING SCHOOLHOUSE ADDITION	1,500	1,500
Air Force	TX	LACKLAND AFB	EVASION, CONDUCT AFTER CAPTURE TRNG	4,879	4,879
Air Force	TX	LACKLAND AFB	RECRUIT DORMITORY 2, PHASE 2	77,000	77,000
Air Force	TX	LACKLAND AFB	BMT SATELLITE CLASSROOM/DINING FAC	32,000	32,000
Def-Wide	TX	LACKLAND AFB	DENTAL CLINIC REPLACEMENT	29,318	29,318
Def-Wide	TX	LACKLAND AFB	AMBULATORY CARE CENTER, PHASE 1 (INCR 1)	72,610	72,610
Naval Res	TX	SAN ANTONIO	RESERVE TRAINING CENTER	2,210	2,210
USAR	TX	SAN ANTONIO	ARMY RESERVE CENTER	20,000	20,000
Air Force	TX	SHEPPARD AFB	ENLPT OPERATIONS COMPLEX, PHASE 1	11,600	11,600
Def-Wide	UT	CAMP WILLIAMS	IC CNCI DATA CENTER 1 (INCR 2)	800,000	600,000
Army	UT	DUGWAY PROVING GROUND	WATER TREATMENT SYSTEMS	25,000	25,000
AF Reserve	UT	HILL AFB	RESERVE SQUAD OPS/AMU FACILITY	3,200	3,200
Air Force	UT	HILL AFB	F-22A RADAR CROSS SECTION TESTING FAC	21,053	21,053

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Air Guard	UT	HILL AFB	PCC APRON NORTHWEST END TAXIWAY		5,100	5,100
Def:Wide	VA	DAHLGREN	AEHGS BMD FACILITY EXPANSION	24,500		24,500
Navy	VA	DAHLGREN	ELECTROMAGNETIC RESEARCH AND ENG FACILITY		3,660	3,660
Def:Wide	VA	DAM NECK	SOF OPERATIONS FACILITY INC III	15,967		15,967
Army	VA	FORT A.P. HILL	AUTOMATED INFANTRY PLATOON BATTLE COURSE	4,900		4,900
Army	VA	FORT A.P. HILL	FIELD TRAINING AREA	9,000		9,000
Army	VA	FORT A.P. HILL	TRAINING AIDS CENTER	9,100		9,100
Army	VA	FORT BELVOIR	FLIGHT CONTROL TOWER	8,400		8,400
Army	VA	FORT BELVOIR	ROAD AND ACCESS CONTROL POINT	9,500		9,500
Army	VA	FORT BELVOIR	ROAD AND INFRASTRUCTURE IMPROVEMENTS	20,000	-20,000	
ARNG	VA	FORT PICKETT	REGIONAL TRAINING INSTITUTE PH2	32,000		32,000
Army	VA	FT. EUSTIS	UPGRADE MARSHALLING AREA		8,900	8,900
Air Force	VA	LANGLEY AFB	WEST & LASALLE GATES FORCE PROTECTION/ACCESS	10,000		10,000
Def:Wide	VA	LITTLE CREEK	SOF SUPPORT ACTIVITY OPERATION FACILITY	18,669		18,669
Navy	VA	LITTLE CREEK	NAVAL CONSTRUCTION DIVISION OPERATIONS FAC	13,095		13,095
Navy	VA	NORFOLK	E-2D TRAINER FACILITY	11,737		11,737
Navy	VA	NORFOLK	FACILITY UPGRADES FOR E-2D PROGRAM	6,402		6,402
Naval Res	VA	OCEANA	C-40 HANGAR	30,400		30,400
Def:Wide	VA	PENTAGON	PENTAGON ELECTRICAL UPGRADE	19,272		19,272
Def:Wide	VA	PENTAGON	SECONDARY UNINTERRUPTIBLE POWER RAVEN ROCK	8,400		8,400
Navy	VA	PORTSMOUTH	SHIP REPAIR PIER REPLACEMENT (INCR 1)	226,969	-100,000	126,969
Navy	VA	QUANTICO	STUDENT QUARTERS—TBS (PHASE 4)	32,060		32,060
Navy	VA	QUANTICO	BATTALION TRAINING FACILITY—MSGBN	10,340		10,340
Navy	VA	QUANTICO	MC INFORMATION OPERATIONS CENTER—MCIOC	29,620		29,620
Navy	VA	QUANTICO	AIRCRAFT TRAINER	3,170		3,170
Navy	VA	QUANTICO	DINING FACILITY—TBS	14,780		14,780
Navy	VA	QUANTICO	SOUTH MAINSIDE ELECTRICAL SUBSTATION	15,270		15,270
Air Guard	VT	BURLINGTON IAP	FIRE CRASH AND RESCUE STATION ADDITION		6,000	6,000
ARNG	VT	ETHAN ALLEN RANGE	BOQ ADDITIONS AND IMPROVEMENTS		1,996	1,996

Navy	WA	BANGOR	LIMITED AREA PRODUCTION/STRG CMPLX (INC 6)	87,292	87,292
Navy	WA	BREMERTON	ENCLAVE FENCING/PARKING, SILVERDALE WA (INCR 2)	67,419	67,419
Navy	WA	BREMERTON	CVN MAINTENANCE PIER REPLACEMENT (INC 2)	69,064	69,064
Air Force	WA	FAIRCHILD AFB	SERE FORCE SUPPORT COMPLEX, PHASE I	11,000	11,000
Def:Wide	WA	FAIRCHILD AFB	REPLACE FUEL DISTRIBUTION SYSTEM	7,500	7,500
Army	WA	FORT LEWIS	LIVE FIRE EXERCISE SHOOTHOUSE	2,550	2,550
Army	WA	FORT LEWIS	ANIMAL BUILDING	3,050	3,050
Army	WA	FORT LEWIS	BRIGADE COMPLEX, INC 4	102,000	102,000
Army	WA	FORT LEWIS	MODIFIED RECORD FIRE RANGE	4,100	4,100
Def:Wide	WA	FORT LEWIS	HEALTH AND DENTAL CLINIC	15,636	15,636
Def:Wide	WA	FORT LEWIS	SOF SUPPORT COMPANY FACILITY	14,500	14,500
Navy	WA	SPOKANE	JNT PERS RECOVERY AGENCY SPECIALIZED SERE TRA	12,707	12,707
USAR	WI	FORT MCCOY	COMBINED ARMS COLLECTIVE TRAINING FACILITY	25,000	25,000
USAR	WI	FORT MCCOY	RANGE UTILITY UPGRADE	3,850	3,850
Air Guard	WI	GENERAL MITCHELL IAP	UPGRADE CORROSION CONTROL HANGAR	5,000	5,000
Navy	WV	NAVAL SECY GRP ACT,	EMERGENCY SERVICES CENTER	9,560	9,560
		SUGAR GROVE			
Air Guard	WV	SHEPHERD AB, MARTINS-	C-5 TAXIWAY UPGRADES	19,500	19,500
		BURG			
ARNG	WV	ST. ALBANS ARMORY	LIFE SAFETY UPGRADE	2,000	2,000
Air Guard	WY	CHEYENNE AIRPORT	SQUADRON OPERATIONS	1,500	1,500
Air Force	WY	F. E. WARREN AFB	ADAL MISSILE SERVICE COMPLEX	9,100	9,100
BRAC 05	ZU	UNSPECIFIED WORLDWIDE	BASE REALIGNMENT AND CLOSURE 2005	7,479,498	7,479,498
BRAC IV	ZU	UNSPECIFIED WORLDWIDE	BASE REALIGNMENT AND CLOSURE IV	396,768	396,768
Air Force	AF	BAGRAM AIR BASE	PASSENGER TERMINAL	22,000	22,000
Army	AF	BAGRAM AIR BASE	FUEL SYSTEM PH 6	12,000	12,000
Army	AF	BAGRAM AIR BASE	FUEL SYSTEM PH 7	5,000	5,000
Army	AF	BAGRAM AIR BASE	COALITION OPERATION CENTER	49,000	49,000
Army	AF	BAGRAM AIR BASE	APS COMPOUND	38,000	38,000
Army	AF	BAGRAM AIR BASE	AVIATION SUPPORT FACILITY	2,600	2,600
Army	AF	BAGRAM AIR BASE	BARRACKS	18,500	-18,500
Army	AF	BAGRAM AIR BASE	COMMAND AND CONTROL FACILITY	38,000	-38,000
Army	AF	BAGRAM AIR BASE	PERIMETER FENCE AND GUARD TOWERS	7,000	-7,000
Def:Wide	BE	BRUSSELS	REPLACE ELEMENTARY SCHOOL (SHAPE) PHASE I	38,124	38,124

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
Navy	BI	SW ASIA	WATERFRONT DEVELOPMENT PHASE 2	41,526		41,526
Air Force	CM	PALANQUERO AB	PALANQUERO AB DEVELOPMENT	46,000		46,000
Navy	D-J	CAMP LEMONIER	INTERIOR PAVED ROADS PHASE A	7,275		7,275
Navy	D-J	CAMP LEMONIER	AMMO SUPPLY POINT	21,689		21,689
Navy	D-J	CAMP LEMONIER	SECURITY FENCING I	8,109		8,109
Navy	D-J	CAMP LEMONIER	FIRE STATION	4,772		4,772
Def:Wide	GB	GUANTANAMO BAY	REPLACE FUEL STORAGE TANKS	12,500		12,500
Def:Wide	GE	BOEBLINGEN	NEW ELEMENTARY SCHOOL		50,000	50,000
Def:Wide	GR	SOUDA BAY	FUEL STORAGE TANKS & PIPELINE RPL	24,000		24,000
Def:Wide	GU	AGANA NAVAL AIR STATION	REPLACE GAS CYLINDER STORAGE FACILITY	4,900		4,900
Air Force	GU	ANDERSEN AFB	STRIKE FOL ELECTRICAL INFRASTRUCTURE	33,750		33,750
Air Force	GU	ANDERSEN AFB	NW FIELD ATPF PERIMETER FENCE AND ROAD	4,752		4,752
Air Force	GU	ANDERSEN AFB	COMMANDO WARRIOR OPERATIONS FAC	4,200		4,200
Air Force	GU	ANDERSEN AFB	NW FIELD COMBAT SPT VEHICLE MAINT FAC	15,500		15,500
ARNG	GU	BARRIGADA	READINESS CENTER	30,000		30,000
Army	GY	ANSBACH	BARRACKS	17,500		17,500
Army	GY	ANSBACH	BARRACKS	14,200		14,200
FH Con Army	GY	BAUMHOLDER	FAMILY HOUSING REPLACEMENT CONSTRU (138 UNITS)	18,000		18,000
Def:Wide	GY	KAISERLAUTERN AB	KAISERLAUTERN COMPLEX—PHASE 1	19,380		19,380
Def:Wide	GY	KAISERLAUTERN AB	KAISERLAUTERN HS REPLACE SCHOOL	74,165		74,165
Army	GY	KLEBER KASERNE	BARRACKS	20,000		20,000
Army	GY	LANDSTUHL	WARRIOR IN TRANSITION (WT) COMPLEX	25,000		25,000
Air Force	GY	RAMSTEIN AB	CONSTRUCT AGE MAINT COMPLEX	11,500		11,500
Air Force	GY	RAMSTEIN AB	CONTINGENCY RESPONSE GROUP COMMAND	23,200		23,200
Air Force	GY	SPANGDAHLEM AB	FITNESS CTR	23,500		23,500
Def:Wide	GY	WEISBADEN	WEISBADEN HS NEW CAFETERIA AND KITCHEN	5,379		5,379
FH Con Army	GY	WEISBADEN	FAMILY HOUSING REPLACEMENT CONST INC 2	10,000		10,000
FH Con Army	GY	WEISBADEN	FAMILY HOUSING REPLACEMENT CONST INC 2	11,000		11,000
FH Con Army	GY	WEISBADEN	FAMILY HOUSING REPLACEMENT CONST INC 2	11,000		11,000
FH Con Army	GY	WEISBADEN	FAMILY HOUSING REPLACEMENT CONST INC 2	11,000		11,000

Air Force	IT	SIGONELLA	GLOBAL HAWK AIRCRAFT MAINT AND OPS COMPLEX	31,300	-31,300	23,500
Army	IT	VICENZA	BDE COMPLEX—OPERATIONS SPT FAC, INCR 3	23,500		22,500
Army	IT	VICENZA	BDE COMPLEX—BARRACKS/COMMUNITY, INCR 3	22,500		6,000
Army	JA	OKINAWA	TRAINING AIDS CENTER	6,000		6,000
Army	JA	SAGAMIHARA	TRAINING AIDS CENTER	6,000		19,000
Army	KR	CAMP HUMPHREYS	VEHICLE MAINTENANCE SHOP	19,000		18,000
Army	KR	CAMP HUMPHREYS	VEHICLE MAINTENANCE SHOP	18,000		13,200
Army	KR	CAMP HUMPHREYS	FIRE STATIONS	13,200		5,050
Def-Wide	KR	K-16 AIRFIELD	CONVERT WAREHOUSES	5,050		28,000
Def-Wide	KR	OSAN AB	REPLACE HYDRANT FUEL SYSTEM	28,000		4,376
FH Con Navy	KR	PUSAN	CONSTR CHINHAE WELCOME CTR/WAREHOUSE	4,376		82,000
Army	KU	CAMP ARIFJAN	APS WAREHOUSES	82,000	-59,156	200,000
Def-Wide	ML	GUAM	HOSPITAL REPLACEMENT (INCR 1)	259,156		20,730
FH Con Navy	ML	GUAM	REPLACE GUAM N. TIPALAO PH III	20,730		45,309
Navy	ML	GUAM	CONSOLIDATED SLC TRAINING & CSS-15 HQ FAC	45,309		10,000
Navy	ML	GUAM	MILITARY WORKING DOG RELOCATION, APR A HARBOR ..	27,070	-17,070	48,860
Navy	ML	GUAM	DEFENSE ACCESS ROAD IMPROVEMENTS	48,860		
Navy	ML	GUAM	AAFB NORTH RAMP UTILITIES (PHASE 1)	21,500	-21,500	
Navy	ML	GUAM	AAFB NORTH RAMP PARKING (PHASE 1)	88,797	-88,797	83,517
Navy	ML	GUAM	APRA HARBOR WHARVES IMP. (INCR 1)	167,033	-83,516	15,627
Navy	ML	GUAM	TORPEDO EXERCISE SUPPORT BUILDING	15,627		
Air Force	OM	AL MUSANNAH AB	WAR RESERVE MATERIAL COMPOUND	47,000	-47,000	
Air Force	OM	AL MUSANNAH AB	ARLIFT RAMP AND FUEL FACILITIES	69,000	-69,000	
USAR	PR	CAGUAS	ARMY RESERVE CENTER/LAND	12,400		12,400
Air Force	QA	AL UDEID, QATAR	BLATCHFORD-PRESTON COMPLEX PH II	60,000		60,000
Navy	SP	ROTA	RECEPTION AIRFIELD FACILITIES	26,278		26,278
Air Force	TK	INCIRLIK AB	CONSTRUCT CONSOLIDATED COMMUNITY CTR	9,200		9,200
Def-Wide	UK	MENWITH HILL STATION	MHS PSC CONSTRUCTION	37,588		37,588
Def-Wide	UK	RAF MILDENHALL	CONNECT FUEL TANK DISTRIBUTION PIPE LN	4,700		4,700
Def-Wide	UK	RAF ALCONBURY	MEDICAL/DENTAL CLINIC REPLACEMENT	14,227		14,227
Def-Wide	UK	RAF LAKENHEATH	LIBERTY IS—GYMNASIUM	4,509		4,509
ARNG	VI	ST. CROIX	REGIONAL TRAINING INSTITUTE PHI	20,000		20,000
Air Force	ZC	CLASSIFIED LOCATION	CLASSIFIED PLANNING & DESIGN	3,000		3,000
NSIP	ZU	NSIP	NATO SECURITY INVESTMENT PROGRAM	276,314		276,314

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
AF Reserve	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	1,976		1,976
Air Force	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	18,000		18,000
Air Force	ZU	UNSPECIFIED WORLDWIDE	PLANNING & DESIGN	79,363		79,363
Air Guard	ZU	UNSPECIFIED WORLDWIDE	MINOR CONSTRUCTION	9,000		9,000
Air Guard	ZU	UNSPECIFIED WORLDWIDE	PLANNING & DESIGN	10,061		10,061
Army	ZU	UNSPECIFIED WORLDWIDE	MINOR CONSTRUCTION FY10	23,000		23,000
Army	ZU	UNSPECIFIED WORLDWIDE	PLANNING & DESIGN FY10	153,029		153,029
Army	ZU	UNSPECIFIED WORLDWIDE	HOST NATION SUPPORT FY10	25,000		25,000
ARNG	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	10,300		10,300
ARNG	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	23,981		23,981
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	3,575		3,575
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	MINOR CONSTRUCTION	4,525		4,525
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	6,800		6,800
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	MINOR CONSTRUCTION	3,717		3,717
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	2,000		2,000
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	10,534		10,534
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	JEP EXERCISE RELATED CONSTRUCTION	7,861		7,861
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	ENERGY CONSERVATION IMPROVEMENT PROGRAM	90,000	33,013	123,013
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	CONTINGENCY CONSTRUCTION	10,000		10,000
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	3,000		3,000
Def-Wide	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	35,579		35,579
FH Con AF	ZU	UNSPECIFIED WORLDWIDE	CONSTRUCTION IMPROVEMENTS	61,737		61,737
FH Con AF	ZU	UNSPECIFIED WORLDWIDE	CLASSIFIED PROJECT	50		50
FH Con AF	ZU	UNSPECIFIED WORLDWIDE	PLANNING & DESIGN	4,314		4,314
FH Con Army	ZU	UNSPECIFIED WORLDWIDE	CONSTRUCTION IMPROVEMENTS (2428 UNITS)	219,300		219,300
FH Con Army	ZU	UNSPECIFIED WORLDWIDE	FAMILY HOUSING P&D	3,936		3,936
FH Con Navy	ZU	UNSPECIFIED WORLDWIDE	IMPROVEMENTS	118,692		118,692
FH Con Navy	ZU	UNSPECIFIED WORLDWIDE	DESIGN	2,771		2,771
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	81,686		81,686

FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	1,557	1,557
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	51,334	51,334
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	20,183	20,183
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	39,182	39,182
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	1,543	1,543
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	LEASING ACCOUNT	548	548
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	LEASING	102,858	102,858
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE ACCOUNT	1,911	1,911
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE (RPMA & RPMC)	148,318	148,318
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	HOUSING PRIVATIZATION	53,816	53,816
FH Ops AF	ZU	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	81,650	81,650
FH Ops Army	ZU	UNSPECIFIED WORLDWIDE	OPERATIONS	87,263	87,263
FH Ops Army	ZU	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	1,177	1,177
FH Ops Army	ZU	UNSPECIFIED WORLDWIDE	LEASING	205,685	205,685
FH Ops Army	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	115,854	115,854
FH Ops Army	ZU	UNSPECIFIED WORLDWIDE	PRIVATIZATION SUPPORT COSTS	31,789	31,789
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	RECISSION (PUBLIC LAW 110-5)		
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	OPERATIONS	35	35
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	LEASING	10,108	10,108
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	69	69
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	4,426	4,426
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	LEASING	33,579	33,579
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	274	274
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	19	19
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	29	29
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	309	309
FH Ops DW	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	366	366
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	UTILITIES ACCOUNT	53,956	53,956
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	FURNISHINGS ACCOUNT	14,624	14,624
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	MANAGEMENT ACCOUNT	60,278	60,278
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	MISCELLANEOUS ACCOUNT	457	457
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	SERVICES ACCOUNT	16,462	16,462
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	LEASING	101,432	101,432
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	MAINTENANCE OF REAL PROPERTY	94,184	94,184

MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	Budget Request	Senate Change	Senate Authorized
FH Ops Navy	ZU	UNSPECIFIED WORLDWIDE	PRIVATIZATION SUPPORT COSTS	27,147		27,147
FHIF	ZU	UNSPECIFIED WORLDWIDE	FAMILY HOUSING IMPROVEMENT FUND	2,600		2,600
HOAP	ZU	UNSPECIFIED WORLDWIDE	HOMEOWNERS ASSISTANCE PROGRAM	23,225	350,000	373,225
Naval Res	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	2,371		2,371
Navy	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTR	12,483		12,483
Navy	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	166,896		166,896
USAR	ZU	UNSPECIFIED WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	3,600		3,600
USAR	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	22,262		22,262
AF Reserve	ZU	VARIOUS WORLDWIDE	MINOR CONSTRUCTION	800		800
Def-Wide	ZU	VARIOUS WORLDWIDE	PLANNING AND DESIGN	72,974		72,974
Def-Wide	ZU	VARIOUS WORLDWIDE	UNSPECIFIED MINOR CONST	6,022		6,022
Def-Wide	ZU	VARIOUS WORLDWIDE	PLANNING AND DESIGN	4,425		4,425
Def-Wide	ZU	VARIOUS WORLDWIDE	PLANNING AND DESIGN	8,855		8,855
Def-Wide	ZU	VARIOUS WORLDWIDE	UNSPECIFIED MINOR CONSTRUCTION	4,100		4,100
TOTAL FY2010 AUTHORIZATIONS				22,946,036	-22,843	22,923,193
Prior Year Savings					-112,500	
GRAND TOTAL				22,946,036	-135,343	22,810,693

SEC. 4502. 2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING.

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

Account	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Army	11	Anniston (Pelham Range)	AL	Armed Forces Reserve Center	8,000	8,000
Army	11	Birmingham	AL	Armed Forces Reserve Center	10,000	10,000
Army	11	Mobile	AL	Armed Forces Reserve Center	20,430	20,430
Defense Wide	134	Redstone Arsenal	AL	Von Braun Complex		27,800
Army	11	Tuscaloosa	AL	Armed Forces Reserve Center	18,000	18,000
Army	13	Camden	AR	Armed Forces Reserve Center	9,800	9,800
Army	13	El Dorado	AR	Armed Forces Reserve Center	14,000	14,000
Army	13	Hot Springs	AR	Armed Forces Reserve Center	14,600	14,600
Army	13	Pine Bluff	AR	Armed Forces Reserve Center	15,500	15,500
Army	12	Marana	AZ	Armed Forces Reserve Center	31,000	31,000
Navy	57	Barstow	CA	Industrial Machine Shop Facility	14,131	14,131
Navy	184	China Lake	CA	Shipboard Shock Test Facility	3,160	3,160
Navy	184	China Lake	CA	Weapons Dynamics RDT&E Center	5,970	5,970
Army	15	Middletown	CT	Armed Forces Reserve Center, Iner 2	37,000	37,000
Navy	149	Washington	DC	Navy Systems Management Activity Relocation (INCR II of II)	71,929	71,929
Navy	149	Washington	DC	Renovate 3rd Floor Building 176, Washington Navy Yard	750	750
Army	04	Eglin AFB	FL	Special Forces Complex, Iner 2	8,000	8,000
Air Force	125	Eglin AFB	FL	BRAC F-35 Live Ordnance Load Area (LOLA)	6,624	6,624
Air Force	4B, 125	Eglin AFB	FL	CE Facility	2,000	2,000
Air Force	125	Eglin AFB	FL	F-35 (JSF) Duke Field Control Tower	2,280	2,280
Air Force	4B, 125	Eglin AFB	FL	Fitness Facility	2,750	2,750
Air Force	125	Eglin AFB	FL	STOVL Simulated Carrier Practice Landing Deck	27,690	27,690
Air Force	125	Eglin AFB	FL	School Age Facility	2,600	2,600
Air Force	125	Eglin AFB	FL	Security Forces Facility	890	890
Air Force	125	Eglin AFB	FL	Taxiway Extension	13,000	13,000

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

Account	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	125	Eglin AFB	FL	Traffic Management Cargo Processing Facility	900	900
Army	9	Benning	GA	AAFES Troop Store	1,950	1,950
Army	17	Benning	GA	Armed Forces Reserve Center	18,000	18,000
Army	2	Benning	GA	Equipment Concentration Site	43,000	43,000
Army	9	Benning	GA	General Instruction Complex 2, Iner 2	58,000	58,000
Army	9	Benning	GA	Maneuver Ctr Hq & CDI Bldg Expansion	42,000	42,000
Army	9	Benning	GA	Medical Facility, Iner 2	77,000	77,000
Army	21	Cedar Rapids	IA	Armed Forces Reserve Center	42,000	42,000
Army	21	Iowa AAP	IA	Armed Forces Reserve Center	27,000	27,000
Army	21	Muscatine	IA	Armed Forces Reserve Center	8,800	8,800
Army	2	Rock Island	IL	Army Headquarters Building Renovation	20,000	20,000
Army	43	Campbell	KY	Armed Forces Reserve Center	5,900	5,900
Army	2	Campbell	KY	Headquarters Building, Group	14,800	14,800
Army	55	Knox	KY	Armed Forces Reserve Center	2,300	2,300
Army	5	Aberdeen PG	MD	C4ISR, Phase 2, Iner 2	156,000	156,000
Defense Wide	169	Bethesda (WRNMMC)	MD	Medical Center Addition—Increment 3	108,850	108,850
Defense Wide	169	Bethesda (WRNMMC)	MD	Traffic Mitigation Increment 1	18,400	18,400
Defense Wide	169	Bethesda (WRNMMC)	MD	Site Utility Infrastructure Upgrade for NiCoE	6,500	6,500
Army	174	Detrick	MD	Joint Bio-Med RDA Management Center	8,300	8,300
Army	169	Forest Glenn	MD	Museum	12,200	12,200
Defense Wide	140	Fort Meade	MD	Construct DISA Building	131,662	131,662
Army	141	Fort Meade	MD	Defense Media Activity, Iner 2	17,000	17,000
Navy	65	Brunswick	ME	Marine Corps Reserve Center	12,960	12,960
Army	176	Detroit Arsenal	MI	Administrative Office Buildings, Iner 2	21,384	21,384
Army	176	Detroit Arsenal	MI	Weapons Systems Support and Training	8,300	8,300
Army	26	Ft. Custer (Augusta)	MI	Armed Forces Reserve Center	18,500	18,500
Air Force	95	Selfridge ANGB	MI	A10 Arm/Disarm Apron	1,350	1,350
Air Force	95	Selfridge ANGB	MI	Repair Munitions Admin Building 891	3,100	3,100

Air Force	95	Selfridge ANGB	MI	Upgrade Munitions Maintenance Shop	1,650	1,650
Air Force	95	Selfridge ANGB	MI	Upgrade Munitions Missile Maintenance Bays	2,350	2,350
Army	28	Kirksville	MO	Armed Forces Reserve Center	6,600	6,600
Army	29	Great Falls	MT	Armed Forces Reserve Center	7,600	7,600
Army	3	Bragg	NC	Band Training Facility	4,200	4,200
Army	3	Bragg	NC	Headquarters Bldg, FORSCOM/USARC, Iner 3	124,000	124,000
Army	35	Wilmington	NC	Armed Forces Reserve Center	17,500	17,500
Army	36	Fargo	ND	Armed Forces Reserve Center	11,200	11,200
Army	30	Columbus	NE	Armed Forces Reserve Center	9,300	9,300
Army	30	McCook	NE	Armed Forces Reserve Center	7,900	7,900
Army	32	Camden	NJ	Armed Forces Reserve Center	21,000	21,000
Army	05	West Point	NY	US Military Academy Prep School, Iner 2	98,000	98,000
Army	37	Columbus	OH	Armed Forces Reserve Center, Iner 2	30,218	30,218
Navy	73	Akron	OH	Armed Forces Reserve Center	13,840	13,840
Army	126	Sill	OK	Joint Fires & Effects Simulator Building	28,000	28,000
Air Force	92	Will Rogers World APT	OK	Relocate Global Air Traffic Operation Program Office	1,200	1,200
Army	40	Allentown	PA	Armed Forces Reserve Center	15,000	15,000
Army	150	Tobyhanna	PA	Electronics Maintenance Shop, Depot Level	3,200	3,200
Air Force	68	Willow Grove ARS	PA	Establish Enclave	4,000	4,000
Army	42	Bristol	RI	Armed Forces Reserve Center	17,500	17,500
Navy	181	Charleston	SC	SPAWAR Data Center	9,670	9,670
Navy	138	Goose Creek	SC	Consolidated Brig Addition	9,790	9,790
Army	3	Shaw AFB	SC	Headquarters Building, Third US Army, Iner 2	55,000	55,000
Army	43	Chattanooga	TN	Armed Forces Reserve Center	8,900	8,900
Army	10	Bliss	TX	Brigade Combat Team Complex #3, Iner 3	110,000	110,000
Army	10	Bliss	TX	Combat Aviation Brigade Complex, Iner 3	94,000	94,000
Army	10	Bliss	TX	Hospital Add/Alt, WBAMC	24,000	24,000
Army	10	Bliss	TX	Hospital Replacement	89,000	89,000
Army	10	Bliss	TX	Tactical Equipment Maintenance Facility 2	104,000	104,000
Army	44	Brownsville	TX	Armed Forces Reserve Center	15,000	15,000
Army	44	Huntsville	TX	Armed Forces Reserve Center	16,000	16,000
Army	44	Kingsville	TX	Armed Forces Reserve Center	17,500	17,500
Air Force	146	Lackland AFB	TX	Joint Base San Antonio Headquarters Facility	8,500	8,500
Army	44	Lufkin	TX	Armed Forces Reserve Center	15,500	15,500

2005 BASE REALIGNMENT AND CLOSURE ROUND FY 2010 PROJECT LISTING
(In Thousands of Dollars)

Account	Commission Recommendation	Location	State	Project Title	Project Authorization	Authorization of Appropriation
Air Force	128	Randolph AFB	TX	Renovate Building 38	2,050	2,050
Army	44	Red River	TX	Armed Forces Reserve Center	14,200	14,200
Defense Wide	172	Fort Sam Houston	TX	San Antonio Military Medical Center (North) Iner 3	163,750	163,750
Army	148	Sam Houston	TX	Add/Alt Building 2270	18,000	18,000
Army	148	Sam Houston	TX	Housing, Enlisted Permanent Party	10,800	10,800
Army	148	Sam Houston	TX	IMCOM Campus Area Infrastructure	11,000	11,000
Army	148	Sam Houston	TX	Headquarters Bldg, IMCOM	48,000	48,000
Army	132	Belvoir	VA	Infrastructure Support, Iner 3	13,000	13,000
Army	168	Belvoir	VA	Infrastructure Support, Iner 3	39,400	39,400
Army	169	Belvoir	VA	NARMC HQ Building	17,500	17,500
Defense Wide	168	Fort Belvoir	VA	NGA Headquarters Facility	168,749	168,749
Defense Wide	169	Fort Belvoir	VA	Hospital Replacement—Increment 4	140,750	140,750
Defense Wide	169	Fort Belvoir	VA	Dental Clinic	12,600	12,600
Defense Wide	133	Fort Belvoir	VA	Office Complex Increment 3	360,533	360,533
Army	8	Eustis	VA	Bldg 705 Renv (AAA & 902d MI)	1,600	1,600
Army	8	Eustis	VA	Headquarters Bldg, IMCOM Eastern Region	5,700	5,700
Army	8	Eustis	VA	Headquarters Building, TRADOC, Iner 2	34,300	34,300
Army	8	Eustis	VA	Joint Task Force—Civil Support	19,000	19,000
Army	3	Eustis	VA	Renovation for ACA and NETCOM	4,800	4,800
Army	121	Lee	VA	AAFES Troop Store	1,850	1,850
Army	133	Lee	VA	Administrative Building (DCMA)	28,000	28,000
Army	121	Lee	VA	Combat Service Support School, Ph 1, Iner 4	30,000	30,000
Army	121	Lee	VA	Combat Service Support School, Ph 2, Iner 3	137,000	137,000
Army	121	Lee	VA	Combat Service Support School, Ph 3, Iner 2	145,000	145,000
Army	121	Lee	VA	Consolidated Troop Med/Dntl Clinic	20,000	20,000
Army	122	Lee	VA	HQs, Transportation Management Detachment	1,200	1,200
Army	121	Lee	VA	USMC Training Facilities	25,000	25,000
Navy	149	Arlington	VA	Crystal Park 5 to Arlington Service Center	33,660	33,660

Navy	138	Chesapeake	VA	Joint Regional Correctional Facility (INCR II of II)	47,560
Navy	181	Norfolk	VA	Building 1528 Renovations for SPAWAR	2,510
Army	47	Elkms	WW	Armed Forces Reserve Center	22,000
Army	47	Fairmont	WW	Armed Forces Reserve Center	21,000
Army	47	Spencer-Ripley	WW	Armed Forces Reserve Center	19,540
Army	PM	Various	WW	Planning and Design	26,100
Army		Various	Various	Environmental	147,693
Navy		Various	Various	Environmental	16,529
Air Force		Various	Various	Environmental	19,454
Army		Various	Various	Operation and Maintenance	1,169,334
Navy		Various	Various	Operation and Maintenance	322,495
Air Force		Various	Various	Operation and Maintenance	288,459
Defense Wide		Various	Various	Operation and Maintenance	836,715
Navy		Various	Various	MilPers PCS	6,504
Air Force		Various	Various	MilPers PCS	3,970
Army		Various	Various	Other	311,138
Navy		Various	Various	Other	20,115
Air Force		Various	Various	Other	23,443
Defense Wide		Various	Various	Other	412,320
				Subtotal BRAC 2005 FY 2010, Army	4,081,037
				Subtotal BRAC 2005 FY 2010, Navy	591,572
				Subtotal BRAC 2005 FY 2010, Air Force	418,260
				Subtotal BRAC 2005 FY 2010, Defense Wide	2,388,629
				Total BRAC 2005 FY 2010 All Categories	7,479,498
Army		Various	Various	Base Realignment and Closure IV, Army	98,723
Navy		Various	Various	Base Realignment and Closure IV, Navy	168,000
Air Force		Various	Various	Base Realignment and Closure IV, Air Force	127,364
Defense Wide		Various	Various	Base Realignment and Closure IV, Defense Wide	2,681
				Total BRAC IV for FY 2010	396,768

SEC. 4503. AMERICAN RECOVERY AND REINVESTMENT ACT MILITARY CONSTRUCTION.

State	Account	Installation	Project Title	Senate Authorized
AK	Air Force	Eielson AFB	Replace Military Family Housing—Phase 4 (Current Mission) (76 units)	53,900
AL	Air Force	Birmingham	Mobility Processing	2,300
AR	Air Force	Fort Smith	Replace Civil Engineering Complex	7,800
CA	Defense Wide	Camp Pendleton	Hospital Replacement	563,100
CA	ARRNG	Fort Hunter-Liggett	Family Housing New Construction (1 Unit)	620
CA	ARRNG	Fort Hunter-Liggett	Family Housing Replacement Construction (4 units)	1,750
CA	Navy	Marine Corps Base Camp Pendleton	Child Development Center	15,420
CA	Navy	Marine Corps Base Camp Pendleton	Photovoltaic System	10,731
CA	Navy	Marine Corps Base Camp Pendleton	Repair Bachelor Enlisted Quarters	8,901
CA	ARRNG	Mather Air Field	Resurface Airfield Pavement	1,500
CA	Navy	Naval Air Station Lemoore	Expand Child Development Center	7,793
CA	Navy	Naval Base Coronado	Child Care Center 24/7	2,301
CA	Navy	Naval Base Coronado	Bachelor Enlisted Quarters	86,275
CA	Navy	Naval Base Point Loma	Child Development Center	11,844
CA	ARRNG	Sierra AD	Family Housing Replacement Construction (1 unit)	707
CO	Army	Fort Carson	Child Development Center	12,500
CO	Air Force	Peterson AFB	Construct Child Development Center	11,200
FL	Air Force	Hurlburt Field	Child Development Center	11,000
FL	Defense Wide	Naval Air Station Jacksonville	Hospital Alteration	27,210
FL	Navy	Naval Station Mayport	Child Development Center	10,220
GA	Army	Fort Stewart (Hunter AAF)	Child Youth Services Center	8,600
GA	Air Force	Moody AFB	Child Development Center	11,400
HI	Navy	Marine Corps Base Hawaii	Child Development Center	19,360
IA	Air Force	Des Moines	Replace Communication Facility	6,000
IL	ARRNG	Rock Island	Family Housing New Construction (2 Units)	930

KS	Air Force	Forbes	Add/Alter Fire Station	4,100
KY	Army	Fort Campbell	Warrior in Transition (WT) Complex	43,000
MD	Air Force	Andrews AFB	ANGRC Operations Center	8,000
MD	Navy	Naval Support Activity Annapolis	Replace Steam Generation Plant	1,994
MD	Navy	Naval Surface Warfare Center Carderock	Replace Underground Steam Lines	1,253
MS	Air Force	Keesler AFB	Dormitory (144 Rm)	20,800
MT	Air Force	Malstrom AFB	Repair Structural Foundations In Minuteman Village (179 units)	26,200
NC	Army	Fort Bragg	Child Development Center	11,300
NC	Navy	Marine Corps Air Station New River	Repair Bachelor Enlisted Quarters	3,039
NC	Navy	Marine Corps Base Camp Lejeune	Facility and Photovoltaic Energy Upgrades	13,779
NC	ARNG	Raleigh	AFRC Raleigh (JFHQ-NC)	39,500
ND	Air Force	Minot AFB	Dormitory (168 Rm)	28,300
NE	ARNG	Camp Ashland	Dining Facility Add/Alt	2,900
NJ	Air Force	Atlantic City	Construct N&S Arm/Disarm Aprons	4,300
NM	Air Force	Cannon AFB	Child Development Center	12,000
NV	ARNG	Hawthorne AD	Family Housing Improvement (new water main)	950
NV	Air Force	Nellis AFB	Child Development Center	13,400
NY	ARNG	Brooklyn (Ft. Hamilton)	Ready Building (WMD CST)	1,500
NY	Army	Fort Drum	Child Development Center	10,700
OK	ARNG	McAlester AD	Family Housing Replacement Construction (6 units)	2,200
OR	ARNG	Camp Withycombe	Storm Sewer	1,300
PA	Air Force	Fort Indian Town Gap	Replace Troop Training Qtrs	7,000
PA	ARNG	Letterkenny AD	Family Housing New Construction (3 units)	1,050
PA	ARNG	Tolyhanna	Family Housing Replacement Construction (2 units)	1,000
SC	Air Force	Shaw AFB	Dormitory (144 Rm)	22,500
TN	Navy	Naval Support Activity Mid-South	Child Development Center	11,960
TX	Army	Fort Bliss	Warrior in Transition (WT) Complex	57,000
TX	Army	Fort Hood	Child Development Center	12,700
TX	Defense Wide	Fort Hood	Hospital Replacement Phase 1	621,000
TX	Air Force	Goodfellow AFB	Student Dormitory (200 Rm)	28,400
TX	Air Force	Lackland AFB	Add/Alter Child Development Center	6,000
UT	ARNG	Dugway Proving Grounds	Family Housing Replacement Construction (20 units)	10,000
UT	Air Force	Hill AFB	Child Development Center	15,000
UT	Air Force	Salt Lake City	Fire Station, Phase 2	5,100

AMERICAN RECOVERY AND REINVESTMENT ACT MILITARY CONSTRUCTION
(In Thousands of Dollars)

State	Account	Installation	Project Title	Senate Authorized
VA	Army	Fort Belvoir	Child Development Center	14,600
VA	Army	Fort Eustis	Child Development Center	9,600
VA	Navy	Hampton Roads	Install Photovoltaic Systems	26,098
VA	Navy	Naval Station Norfolk	Repair Steam Lines	1,054
VA	Navy	Naval Station Norfolk	Steam Plant Area Decentralization	23,593
VA	ARNG	Radford AAP	Family Housing Replacement Construction (4 units)	1,300
WA	Navy	Naval Air Station Whidbey Island	Replace Water Distribution System	20,054
WI	ARNG	Fort McCoy	Family Housing New Construction (23 units)	14,000
WI	Air Force	General Mitchell	Security Forces CATM/CATS	1,100
WV	Air Force	Eastern West Virginia Regional Airport	C-5 Avionics Shop	4,300
WV	ARNG	Gassaway	Readiness Center Add/Alt	3,300
	Defense Wide	Various Locations	Planning and Design (P&D)	118,690
	Navy	Various Locations	P&D—DoN Child Development Center Projects	1,102
	Navy	Various Locations	P&D—DoN Energy Projects	1,444
	Navy	Various Locations	P&D—DoN Bachelor Enlisted Quarter Projects	1,785

SEC. 4504. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Service	Country	Location	Project	Authoriza- tion	Authorized for Appro- priation
AF	AF	WOLVERINE	CARGO HANDLING AREA	4,900	4,900
ARMY	AF	WOLVERINE	DINING FACILITY	2,200	2,200
ARMY	AF	WOLVERINE	FUEL SYSTEM, PH 1	5,800	5,800
ARMY	AF	WOLVERINE	WASTE MANAGEMENT COMPLEX	6,900	6,900
AF	AF	TOMBSTONE/BASTION	STRATEGIC AIRLIFT APRON EXPANSION	32,000	32,000
AF	AF	TOMBSTONE/BASTION	CAS APRON EXPANSION	40,000	40,000
AF	AF	TOMBSTONE/BASTION	ISR APRON	41,000	41,000
AF	AF	TOMBSTONE/BASTION	SECURE RSOI FACILITY	10,000	10,000
AF	AF	TOMBSTONE/BASTION	CARGO HANDLING AREA	18,000	18,000
AF	AF	TOMBSTONE/BASTION	AVIATION OPERATIONS & MAINTENANCE FACs	8,900	8,900
AF	AF	TOMBSTONE/BASTION	EXPEDITIONARY FIGHTER SHELTER	6,300	6,300
ARMY	AF	TOMBSTONE/BASTION	BASIC LOAD AMMUNITION HOLDING AREA	7,500	7,500
ARMY	AF	TOMBSTONE/BASTION	DINING FACILITY	8,900	8,900
ARMY	AF	TOMBSTONE/BASTION	ENTRY CONTROL POINT AND ACCESS ROADS	14,200	14,200
ARMY	AF	TOMBSTONE/BASTION	FUEL SYSTEM, PH 2	14,200	14,200
ARMY	AF	TOMBSTONE/BASTION	ROADS	4,300	4,300
ARMY	AF	TOMBSTONE/BASTION	LEVEL 3 MEDICAL FACILITY	16,500	16,500
ARMY	AF	TOMBSTONE/BASTION	WATER SUPPLY AND DISTRIBUTION SYSTEM	6,200	6,200
AF	AF	TARIN KOWT	CARGO HANDLING AREA	4,900	4,900
ARMY	AF	TARIN KOWT	DINING FACILITY	4,350	4,350
ARMY	AF	TARIN KOWT	FUEL SYSTEM PHASE 2	11,800	11,800
ARMY	AF	TARIN KOWT	WASTE MANAGEMENT AREA	6,800	6,800
ARMY	AF	TARIN KOWT	AMMUNITION SUPPLY POINT	35,000	35,000
ARMY	AF	SHARANA	ROTARY WING PARKING	32,000	32,000
ARMY	AF	SHARANA	AMMUNITION SUPPLY POINT	14,000	14,000

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Service	Country	Location	Project	Authoriza- tion	Authorized for Appro- priation
ARMY	AF	SHARANA	AIRCRAFT MAINTENANCE FACILITIES	12,200	12,200
ARMY	AF	SHARANA	ELECTRICAL DISTRIBUTION GRID	2,600	2,600
AF	AF	SHANK	CARGO HANDLING AREA	4,900	4,900
ARMY	AF	SHANK	DINING FACILITY	4,350	4,350
ARMY	AF	SHANK	ELECTRICAL DISTRIBUTION GRID	4,600	4,600
ARMY	AF	SHANK	WASTE MANAGEMENT COMPLEX	8,100	8,100
ARMY	AF	SHANK	WATER DISTRIBUTION SYSTEM	2,650	2,650
ARMY	AF	SHANK	TROOP HOUSING PHASE 2		
ARMY	AF	SALERNO	WASTE MANAGEMENT COMPLEX	5,500	5,500
ARMY	AF	SALERNO	ELECTRICAL DISTRIBUTION GRID	2,600	2,600
ARMY	AF	SALERNO	FUEL SYSTEM, PH 1	12,800	12,800
ARMY	AF	SALERNO	DINING FACILITY	4,300	4,300
ARMY	AF	SALERNO	RUNWAY UPGRADE	25,000	25,000
ARMY	AF	METHAR-LAM	WASTE MANAGEMENT AREA	4,150	4,150
ARMY	AF	MAYWAND	DINING FACILITY	6,600	6,600
ARMY	AF	MAYWAND	WASTE MANAGEMENT AREA	5,600	5,600
AF	AF	KANDAHAH	SECURE RSOI FACILITY	9,700	9,700
AF	AF	KANDAHAH	TACTICAL AIRLIFT APRON	29,000	29,000
AF	AF	KANDAHAH	REFUELER APRON/RELOCATE HCP	66,000	66,000
AF	AF	KANDAHAH	CAS APRON EXPANSION	25,000	25,000
AF	AF	KANDAHAH	ISR APRON EXPANSION	40,000	40,000
AF	AF	KANDAHAH	AVIATION OPERATIONS & MAINTENANCE FACILITIES	10,500	10,500
AF	AF	KANDAHAH	EXPEDITIONARY FIGHTER SHELTER	6,400	6,400
AF	AF	KANDAHAH	CARGO HELICOPTER APRON	32,000	32,000
AF	AF	KANDAHAH	RELOCATE NORTH AIRFIELD ROAD	16,000	16,000
ARMY	AF	KANDAHAH	TROOP HOUSING PHASE 2		
ARMY	AF	KANDAHAH	COMMAND AND CONTROL FACILITY	4,500	4,500
ARMY	AF	KANDAHAH	TANKER TRUCK OFFLOAD FACILITY	23,000	23,000

ARMY	AF	KANDAHAR	COMMAND AND CONTROL FACILITY	4,500	4,500
ARMY	AF	KANDAHAR	COMMAND AND CONTROL FACILITY	4,500	4,500
ARMY	AF	KANDAHAR	SOUTHPARK ROADS	11,000	11,000
ARMY	AF	KANDAHAR	WASTE MANAGEMENT COMPLEX	10,000	10,000
ARMY	AF	KANDAHAR	WAREHOUSE	20,000	20,000
ARMY	AF	KANDAHAR	THEATER VEHICLE MAINTENANCE FACILITY	55,000	55,000
ARMY	AF	KABUL	USFOR-A HEADQUARTERS & HOUSING	98,000	98,000
ARMY	AF	KABUL	CAMP PHOENIX WEST EXPANSION	39,000	39,000
ARMY	AF	JOYCE	DINING FACILITY	2,100	2,100
ARMY	AF	JOYCE	WASTE MANAGEMENT AREA	5,600	5,600
ARMY	AF	JALALABAD	DINING FACILITY	4,350	4,350
ARMY	AF	JALALABAD	AMMUNITION SUPPLY POINT	35,000	35,000
ARMY	AF	JALALABAD	CONTINGENCY HOUSING		
ARMY	AF	JALALABAD	PERIMETER FENCING	2,050	2,050
ARMY	AF	GHAZNI	WASTE MANAGEMENT COMPLEX	5,500	5,500
ARMY	AF	GARDEZ	TACTICAL RUNWAY	28,000	28,000
ARMY	AF	GARDEZ	DINING FACILITY	2,200	2,200
ARMY	AF	GARDEZ	CONTINGENCY HOUSING		
ARMY	AF	GARDEZ	FUEL SYSTEM, PH 1	6,000	6,000
ARMY	AF	FRONTENAC	DINING FACILITY	2,200	2,200
ARMY	AF	FRONTENAC	CONTINGENCY HOUSING		
AF	AF	DWYER	CONTINGENCY HOUSING PHASE 1		
AF	AF	DWYER	CONTINGENCY HOUSING PHASE 2		
AF	AF	DWYER	CARGO HANDLING AREA	4,900	4,900
ARMY	AF	DWYER	FUEL SYSTEM, PH 1	5,800	5,800
ARMY	AF	DWYER	WASTE MANAGEMENT COMPLEX	6,900	6,900
ARMY	AF	DWYER	DINING FACILITY	2,200	2,200
ARMY	AF	BOSTICK	WASTE MANAGEMENT AREA	5,500	5,500
ARMY	AF	BLESSING	WASTE MANAGEMENT AREA	5,600	5,600
AF	AF	BAGRAM AIR BASE	CARGO TERMINAL	13,800	13,800
AF	AF	BAGRAM AIR BASE	AVIATION OPERATIONS & MAINTENANCE FACILITIES	8,900	8,900
AF	AF	BAGRAM AIR BASE	EXPEDITIONARY FIGHTER SHELTER	6,400	6,400
ARMY	AF	BAGRAM AIR BASE	TROOP HOUSING PHASE 3		
ARMY	AF	BAGRAM AIR BASE	DRAINAGE SYSTEM, PH 2	21,000	21,000

MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Service	Country	Location	Project	Authoriza- tion	Authorized for Appro- priation
ARMY	AF	BAGRAM AIR BASE	BARRACKS	18,500	18,500
ARMY	AF	BAGRAM AIR BASE	PERIMETER FENCE AND GUARD TOWERS	7,000	7,000
ARMY	AF	BAGRAM AIR BASE	COMMAND AND CONTROL FACILITY	38,000	38,000
ARMY	AF	BAGRAM AIR BASE	ACCESS ROADS	21,000	21,000
ARMY	AF	BAGRAM AIR BASE	COMMAND AND CONTROL FACILITY	4,500	4,500
ARMY	AF	BAGRAM AIR BASE	MEDLOG WAREHOUSE	3,350	3,350
ARMY	AF	ASADABAD	WASTE MANAGEMENT AREA	5,500	5,500
ARMY	AF	ALTIMUR	DINING FACILITY	2,150	2,150
ARMY	AF	ALTIMUR	WASTE MANAGEMENT AREA	5,600	5,600
ARMY	AF	AIRBOERNE	DINING FACILITY	2,200	2,200
ARMY	AF	AIRBOERNE	WASTE MANAGEMENT AREA	5,600	5,600
ARMY	BE	MONS	NATO SOF OPERATIONAL SUPPORT, TRAINING	20,000	20,000
AF	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN	20,000	35,000
ARMY	ZU	UNSPECIFIED WORLDWIDE	MINOR CONSTRUCTION	20,000	20,000
ARMY	ZU	UNSPECIFIED WORLDWIDE	PLANNING AND DESIGN		75,884
NSA	ZU	UNSPECIFIED WORLDWIDE	CLASSIFIED PROJECT		
NSA	ZU	UNSPECIFIED WORLDWIDE	PLANNING & DESIGN		
Grand Total Military Construction				1,294,100	1,404,984

TITLE XLVI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4601. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

Program	FY 2010 Request	Senate Change	Senate Authorized
DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)			
Electricity Delivery & Energy Reliability			
Electricity Delivery & Energy Reliability			
Infrastructure security & energy restoration	6,188	-6,188	
Weapons Activities			
Directed stockpile work			
Life extension programs			
W76 Life extension program	209,196		209,196
Total, Life extension programs	209,196		209,196
Stockpile systems			
B61 Stockpile systems	124,456		124,456
W76 Stockpile systems	65,497		65,497
W78 Stockpile systems	50,741		50,741
W80 Stockpile systems	19,064		19,064
B83 Stockpile systems	35,682		35,682

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

Program	FY 2010 Request	Senate Change	Senate Authorized
W87 Stockpile systems	51,817		51,817
W88 Stockpile systems	43,043		43,043
Total, Stockpile systems	390,300		390,300
Weapons dismantlement and disposition			
Operation and maintenance	84,100	15,000	99,100
Total, Weapons dismantlement and disposition	84,100	15,000	99,100
Stockpile services			
Production support	301,484		301,484
Research and development support	37,071		37,071
R&D certification and safety	143,076	30,000	173,076
Management, technology, and production	200,223		200,223
Plutonium infrastructure sustainment	149,201		149,201
Total, Stockpile services	831,055	30,000	861,055
Total, Directed stockpile work	1,514,651	45,000	1,559,651
Campaigns:			
Science campaign			
Advanced certification	19,400	5,000	24,400
Primary assessment technologies	80,181		80,181
Dynamic materials properties	86,617		86,617
Academic alliances	30,251		30,251
Advanced radiography	22,328		22,328
Secondary assessment technologies	77,913		77,913
Total, Science campaign	316,690	5,000	321,690
Engineering campaign			
Enhanced surety	42,000	5,000	47,000

Weapon systems engineering assessment technology	18,000	18,000
Nuclear survivability	21,000	21,000
Enhanced surveillance	69,000	10,000
Total, Engineering campaign	150,000	15,000
Inertial confinement fusion ignition and high yield campaign		
Ignition	106,734	106,734
NIF diagnostics, cryogenics and experimental support	72,252	72,252
Pulsed power inertial confinement fusion	5,000	5,000
Joint program in high energy density laboratory plasmas	4,000	4,000
Facility operations and target production	248,929	6,500
Omega operations	[6,500]	[6,500]
Total, Inertial confinement fusion and high yield campaign	436,915	443,415
Advanced simulation and computing campaign		
Operation and maintenance	556,125	9,000
Readiness Campaign		
Stockpile readiness	5,746	5,746
High explosives and weapon operations	4,608	4,608
Nonnuclear readiness	12,701	12,701
Tritium readiness	68,246	48,246
Advanced design and production technologies	8,699	8,699
Total, Readiness campaign	100,000	80,000
Total, Campaigns	1,559,730	15,500
Readiness in technical base and facilities (RTBF)		
Operation of facilities		
Operation of facilities	1,342,303	1,342,303
Total, Operation of facilities	1,342,303	1,342,303
Program readiness	73,021	73,021
Material recycle and recovery	69,542	69,542
Containers	23,392	23,392

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2010 Request	Senate Change	Senate Authorized
Storage	24,708		24,708
Subtotal, Readiness in technical base and facilities (RTBF)	1,532,966		1,532,966
Construction:			
10-D-501, Nuclear facilities risk reduction Y-12 National Security Complex, Oakridge, TN	12,500		12,500
99-D-141, Pit disassembly and conversion facility, Savannah River Site, Aiken, SC	30,321		30,321
09-D-007, LANSCE-Refurbishment, Los Alamos National Laboratory, NM		30,000	30,000
08-D-801, High pressure fire loop (HPFL), Pantex, TX	31,910		31,910
06-D-140, Project engineering design (PED), various locations	70,678		70,678
06-D-402, NTS replace fire stations 1 & 2 Nevada Test Site, NV	1,473		1,473
04-D-125, Chemistry and metallurgy facility replacement, Los Alamos National Laboratory, Los Alamos, NM	55,000	-20,000	35,000
04-D-128, TA-18 Criticality experiments facility (CEF), Los Alamos National Laboratory, Nevada Test Site, NV ..	1,500		1,500
Total, Construction	203,382	10,000	213,382
Total, Readiness in technical base and facilities	1,736,348	10,000	1,746,348
Secure transportation asset			
Operation and equipment	138,772		138,772
Program direction	96,143		96,143
Total, Secure transportation asset	234,915		234,915
Nuclear counterterrorism incident response	221,936	5,688	227,624
National technical forensics		[5,688]	
Facilities and infrastructure recapitalization program			
Operation and maintenance	144,959		144,959
Construction:			
07-D-253, TA 1 heating systems modernization (HSM) Sandia National Laboratory, NM	9,963		9,963
Total, Construction	9,963		9,963
Total, Facilities and infrastructure recapitalization program	154,922		154,922

Site stewardship			
Environmental projects and operations	41,288	41,288	41,288
Nuclear materials integration	20,000	20,000	20,000
Stewardship planning	29,086	29,086	29,086
Total, Site stewardship	90,374	90,374	90,374
Safeguards and security			
Defense nuclear security			
Operation and maintenance	700,044	700,044	700,044
Construction:			
10-D-701, Security improvements project Y-12 National Security Complex, Oak Ridge, TN	49,000	49,000	49,000
Total, Construction	49,000	49,000	49,000
Total, Defense nuclear security	749,044	749,044	749,044
Cyber security	122,511	122,511	122,511
Total, Safeguards and security	871,555	871,555	871,555
Support to intelligence	30,000	30,000	30,000
Total, Weapons Activities	6,384,431	106,188	6,490,619
Defense Nuclear Nonproliferation			
Nonproliferation and verification research and development			
Operation and maintenance	297,300	50,000	347,300
Nonproliferation and international security	207,202	-14,000	193,202
Nuclear noncompliance verification		[-12,000]	
Global initiatives for proliferation prevention		[-2,000]	
International nuclear materials protection and cooperation	552,300		552,300

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2010 Request	Senate Change	Senate Authorized
Elimination of weapons-grade plutonium production program	24,507		24,507
Fissile materials disposition			
U.S. surplus fissile materials disposition			
Operation and maintenance			
U.S. plutonium disposition	90,896		90,896
U.S. uranium disposition	34,691	-2,000	32,691
Supporting activities	1,075		1,075
Total, Operation and maintenance	126,662	-2,000	124,662
Construction:			
99-D-143, Mixed oxide fuel fabrication facility, Savannah River Site, SC	504,238		504,238
99-D-141-02, Waste solidification building, Savannah River Site, SC	70,000		70,000
Total, Construction	574,238		574,238
Total, U.S. surplus fissile materials disposition	700,900	-2,000	698,900
Russian surplus materials disposition	1,000	6,000	7,000
Total, Fissile materials disposition	701,900	4,000	705,900
Global threat reduction initiative			
Gap nuclear material	353,500	-40,000	313,500
.....		[-40,000]	
Subtotal, Defense Nuclear Nonproliferation	2,136,709		2,136,709
Total, Defense Nuclear Nonproliferation	2,136,709		2,136,709
Naval Reactors			
Naval reactors development			
Operation and maintenance			
Operation and maintenance	935,533		935,533
Total, Operation and maintenance	935,533		935,533
Construction:			

10-D-903, KAPL Security upgrades, Schmeectady, NY	1,500	1,500
10-D-904, NRF infrastructure upgrades, ID	700	700
09-D-190, PED, Infrastructure upgrades, KAPL, Schmeectady, NY	1,000	1,000
09-D-902, NRF Production Support Complex, ID	6,400	6,400
08-D-190, NRF Project engineering and design Expended Core Facility M-290 receiving/discharge station, ID	9,500	9,500
07-D-190, Materials research and technology complex, BAPL, Pittsburg, PA	11,700	11,700
Total, Construction	30,800	30,800
Total, Naval reactors development	966,333	966,333
Program direction	36,800	36,800
Total, Naval Reactors	1,003,133	1,003,133

Office Of The Administrator

Office of the administrator	431,074	431,074
Use of prior year balances	-10,320	-10,320
Total, Office Of The Administrator	420,754	420,754

Defense Environmental Cleanup

Closure sites:		
Closure sites administration	8,225	8,225
Miamisburg	33,243	33,243
Total, Closure sites	41,468	41,468

Hanford site:

2012 accelerated completions		
Nuclear facility D&D river corridor closure project	327,955	327,955
Nuclear material stabilization and disposition PFP	118,087	118,087
SNF stabilization and disposition	55,325	55,325
Total, 2012 accelerated completions	501,367	501,367

2035 accelerated completions

Nuclear facility D&D—remainder of Hanford	70,250	70,250
Richland community and regulatory support	21,940	21,940
Soil and water remediation—groundwater vadose zone	176,766	176,766
Solid waste stabilization and disposition 200 area	132,757	132,757

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2010 Request	Senate Change	Senate Authorized
Total, 2035 accelerated completions	401,713		401,713
Total, Hanford site	903,080		903,080
Idaho National Laboratory:			
SNF stabilization and disposition—2012	14,768		14,768
Solid waste stabilization and disposition	137,000		137,000
Radioactive liquid tank waste stabilization and disposition	95,800		95,800
Construction:			
06-D-401, Sodium bearing waste treatment project, Idaho	83,700		83,700
Soil and water remediation—2012	71,000		71,000
Idaho community and regulatory support	3,900		3,900
Total, Idaho National Laboratory	406,168		406,168
NNSA sites			
Lawrence Livermore National Laboratory	910		910
NNSA Service Center/SPRU	17,938		17,938
Nevada	65,674		65,674
California site support	238		238
Sandia National Laboratories	2,864		2,864
Los Alamos National Laboratory	189,000		189,000
Total, NNSA sites and Nevada off-sites	276,624		276,624
Oak Ridge Reservation:			
Building 3019	38,900		38,900
Nuclear facility D & D ORNL	38,900		38,900
Nuclear facility D & D Y-12	34,000		34,000
Nuclear facility D & D E. Tennessee technology park	100		100
OR reservation community and regulatory support	6,253		6,253
Solid waste stabilization and disposition—2012	35,615		35,615

Total, Oak Ridge Reservation	153,768	153,768
Office of River Protection:		
Waste treatment and immobilization plant		
Construction:		
01-D-416 Waste treatment and immobilization plant	100,000	100,000
01-D-16A Low activity waste facility	55,000	55,000
01-D-16B Analytical laboratory	50,000	50,000
01-D-16C Balance of facilities	160,000	160,000
01-D-16D High level waste facility	325,000	325,000
01-D-16E Pretreatment facility	690,000	690,000
Total, Waste treatment and immobilization plant	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	408,000	408,000
Total, Office of River protection	1,098,000	1,098,000
Savannah River Site:		
Nuclear material stabilization and disposition		
Nuclear material stabilization and disposition	385,310	385,310
Construction:		
08-D-414 Project engineering and design Plutonium Vitrification Facility, VL	6,315	6,315
Total, Nuclear material stabilization and disposition	391,625	391,625
2035 accelerated completions		
SR community and regulatory support	18,300	18,300
Spent nuclear fuel stabilization and disposition	38,768	38,768
Total, 2035 accelerated completions	57,068	57,068
Tank farm activities		
Radioactive liquid tank waste stabilization and disposition	527,138	527,138
Construction:		
05-D-405, Salt waste processing facility, Savannah River Site, SC	234,118	234,118
Total, Tank farm activities	761,256	761,256

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2010 Request	Senate Change	Senate Authorized
Total, Savannah River Site	1,209,949		1,209,949
Waste Isolation Pilot Plant			
Waste isolation pilot plant	144,902		144,902
Central characterization project	13,730		13,730
Transportation	33,851		33,851
Community and regulatory support	27,854		27,854
Total, Waste Isolation Pilot Plant	220,337		220,337
Program direction	355,000		355,000
Program support	34,000		34,000
Safeguards and Security:			
Waste Isolation Pilot Project	4,644		4,644
Oak Ridge Reservation	32,400		32,400
West Valley	1,859		1,859
Paducah	8,190		8,190
Portsmouth	17,509		17,509
Richland/Hanford Site	82,771		82,771
Savannah River Site	132,064		132,064
Total, Safeguards and Security	279,437		279,437
Technology development	55,000		55,000
Uranium enrichment D&D fund contribution	463,000		463,000
General reduction		-100,000	
Subtotal, Defense environmental cleanup	5,495,831	-100,000	5,395,831
Total, Defense Environmental Cleanup	5,495,831	-100,000	5,395,831

Other Defense Activities		
Health, safety and security		
Health, safety and security	337,757	337,757
Program direction	112,125	112,125
Total, Health, safety and security	449,882	449,882
Office of Legacy Management		
Legacy management	177,618	177,618
Program direction	12,184	12,184
Total, Office of Legacy Management	189,802	189,802
Nuclear energy		
Infrastructure		
Idaho facilities management		
INL infrastructure operation and maintenance	83,358	83,358
Total, Infrastructure	83,358	83,358
Total, Nuclear energy	83,358	83,358
Defense related administrative support	122,982	122,982
Office of hearings and appeals	6,444	6,444
Total, Other Defense Activities	852,468	852,468
Defense Nuclear Waste Disposal		
Defense nuclear waste disposal	98,400	98,400
Total, Department of Energy	16,397,914	16,397,914

Calendar No. 89

111TH CONGRESS
1ST Session

S. 1390

[Report No. 111-35]

A BILL

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, and for other purposes.

JULY 2, 2009

Read twice and placed on the calendar