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## **RESTORING READINESS TO THE U.S. ARMED FORCES**

After six years of combat and five years of fighting two wars, our military is under significant strain. The Committee's responsibility is to ensure that our service men and women are ready for today's fights as well as the threats we may face in the future. We must strike a balance between funding the equipment and training needed today with commitments to the long-term modernization of the services.

Readiness will improve only with intensive management and resourcing as the services work to reset and retrain their forces. For this reason, **the Committee directs nearly \$2 billion towards unfunded readiness initiatives requested by the services.** The Readiness Subcommittee directs \$932 million towards key readiness needs, and in Title XV the Committee authorizes over \$1 billion dollars more for additional readiness initiatives.

### **The Readiness Initiatives include:**

- \$650 million to improve the quality of our military barracks;
- \$480 million to expand training opportunities for the Army;
- \$404 million in Army aircraft maintenance;
- \$150 million to fill shortages in our pre-positioned stockpiles;
- \$932.2 million for equipment maintenance and training in the Readiness subcommittee, including \$592.8 million to improve the readiness of our ground forces (*see the Readiness Subcommittee section for additional details*)

### **Improved Army Barracks**

Army barracks around the U.S. are in a severe state of dilapidation causing significant quality of life issues for our soldiers at multiple installations. This problem requires a significant investment in order to halt deterioration and improve these structures. Unfortunately, the Department has decided to not request operations and maintenance funds to support Army Restoration and Modernization projects for FY09.

Additionally, DOD continues to rely heavily on the use of temporary facilities, many of which remain in use well beyond their effective lifespan. These temporary structures are not acceptable when better, long-term solutions can save money and provide a better quality of life for our service members.

The Committee authorizes \$650 million for the Sustainment, Restoration and Modernization (SRM) accounts of the Army (\$500 million), the Navy (\$50 million), the Marine Corps (\$50 million) and the Air Force (\$50 million). The Committee also directs DOD to submit a plan to replace all temporary facilities with permanent facilities by FY15.

### **Readiness Reporting Requirements**

The Committee is requiring two reports designed to improve the readiness of the military.

- The first is a GAO analysis of the current state of readiness of all of the Armed Forces. The study will seek to determine what shortfalls exist and offer suggestions on actions that could be taken to resolve readiness problems.
- The second report focuses on the efforts of the Navy and Air Force to prepare their sailors and airmen for ground combat duty. This report will examine the long term plans of the services to ensure that the plans, training and facilities needed for ground combat training are being executed efficiently, in a joint manner.

### **Equipment Reset**

To continue supporting Army and Marine Corps efforts to reset their force, the Committee authorizes \$8.6 billion for Army reset and \$1.8 billion for Marine Corps reset.

### **National Guard and Reserve Equipment**

Non-deployed National Guard and Reserve units continue to have severe equipment shortfalls, and while the Army has a plan to address this issue, the Committee feels it will not happen quickly enough. **The Committee authorizes an additional \$800 million for procurement of National Guard and Reserve equipment.** The Committee expects these funds to be used to address critical unfunded requirements of the Army National Guard and Army Reserve.

### **Dental Readiness**

The Army has developed a concept that shows great promise for improving the dental readiness of the Army Selected Reserve and National Guard. The Committee requires DOD to evaluate whether this system has the potential to be beneficial to the other services, as well.

## **INCREASING U.S. CAPABILITIES IN AFGHANISTAN**

Afghanistan is the primary front in the war on terror and must remain a top priority in our national security effort. To that end, the Committee authorizes several provisions to increase our military and civilian capabilities in that country.

### **Command and Control Structure**

The bill expresses a sense of Congress that the command and control structure for military forces operating in Afghanistan should be modified to better coordinate military operations and achieve unity of command whenever possible. DOD is required to submit a report on the command and control structure that assesses options for improvement, including the establishment of a 3-star U.S. headquarters in Kabul, Afghanistan.

### **Separate Afghanistan Budget Display**

DOD is required to clearly display any funding requested for any U.S. operations or other activities concerning Afghanistan in future budget requests. This recommendation from the Afghanistan Study Group will enable Congress to conduct the necessary level of oversight of funding for Afghanistan. A similar provision exists for any future Iraq-related budget request.

### **Performance Monitoring System for PRTs in Afghanistan**

The President is required to develop and implement a performance monitoring system for the U.S.-led PRTs in Afghanistan. The system should include PRT-specific work plans, comprehensive performance indicators and measures of progress, performance standards and progress goals, with a notional timetable for achieving these goals.

### **Training and Equipping the Afghan National Security Forces (ANSF)**

Training and equipping the ANSF is a cornerstone of the U.S. strategy in Afghanistan. The Committee has serious concerns that these efforts have been hampered by a variety of factors, including a shortage of trainers and mentors for the ANSF. The bill requires more robust monthly reporting on the ANSF. The bill also requires a separate DOD report on any actions to address the shortfall of ANSF trainers and mentors, and to increase contributions from NATO countries and other international partners for building and sustaining the ANSF.

### **Special Inspector General for Afghanistan Reconstruction (SIGAR)**

The Committee is seriously concerned that the President has not yet appointed a Special Inspector General for Afghanistan Reconstruction (SIGAR), as required by the FY08 Defense Authorization Act. This appointment is critical to the success of our reconstruction efforts in Afghanistan, and the Committee fully expects the position to be filled at the earliest possible time.

### **Commanders Emergency Response Fund (CERP)**

The Committee increases the FY08 CERP authorization, by \$723 million, to \$1.7 billion, and authorizes \$1.5 billion in FY09, an increase of \$523 million.

## IMPROVING INTERAGENCY COORDINATION

The way our government currently sets, coordinates, and executes its national security policy lacks dependable cooperation among the various federal agencies. There are many across the government working to improve our interagency system, but it is a massive effort that cannot be accomplished in a single year. In this bill, the Committee takes steps towards improving that cooperation, particularly as it pertains to stability operations and Provincial Reconstruction Teams (PRTs). Chairman Skelton is very dedicated to this issue and intends to offer an amendment to take the next step in this effort when the Defense Authorization Act reaches the House floor.

### **Integrating Interagency Capabilities into DOD Planning for Stability Operations**

The Committee commends the ongoing efforts of the military services to improve their stability, security, transition and reconstruction (SSTR) operations and recognizes the essential contribution that civilian agencies make to successfully accomplishing these efforts. The Committee directs DOD to provide an updated report on these evolving efforts, including:

- efforts to identify stability operations capabilities, both military and civilian, needed at every phase of an operation;
- the development of measures to evaluate progress in achieving these capabilities;
- steps taken to integrate civilian personnel more fully into military planning;
- efforts to update DOD's planning guidance to require that the SSTR planning process include lessons learned from PRTs in Iraq and Afghanistan; and
- methods for achieving greater interagency participation in the development of military plans.

### **Provincial Reconstruction Teams (PRTs)**

The Oversight and Investigations Subcommittee conducted an extensive study of the PRTs in Iraq and Afghanistan, and the Committee follows up on this study by including a number of bill and report provisions.

### **Strategy for Performance Monitoring of Provincial Reconstruction Teams (PRTs) in Iraq**

The Committee requires DOD to develop a strategy to ensure that U.S.-led PRTs are supporting the strategic goals of the coalition and to establish measures of effectiveness and performance in meeting work plans.

### **Performance Monitoring System for PRTs in Afghanistan**

The President is required to develop and implement a performance monitoring system for the U.S.-led PRTs in Afghanistan. The system should include PRT-specific work plans,

comprehensive performance indicators and measures of progress, performance standards and progress goals, with a notional timetable for achieving these goals.

#### PRT Personnel Recruitment, Training and Planning for the Future

The Committee is concerned that current career incentives may not be adequate to reward those who volunteer to serve on PRTs nor to attract qualified personnel to do so in the future. Further, the O&I Subcommittee report pointed out that currently pre-deployment training for military and civilian personnel serving on PRTs is conducted in an *ad hoc* manner and varies greatly depending on which theater the individual will be in.

The Committee believes training for all PRT personnel should be more tightly integrated and standardized and that all PRT personnel should train together and build teams as early in the pre-deployment schedule as possible.

The Committee notes that we will likely face the challenge of stability operations in the future, and requires DOD to submit an extensive report that addresses how it intends to address the challenges of recruiting and rewarding the right personnel, how it will ensure that they are properly trained and integrated, and how it will build a permanent group of these personnel who can be called on in the future.

#### Security for Provincial Reconstruction Teams in Iraq

Because PRTs provide key services, support, and mentoring to the communities in which they operate, their continued presence is integral to improve the delivery of services and the capacity of the Iraqi government. As the primary responsibility for security in many Iraqi provinces is transferred to the government of Iraq, the Committee is concerned about how DOD intends to provide security for those PRTs.

DOD, in coordination with the Department of State, is required to submit a report on how security will be provided for PRTs as these provinces transition to Iraqi control.

#### Unity of Command in Provincial Reconstruction Teams

The PRTs operate under complicated and often unclear chains of command. The lack of “unity of command” has at times resulted in uncoordinated, and even counterproductive, outcomes. The Committee strongly recommends that DOD and the Department of State seek to unify leadership and command within PRTs to clarify accountability and authority and provide personnel in the field with a clear source of guidance and direction.

## TAKING CARE OF OUR SERVICE MEMBERS AND THEIR FAMILIES

The Committee strives to provide for our most valuable national security asset: our brave troops who protect our country from harm every day and who are engaged in multiple fronts around the globe. Our service members and their families have been sacrificing greatly as our nation has fought two wars for several years. The following provisions are intended to make things easier and improve the quality of life for them and their loved ones.

### **Service Member Pay Raise**

The Committee authorizes a pay raise of 3.9%, an increase of 0.5% above the budget request. This further reduces the gap in pay increases between the uniformed services and the private sector to 2.9%.

### **Healthcare Initiatives**

#### Prohibition on Increased Cost Sharing

The Committee extends the prohibitions on increased premiums and co-pays for TRICARE recipients and increased user fees for the TRICARE retail pharmacy program. This will save beneficiaries \$1.2 billion in healthcare costs. The Committee does not accept the philosophy that the only way to control cost growth is to dramatically raise fees in order to discourage beneficiaries from seeking care or participating in TRICARE.

#### Preventive Health Services Initiatives

The Committee establishes a series of projects that focus on preventive care in order to reduce the need for care required by service members, rather than reducing the amount of care available or the size of the beneficiary population.

Preventive care initiatives include:

- A demonstration project to provide an allowance for individuals to seek preventive health services. Service members and their families would be paid for fulfilling all of the preventive health requirements set forth by DOD;
- Waivers of co-payments for preventive services for all TRICARE beneficiaries;
- A program to assist TRICARE beneficiaries with quitting smoking, to include classes, support and nicotine replacement therapy;
- A demonstration project for self-reported health risk assessments of TRICARE Prime participants. Incentives are authorized to encourage enrollees to participate in the project.

#### Hearing Loss Center of Excellence

Hearing loss problems are occurring at alarming rates in service members associated with operations in Iraq and Afghanistan and are often associated with traumatic brain injury and post-traumatic stress disorder.

### Suicide Prevention in the Armed Forces

The Committee urges DOD to evaluate current suicide prevention efforts and directs a study on the possibility of providing second opinions to potentially suicidal service members in a combat theater. This study will include consideration of the feasibility of a telephonic evaluation of a service member to ensure that they and others are not placed at additional risk by moving them to a different location to obtain a second opinion.

## **Family Support Programs and Initiatives**

### Family Support Programs

The Committee remains committed to our military families as they endure year after year of having a loved one deployed overseas and provides an increase of \$15 million to expand family support programs.

### Education and Training for Military Spouses

The Committee provides tuition assistance and training opportunities for those spouses seeking degrees or careers that are portable, such as nursing, mental health providers and financial educators, as they move with their military spouse from station to station.

### Support for Military Spouse Career Development

The Committee feels it is important to encourage military spouses to develop their own careers, and therefore authorizes an increased weight allowance for those individuals to transport professional items during a relocation.

### Family Separation Allowance

When both military parents are deployed simultaneously, the Committee authorizes DOD to pay a portion of a second family separation allowance. Currently, despite both parents being deployed, only one allowance is paid per family.

### Enlisted Service Members Housing Improvement

In order to improve the housing situation for enlisted service members, the Committee authorizes individuals in the grade of E-8 to receive a housing allowance using housing standards authorized for members in the grade of E-9.

### Shipping Allowance for Household Items

The weight allowances for shipment of household items to be transported between assignments for service members in grades E-5 through E-9 are increased by 500 pounds.



## READINESS SUBCOMMITTEE

The Readiness Subcommittee, under the leadership of Chairman Solomon Ortiz (D-TX), oversees \$167 billion in resources for military construction and the operations and maintenance of military installations and the services. The Committee believes that the current funding levels for operation and maintenance are not sufficient to fully address the Department's needs while engaged in two wars. The Committee has made significant adjustments to address some of the most urgent shortfalls.

### Highlights:

- An additional \$932.2 million is directed towards specific readiness initiatives, including \$592.8 million to improve the ground forces readiness;
- An additional \$80 million for energy conservation on military installations;
- Requires a study of depot capabilities that will be needed in the future;
- Repeals the Base Realignment and Closure Commission (BRAC);
- Halts all A-76 competitions for DOD for three years;
- Requires designation of a Corrosion Executive within each military service;
- Establishes a Director for Operation Energy Plans and Programs; and
- Recommends changes in the handling of inherently governmental functions.

### Legislation:

#### **Readiness Initiatives**

*All are increases above the budget request:*

- Equipment Maintenance funding including:
  - \$257.7 million for Army Land Forces Depot Maintenance;
  - \$120 million for Ship Depot Maintenance Program;
  - \$63 million for Airframe Depot Maintenance Program;
  - \$60 million for Air Force Reserve Depot Equipment Maintenance; and
  - \$50 million for Air National Guard Depot Equipment Maintenance.
- \$110 million for expanded training including:
  - \$48 million for Army critical skills training;
  - \$24.3 million for Explosive Ordnance Disposal training; and
  - \$19 million for training management.
- \$117 million for Army missile and ammunition maintenance;
- \$70.2 million for unfunded Marine Corps operations and maintenance needs;

- \$50 million for Army Redistribution of Equipment to fill unit shortfalls; and
- \$34 million for Air Force Air Sovereignty Alert Mission.

### **Base Realignment and Closure**

The Committee believes that a process to balance the mission of DOD with defense infrastructure is critical to an efficient organization. However, the BRAC commission overextended its authority and the overall process produced results that have increased costs by 50 percent and minimized savings. Therefore, the bill repeals the commission from BRAC law. Any future BRAC rounds must be conducted with a new process.

The Committee requires that the new design for the Walter Reed Army Medical Center project, which was mandated under the 2005 BRAC round, be 90 percent complete before construction begins, an independent cost estimate be conducted, and a report be submitted to Congress outlining the milestones in the process from start to finish.

### **Depot Issues**

#### **Future Depot Maintenance**

The bill requires an independent study of the capability needed to provide depot-level maintenance once wartime operations have ended and the need for depot-level maintenance is reduced. Congress has not been provided the necessary information to assess what will be required in future depot capability, including skills, facilities and equipment.

#### **Army Logistics Modernization Program (LMP)**

The Committee is concerned that LMP, the Army's planning system to integrate its supply chain, is being implemented in ways that could disrupt crucial depot operations in a time of conflict. The Secretary of the Army is directed to report on the current and future LMP implementation process. The Secretary is also required to certify that each Army depot is prepared for implementing the LMP prior to the start of any new process.

### **A-76 Public-Private Competitions**

The Committee directs DOD to suspend all A-76 competitions for three years, to ensure that the services' operational obligations may be fully met while efforts are underway to increase end strength, implement the 2005 BRAC decisions, and execute transformational initiatives as our forces are simultaneously conducting operations in Iraq and Afghanistan.

### **Corrosion Control**

The Committee regrets that DOD failed to comply with requirements regarding corrosion prevention set forth in the FY08 Defense Authorization Act. Corrosion control projects provide a 40-1 return on investment, and the Committee finds DOD's approach to be fiscally short-sighted and a detriment to readiness.

The bill requires an assessment of potential improvements in corrosion control and prevention through earlier planning in the requirements and acquisition process. The

bill also requires DOD to designate an employee within each military service to act as the service corrosion executive. This individual will coordinate the Corrosion Prevention and Control program at the department level.

## **DOD Energy Issues**

### **Energy Management**

The Committee establishes a Director for Operational Energy Plans and Programs and senior operational energy officials within each service. A February 2008 Defense Science Board report concluded that DOD has failed to establish and meet operational energy goals due to lack of leadership.

The Committee requires DOD to implement the fully burdened cost of fuel in planning, capability requirements development and acquisition processes within three years of the bill's enactment. Additionally, the bill directs DOD to assess technologies that could be used to reduce energy consumption if incorporated into reset and recapitalization efforts.

## **DOD Environmental Issues**

### **Marine Mammal Protection Act (MMPA)**

The Committee requires the Navy to submit a report on activities undertaken under the national defense exemption to the MMPA. The Committee shares the Navy's concern that naval readiness may be affected by a growing number of environmental statutes beyond the MMPA and will carefully review federal court rulings limiting naval force training in the future. The Committee supports the Navy's efforts to achieve long-term compliance with environmental statutes by issuing environmental impact statements to address the use of sonar on all training ranges and operating areas.

### **Encroachment Issues and Military Readiness**

In order for DOD to develop a sound business case detailing the benefits, costs and risks of proposed exemptions from environmental laws, it must have the ability to measure the effects of encroachment on military readiness. The Committee therefore directs DOD to report on its efforts to measure how encroachment affects the training and readiness levels of the military services.

## **Inherently Governmental Functions**

The Committee is concerned with DOD's increased reliance on the use of contractors to perform functions that are inherently governmental in nature. A series of provisions are recommended to the full committee including: the development of a single definition of "inherently governmental" for use government-wide, the requirement that a DOD employee serve as the Program System Integrator in all performance based logistics contracts, and the requirement that Personal Service Contracts be appropriately limited.

## **Military Construction**

### **Grow the Force Initiative**

The Committee authorizes \$3.1 billion for the Army and \$1.2 billion for the Marine Corps to assist in providing facilities associated with the planned increases in the Army and the Marine Corps personnel.

### **Family Housing**

The Committee authorizes \$3.2 billion to support and expand quality housing for all service members and their families. The bill also contains a provision that will improve program management for over 180,000 privatized family housing units.

### **Military Restationing to Guam**

The bill contains several provisions aimed at helping facilitate the transition of large numbers of U.S. military personnel from Japan to Guam, including a requirement that any project provided with funds from the Defense Policy Review Initiative Account or funds associated with military construction must comply with the Davis-Bacon Act.

### **Foreign Repair of U.S. Vessels**

The Navy is required to notify Congress when U.S. Naval vessels are going to be repaired at a foreign repair facility.

### **Professional Law Enforcement Corps for DOD**

The Committee is concerned with the over reliance on contractors to provide security at military installations. The bill directs a review of the feasibility of establishing a corps of civilian police and security officers, under the authority of DOD, to provide this capability.

### **Civilian Employee Furloughs During Contingency Operations**

During contingency operations, DOD must certify that all other measures were taken before any furlough notices are issued to DOD civilian employees on the basis of insufficient funds to continue operations.

### **Consolidation of Air Force Maintenance Facilities**

The bill prohibits the Air Force from consolidating Air National Guard with active duty Air Force maintenance facilities without first obtaining the consent of the National Guard Bureau and reporting on the feasibility of such consolidation, plans for implementation and anticipated infrastructure costs.

## **SEAPOWER AND EXPEDITIONARY FORCES SUBCOMMITTEE**

Led by Chairman Gene Taylor (D-MS), the Seapower and Expeditionary Forces Subcommittee authorizes \$54.3 billion in the fiscal year 2009 budget request for Navy and Marine Corps procurement and research and development programs. The subcommittee works to provide our sailors and Marines with the necessary resources to defend our nation today and tomorrow.

### **Shipbuilding Highlights:**

The Committee is concerned that the current mix of planned ship procurement is not the most effective way to balance the need for quantity versus capability across the spectrum of naval requirements. The Committee recommends reallocating funds in the shipbuilding account as follows and believes this roadmap will allow the Navy to ultimately achieve at least a 313 ship fleet.

- LPD-17— Adds \$1.8 billion to procure the tenth LPD-17;
- VA-Class Submarine—Authorizes one VA-class submarine and adds \$722 million in advanced procurement/advance construction to enable the Navy to start procuring two ships in FY10;
- T-AKE Class—Authorizes two T-AKE class ships;
- Surface Combatants—Pauses funding for the third DDG 1000 ship, and authorizes \$400 million for the Navy to use for either procurement of long lead materials for a third DDG 1000 ship or to restart the procurement of DDG 51 class destroyers. The Committee expects that the Navy would use the funding for advance procurement of two DDG 51 class destroyers;
- Littoral Combat Ship (LCS)—Authorizes \$840 million for two LCS vessels, a reduction of \$80 million due to the availability of material previously procured for construction of ships that were subsequently canceled by the Navy. Additionally, the Committee authorizes an adjustment to the current cost cap for a maximum of \$10 million per ship to account for economic inflation; and
- Joint High Speed Vessel (JHSV)— Authorizes a JHSV for the Navy, in addition to one for the Army authorized in another subcommittee.

### **Aircraft Program Highlights**

- Presidential Helicopter—Authorizes approximately \$1 billion for the VH-71 Presidential Helicopter program. However the committee notes the significant cost overruns in the program and expects DOD to report on the alternatives for continued production, including re-competing the increment two helicopter.

- Joint Strike Fighter (JSF)—Authorizes \$3.7 billion for 16 F-35 Joint Strike Fighters (JSF), 8 each for the Air Force and Navy. An additional \$3.5 billion is authorized for continued JSF development, an increase of \$526 million for the JSF competitive engine program.
- FA-18 E/F and EA-18G Aircraft—Authorizes \$3.4 billion for 23 F/A-18E/F and 22 EA-18G, a reduction of \$90 million based on lower than anticipated unit costs due to foreign military sales. The bill also includes a provision that would require the Navy to report on the cost savings of beginning an F/A-18 multiyear procurement contract in FY10.
- P3-C Structural Repairs—Authorizes an additional \$448 million to replace worn out wing structures on the P-3C anti-submarine warfare/reconnaissance aircraft.

*Other Legislative Highlights:*

**Integrated Nuclear Power Systems**

The FY08 Defense Authorization Act required that all future classes of aircraft carriers, major surface combatants and submarines be constructed with integrated nuclear power systems. This bill adds assault echelon amphibious ships to that list.

**Expeditionary Fighting Vehicle (EFV)**

The Committee is concerned that the current EFV design does not provide adequate personnel protection against IED and mine threats. The bill authorizes \$275.9 million for the EFV, a reduction of \$40.2 million as the Marine Corps continues to evaluate design changes to improve survivability of the vehicle.

**Domestic Ship Disposal**

The Committee directs that any vessel owned or controlled by the U.S. government shall not be exported to a foreign country for the purpose of dismantling, recycling or scrapping.

**Complex Refueling Overhaul (RCOH) of USS Theodore Roosevelt**

The Committee authorizes the start of the overhaul in fiscal year 2009.

**VA-Class Teaming Agreement**

The Committee requires that the teaming agreement used for previous multi-year procurement contracts for Virginia-class submarines must be maintained for the next multi-year contract.

## AIR AND LAND FORCES SUBCOMMITTEE

Under the leadership of Chairman Neil Abercrombie (D-HI), the Air and Land Forces Subcommittee conducts oversight of the programs under the purview of the Army and Air Force. Through the subcommittee's authorization of \$79.2 billion in procurement and research and development (R&D) for these services, Members ensure that our soldiers and airmen have what they need to effectively carry out their missions.

### *Highlights:*

- \$1.2 billion to upgrade Abrams tanks and Bradley fighting vehicles;
- \$3.4 billion for Army tactical wheeled vehicles, including \$947 million for Up-Armored Humvees;
- \$3.1 billion for Army helicopter upgrades;
- \$479 million for small arms;
- \$692 million for B-2 bomber upgrades;
- \$508 million for 4 MC-130Js and 2 HC-130Js for the Air Force;
- \$246 million add for counter-rocket artillery mortar systems (Title XV);
- \$3 billion for 20 F-22 Raptors, plus \$523 million advanced procurement for 20 in FY10 (Title XV); and
- \$3.7 billion to procure 16 F-35 Joint Strike Fighters (JSF), 8 for the Air Force and 8 for the Navy (authorized in the Seapower subcommittee); and
- \$3.9 billion to procure an additional 15 C-17 aircraft (Title XV).

### *Legislation:*

#### **Individual Body Armor**

DOD is required to establish an executive agent for individual body armor and to create a specific budget line item for body armor and other personnel protection equipment. The Committee is concerned that DOD's lack of long-term planning is hurting the body armor industrial base and could impact the base's ability to rapidly respond to future requirements. Therefore, DOD is also required to report on the current status of the body armor industrial base and the strategic plan for sustaining it over time.

#### **National Guard and Reserve Equipment**

Non-deployed National Guard and Reserve units continue to have severe equipment shortfalls, so the Committee authorizes an additional \$800 million for procurement of National Guard and Reserve equipment with the expectation that these funds will be used to address critical unfunded requirements of the Army National Guard and Army Reserve.

### **Small Arms Acquisition**

The Committee requires DOD to review the current small arms acquisition strategies across the services and report on a plan for developing a joint strategy. Additionally, GAO is directed to study the current requirements generation process for small arms and report on any barriers that may hinder the ability to rapidly field them.

### **Urgent Operational Need Statement Evaluation**

The Committee requires DOD to commission a study to assess the effectiveness of the processes used to fulfill the immediate warfighting needs of our commanders in the field. This will help Congress better understand how the current urgent operational need requirements acquisition processes are performing and what improvements may be needed to ensure our troops have what they need on the battlefield.

### **Ground Systems**

#### **Future Combat Systems (FCS)**

The Committee fully supports the fielding of near-term elements of the FCS and therefore increases funding for these components by \$33 million. Long-term components that won't be ready to field until 2015 are reduced for an overall program reduction of \$200 million. The Committee also requires increased transparency, oversight and internal DOD review of the FCS program, and prohibits any Lead Systems Integrator (LSI) from receiving future procurement contracts.

#### **Single Channel Ground and Airborne Radio System (SINCGARS)**

The Army significantly reduced its SINCGARS acquisition objective after the budget request was submitted. Therefore, the Committee authorizes no procurement funding in FY09, a reduction of \$84.9 million. The Committee also requires a study of future radio acquisition strategy.

#### **Warfighter Information Network – Tactical (WIN-T)**

The Committee authorizes \$297.4 million for WIN-T Increment 3 development, a reduction of \$33.1 million and remains concerned that Increment 3 still has not fully rebaselined after its recent Nunn-McCurdy breach. Without a thorough understanding of program cost, the Committee fences 80 percent of the authorized Increment 3 funding pending completion of this process. In addition, the procurement request for WIN-T Increment 2 low-rate initial production would procure far more equipment than is needed for testing activities in FY09, so the Committee provides \$287.6 million for WIN-T Increment 2 procurement, a reduction of \$45 million.

### **Manned and Unmanned Aerial Systems (UAS)**

#### **“Sky Warrior” Unmanned Aerial Systems Project**

In the past, the program budget for the Army's Sky Warrior Unmanned Aerial Vehicle (UAV) has been consolidated with other Army unmanned vehicles and sensors, limiting



congressional oversight of the program. The Committee directs DOD to establish a separate procurement and RDT&E line for the Sky Warrior, similar to other medium-altitude UAVs, so that better congressional oversight may be conducted.

#### Manned and Unmanned Aerial Vehicles

There is insufficient oversight by DOD over the individual services' procurement of manned and unmanned aerial systems payloads, resulting in a proliferation of capabilities. The Committee requires DOD to establish a policy and acquisition strategy for UAV intelligence, surveillance, and reconnaissance (ISR) payloads and ground stations that include an integrated RDT&E and procurement policy.

In response to the FY08 Defense Authorization Act, DOD established a task force to coordinate UAS issues. The Department continues to face significant challenges in its management and use of UAS. To ensure that progress continues, the Committee directs DOD to submit an annual report outlining progress being made in this area, particularly in implementing the task force's recommendations.

#### Intelligence, Surveillance and Reconnaissance Capabilities

DOD regularly reports on the future ISR Roadmap, however, the Committee is concerned that these Roadmaps do not provide a sufficient level of detail. Without a long-term ISR perspective, DOD is unable to assess investment options and make informed decisions regarding ISR capabilities.

The Committee requires DOD to report on the appropriate mix of overhead systems and airborne platforms, a set of metrics to assess ISR effectiveness, a detailed vision of future ISR architecture, and how future funding requests fit into this vision.

### Ground Vehicles

#### Tactical Wheeled Vehicle Acquisition Strategy

The Army has been requesting large amounts of funding for tactical wheeled vehicle needs through supplemental funding. The Committee is concerned that without an articulated long-term acquisition strategy, it is unclear how the Army expects to incorporate all these vehicles into an appropriate vehicle force mix and adequately program resources in the future. The Committee believes that the Army and Marine Corps should work jointly to develop a long-term strategy that incorporates cost reduction, reliability and maintenance improvement initiatives.

#### Stryker Vehicles

The Committee fully supports the Stryker vehicle program and authorizes \$1 billion for 99 new Stryker vehicles and upgrades. Because the Army has not yet certified that a specific vehicle in the Stryker family is operationally effective and suitable, there has been a delay in a contract award. Therefore Committee reduces overall funding for the Stryker family by \$155 million.

#### Army Vehicle Modernization

The Committee is concerned that the Army's current plan to field, maintain, and continuously modernize three separate fleets of ground combat vehicles, in addition to

replacing much of its wheeled vehicle fleet, is unaffordable and could greatly increase long-term operational costs.

Although the Committee encourages the Army to accelerate mature capabilities, this should not pose additional risk to efforts to improve current platforms. The Committee feels upgrades to existing ground vehicles should continue until replacement vehicles are properly tested and proven to be superior to the vehicles they are intended to replace.

## **Aircraft**

### **Armed Reconnaissance Helicopter (ARH)**

The Army had planned to procure 10 production aircraft in 2008 upon receiving production approval in June 2008. In light of DOD's decision to delay a production decision for the ARH from June 2008 until at least April 2009, and the traditional acquisition practice of ramping production rates, year-to-year, at 50 percent, the Committee believes it is premature to fully fund the 28 aircraft requested for FY09.

Additionally, the current unit cost estimate for the 28 ARH aircraft in FY09 has increased 97 percent from FY08. As a result, the Committee authorizes \$229 million, a reduction of \$129.8 million, for procurement of 15 ARH aircraft. The Committee also authorizes \$43.8 million, a reduction of \$36.2 million, for advance procurement of 23 additional aircraft.

### **KC-45 Tanker**

The Committee authorizes \$831.8 million for the KC-45 tanker program, a reduction of \$62 million, without prejudice to the program. According to Air Force officials, advanced procurement funding is not required during FY09 program execution.

### **Combat Search and Rescue-X (CSAR-X)**

The contract award for CSAR-X will not occur until late in the first quarter of FY09, so a portion of the FY09 budget request exceeds the requirement. The Committee authorizes \$265.1 million for CSAR-X development, a decrease of \$40 million, and no funds for CSAR-X advance procurement, a decrease of \$15 million.

### **C-130J Development**

The budget request for C-130J development exceeds the program requirements since an international block upgrade will not be needed in FY09. Therefore, the Committee provides \$27.4 million, a reduction of \$25 million.

### **F-22 Aircraft Procurement**

The budget requested \$3 billion for 20 F-22 aircraft in FY09 but did not request advance procurement for future aircraft. The Committee feels that the Air Force should continue F-22 procurement in FY10, and adds \$523 million for the advance procurement of long-lead components for 20 additional F-22 aircraft in FY10.

### **Joint Strike Fighter Competitive Engine**

The Committee is disappointed that DOD chose to ignore a provision in the FY08 Defense Authorization Act, which required the expenditure of funds to continue developing a competitive engine for the JSF. The Committee authorizes \$3.5 billion in

RDT&E for JSF development, an increase of \$495 million for the Navy and the Air Force, to continue the JSF competitive engine program. The Committee also authorizes an increase of \$31 million for advance procurement of long-lead components for the JSF's competitive engine.

#### Joint Cargo Aircraft (JCA)

The Committee is concerned that the Army's plan to procure JCA end items through the Army's operations and maintenance account is inappropriate and provides decreased Congressional oversight for tracking of expenditures. Therefore, the bill requires the Army to only procure specific JCA end items through procurement or research and development accounts.

#### Strategic Airlift

The Committee is concerned with the processes used to determine the proper force structure balance between the C-5 and C-17 aircraft. The 2005 Mobility Capability Study (MCS), which was used to define the current requirements for C-5s and C-17s, did not accurately account for current operations tempo and future strategic airlift needs. Additionally, the Department's 2008 Mobility Capabilities and Requirements Study will not be available to inform the budget request until at least FY11.

To compensate for shortsightedness in the Department's planning process, the Committee authorizes \$3.9 billion for the 15 C-17 aircraft on the Air Force's unfunded requirements list. The bill allows the Air Force to only retire C-5 aircraft after: the 189<sup>th</sup> C-17 is delivered; completing an in-depth cost analysis of the airlift inventory trade-space; and certifying that operational risk will not increase by procuring C-17 aircraft to replace retired C-5 aircraft.

## **TERRORISM AND UNCONVENTIONAL THREATS AND CAPABILITIES SUBCOMMITTEE**

The Terrorism and Unconventional Threats and Capabilities Subcommittee, led by Chairman Adam Smith (D-WA), is responsible for overseeing \$23 billion for Special Operations Command (SOCOM), Information Technology (IT), Science and Technology (S&T), and other areas focused on defending our nation against unconventional threats. In fiscal year 2009, the subcommittee has focused its efforts on encouraging DOD's non-kinetic efforts, empowering special operations forces, and strengthening IT and S&T programs.

### *Highlights:*

- Authorizes \$5.9 billion for Special Operations Command;
- Authorizes \$90.6 million for additional Human Terrain Teams (HTT);
- Expands human, social and cultural behavior (HSCB) research;
- Directs designation of an Assistant Secretary of Defense and an Executive Agent to coordinate irregular warfare (IW) efforts;
- Directs a report on current and future bandwidth needs and challenges;
- Establishes a Strategic Communications Management Board; and
- Directs a report on the new Air Force Cyber Command.

### *Legislation:*

#### **Special Operations Command**

The Committee authorizes \$5.9 billion, an increase of \$185.8 million, to fully support SOCOM's counterterrorism mission. This authorization provides resources for eight of SOCOM's top unfunded priorities, including improved surveillance capabilities, personnel protection gear, aircraft countermeasures, radios and night imagers.

Additionally, SOCOM is directed to offer a plan to improve intra-DOD coordination in support of special operations manpower and readiness needs. The Committee also makes permanent the authority for SOCOM to provide up to \$35 million each year to facilitate cooperation between local indigenous special forces personnel and SOCOM personnel.

#### **Irregular Warfare**

In order to facilitate greater management stability of irregular warfare activities, the Committee directs DOD to designate an Assistant Secretary of Defense to be responsible for overall management and coordination of IW activities. The bill also requires the establishment of an Executive Agent for irregular warfare.

## **Increased Use of Social Sciences in Irregular Warfare**

### **Human Terrain Teams**

A key aspect of DOD's irregular warfare approach is the increased use of Human Terrain Teams. The bill authorizes \$90.6 million for funding to meet CENTCOM's requirement for 26 teams and encourages DOD to expand the use of HTT's for other Combatant Commands (COCOMs).

### **Expanded Human, Social and Cultural Behavior Research**

The bill contains a number of initiatives that would better integrate social sciences into the Department's irregular warfare capability. The Committee authorizes \$31 million, an increase of \$8 million, to expand research into human, social and cultural behavior and encourages DOD to integrate social scientists more extensively into research program management and operational activities. Additionally, the Committee directs DOD to establish a User Community Advisory Committee to provide expertise on HSCB efforts and assess their value for the warfighting community.

### **Strategic Communication**

The Committee directs DOD to establish a Strategic Communication Management Board to enhance interdepartmental and interagency coordination. The bill also authorizes \$8 million for research and development to support DOD's overall strategic communication effort.

### **Future Spectrum and Bandwidth Needs**

The Committee directs the Department to outline its current and future bandwidth needs and how it plans to provide for those needs. As part of this assessment, DOD is encouraged to establish an office to monitor, assess and synchronize bandwidth capacity with future acquisition systems. Additionally, the Defense Advanced Research Projects Agency is urged to conduct an assessment of technologies that can be used to improve our access to available spectrum, including identifying existing regulatory barriers that might impede the development or deployment of such technologies.

### **Science and Technology**

#### **Non-Lethal Weapons Development**

The Committee urges DOD to continue pursuing non-lethal weapons development and strongly encourages that the policy, doctrine and tactics for these weapons are developed at the same time as steps to ensure rapid fielding. The bill also encourages DOD to determine whether non-lethal capabilities should be requirements for supporting civil authorities in domestic security situations.

#### **Chemical Biological Defense Initiative**

The Committee adds \$40 million to the Chemical Biological Defense program to advance emerging research and advanced technology in this area.

### Enhance Research Capacity for Minority Serving Institutions

The Committee supports efforts to enhance research and development capacity of minority serving colleges and universities and authorizes \$22 million, an increase of \$7 million, to provide support for research, education assistance, instrumentation purchases, and technical assistance. The bill requires DOD to establish clear goals for increasing the capacity of these institutions to compete effectively for DOD research opportunities.

### Basic Research Funding

The Committee has been advocating for increased investment in basic research for many years and applauds DOD's decision to increase funding for this important field in its FY09 budget request.

## **Information Technology**

### Information Technology Workforce

DOD is directed to submit a report analyzing its IT workforce to better understand how the current composition, adequacy, and educational requirements affect future workforce needs. Additionally, the Department is encouraged to find opportunities for Wounded Warriors to continue their military service through education and training as information technology, scientific, and engineering specialists.

### Health Information Technology Standards

The Committee directs the Interagency Program Office for the DOD and Department of Veterans Affairs to develop guidelines to support fully interoperable electronic personal health records.

### Green Information Technology Systems

The DOD Chief Information Officer is seeking to reduce the energy and environmental impact of DOD IT systems. The Committee encourages the Department to develop and maintain robust metrics for this initiative, so that it might be adopted more broadly throughout the government.

### Information Technology Clearinghouse

The bill authorizes funds to provide for more rapid identification of Combatant Command IT needs and to match those needs to commercially available technology. Building off of the FY08 Defense Authorization Act, this funding would allow the Department to conduct a pilot program and work with the COCOMs to enhance the capability through user feedback.

### Defense Information Security System (DISS)

The Committee supports the development effort for the DISS, which will provide for a more efficient and timely process to evaluate security clearance applications. The Committee also supports the recommendations of the Joint Security and Suitability Reform Team, which will provide critical direction in defining requirements and capabilities that should be built into the DISS.

### **Marine Corps Chemical-Biological Incident Response Force (CBIRF)**

The Committee authorizes an additional \$8 million for CBIRF to procure emergency response vehicles and updated personnel protective equipment. This will increase the CBIRF's capacity to interoperate with other military and civilian agencies.

### **Air Force Cyber Command**

The Committee directs a report from the Air Force to articulate the mission and responsibilities of the newly established Air Force Cyber Command. As the newest military service organization supporting the DOD's cybersecurity challenges, it is important to understand how this Command will respond to Air Force cybersecurity needs, and how it fits into the larger national protective framework.

### **Responsible Testing of Personnel Protective Equipment**

The bill clarifies and adds authority for DOD to conduct proper oversight and survivability testing of personnel protective equipment, such as body armor, prior to initial production. Additionally, DOD is urged to use all necessary authorities to ensure urgent operational needs for protective equipment are filled without delay.

### **Supply Chain Reliability for Information Processing Systems**

There are concerns that the supply chain for certain acquisition programs' information processing systems might be vulnerable to outside threats. The Committee requires DOD to assess these vulnerabilities and develop a strategy to ensure the warfighter has trusted and reliable systems.

### **Use of Reservists in Domestic Emergencies**

The Committee authorizes the President to call any member of the Reserve to active duty in response to a major domestic disaster or emergency. This authorization enables the President and the Secretary of Defense to employ the extensive medical and logistical expertise resident in the DOD's reserve component.

### **Civil Affairs**

The growing need within DOD for civil affairs skills exceeds the availability of personnel with these skills. DOD is directed to study the role of and requirement for civil affairs throughout the spectrum of operations.

## STRATEGIC FORCES SUBCOMMITTEE

Under the guidance of Chairman Ellen Tauscher (D-CA), the Strategic Forces Subcommittee oversees the strategic national security interests of our nation. The subcommittee authorizes approximately \$51 billion in strategic programs, including \$10.2 billion for ballistic missile defense, a reduction of \$719 million, \$8.7 billion for military space programs, a reduction of \$42.2 million, and \$14.7 billion for Department of Energy Atomic Energy Defense Activities in fiscal year 2009.

### *Highlights:*

- \$1.2 billion, an increase of \$75 million, for the Aegis Ballistic Missile Defense system (Aegis);
- \$939.9 million, an increase of \$75 million, for the Terminal High Altitude Area Defense (THAAD) missile defense system;
- \$1.5 billion for Army missile defense programs, including the Patriot system;
- \$727.7 million for the GPS3 satellite system;
- A reduction of \$10 million for the space test bed;
- A total reduction of \$33.3 million from the Reliable Replacement Warhead (RRW) program; and
- A reduction of \$231 million in R&D funding for the proposed European missile defense site, in addition to a \$140 million reduction in military construction funding.

### *Legislative Provisions:*

#### **Nuclear Weapons**

##### Nuclear Weapons Inventory Control

Recent errors in the transfer of sensitive nuclear weapons and weapons components raise significant concerns about nuclear weapons inventory control. The Committee directs a report on steps being taken to address the problem, including implementation of the recommendations from a February 2008 Defense Science Board report.

##### Stockpile Stewardship Program (SSP)

- *Reliable Replacement Warhead* — The Committee's priority is to sustain and modernize the Stockpile Stewardship Program. While there is value in continuing the design-cost study of the RRW program, the Committee redirects \$10 million requested for RRW by the National Nuclear Security Administration (NNSA) to other, higher priority SSP activities. The Committee also redirects \$23.3 million in RRW funds requested by the Navy.



- *Life Extension Programs (LEPs) Assessment*—At the Committee’s request, NNSA agreed to direct a review by the JASON panel of the risks and challenges of LEPs, including the potential for expanding the scope of LEPs. The Committee encourages the NNSA to ensure the JASON review is broad-based in order to facilitate the most robust comparison between the current stewardship program and any proposed alternatives.

### **Missile Defense**

The Committee continues to be concerned that the missile defense program remains too focused on the threat from long-range missiles and is not providing sufficient regional missile defense capabilities to counter the real threat from short- and medium-range ballistic missiles. Therefore, the Committee has re-prioritized resources away from systems designed to address longer-term threats and re-focused them on combating the real threats faced today by the United States, its deployed forces, and allies.

#### **Army Missile Defense Programs**

The bill authorizes \$1.5 billion for Army missile defense programs. These funds will be used to purchase 108 Patriot PAC-3 missiles, make modifications to existing Patriot systems, and continue the development of the Medium Extended Air Defense System (MEADS).

#### **Aegis Ballistic Missile Defense**

The bill authorizes \$1.2 billion for the Aegis BMD program, an increase of \$75 million. Aegis BMD is a proven, mobile system designed to counter short-, medium-, and intermediate-range ballistic missile threats. A recent analysis sponsored by Strategic Command concluded that combatant commanders require significantly more than the 133 Standard Missile-3 interceptors currently planned. The funding increase will be used to procure additional SM-3 missiles, increase missile production capability, and improve discrimination capabilities.

#### **Terminal High Altitude Area Defense**

The Committee notes that recent analysis sponsored by Strategic Command concluded that combatant commanders require, at minimum, nearly double the 96 THAAD interceptors currently planned. The bill therefore authorizes \$939.9 million for THAAD, an increase of \$75 million. THAAD provides a near-term capability to counter the real threat from short- and medium-range ballistic missiles. The funding increase will be used to purchase advanced components for THAAD Fire Units #3 and #4.

#### **European Missile Defense Sites**

Noting its concerns about the pace of the Iranian long-range ballistic missile threat, program testing, funding executability, and the lack of signed and ratified agreements, the Committee authorizes \$341.2 million (including research and development and military construction) for the proposed long-range missile defense sites in Europe, a reduction of \$370.8 million.

### Airborne Laser (ABL)

The Committee notes its continuing concern about the operational and affordability challenges associated with the ABL program. Therefore, the Committee authorizes \$378.6 million for ABL, a reduction of \$42.6 million, and no funds for a second ABL aircraft.

### Kinetic Energy Interceptor (KEI)

The Committee questions the need for aggressive work on a follow-on system to the existing GMD interceptor at this time and authorizes \$286.8 million for KEI, a reduction of \$100 million.

### Multiple Kill Vehicle (MKV)

Noting its concern that all of the technical challenges associated with the existing exo-atmospheric kill vehicle have not been resolved, the Committee authorizes \$254.4 million for the MKV program, a reduction of \$100 million.

### Space Test Bed

The Committee continues to oppose the deployment of space-based interceptors and authorizes no funds for the proposed space test bed, a reduction of \$10 million.

## **Military Space Programs**

### Third Generation Infrared Surveillance (3GIRS)

While the Committee supports the 3GIRS program, it finds the budget request to be ahead of the need for the next generation of missile warning satellites. The bill provides \$75 million, a reduction of \$74.1 million, for the 3GIRS program.

### Space Industrial Base Analysis

Due to concerns about cost overruns, trouble meeting deadlines, and noted gaps in the space industrial base, the Committee directs an analysis of the industrial base's health and future plans for monitoring its status.

### Space Vulnerability Assessment

The Committee directs DOD to take potential vulnerabilities into consideration early enough in the space acquisitions process so that steps can be taken to mitigate those risks.

### Operationally Responsive Space Office

The FY07 Defense Authorization Act required DOD to establish an office of operationally responsive space. To date, progress has been slow, and the Committee encourages DOD step up the pace and establish this important office as soon as possible. The Committee also recommends an increase of \$10 million for the program.

## **Future Spectrum and Bandwidth Needs**

The Committee directs the Department to outline its current and future bandwidth needs and how it plans to provide for those needs. As part of this assessment, DOD is encouraged to establish an office to monitor, assess and synchronize bandwidth capacity with future acquisition systems. Additionally, Defense Advanced Research Projects

Agency (DARPA) is urged to conduct an assessment of technologies that can be used to improve our access to available spectrum, including identifying existing regulatory barriers that might impede the development or deployment of such technologies.

**Defense Environmental Management (EM)**

The Committee is concerned that total life cycle cleanup cost estimates are increasing while overall funding for the Defense EM program has been decreasing. The Committee increases the Defense EM program by \$20 million and urges the Department of Energy to put additional resources into environmental management in future budget requests.

## MILITARY PERSONNEL SUBCOMMITTEE

Led by Chairwoman Susan Davis (D-CA), the Military Personnel Subcommittee authorizes \$153.2 billion to meet the needs of our service members and their families. From pay raises to promotions, and healthcare to end strength, the subcommittee works to ensure that the day-to-day requirements of our fine military personnel and their families are met.

### *Highlights:*

- Sets the pay raise at 3.9%, an increase of 0.5% above the budget request;
- Increases the size of the Army by 7,000, the Marine Corps by 5,000, the Navy by 1,023 and the Air Force by 450 above the requested levels;
- Increases the full-time manning level for the Army National Guard to 32,060 and the Army Reserves to 17,070;
- Prohibits increased premiums and co-pays for TRICARE recipients;
- Prohibits increased user fees for the TRICARE retail pharmacy program;
- Authorizes new preventive healthcare initiatives;
- Establishes the Career Intermission Pilot Program;
- Provides an increase of \$15 million to family support programs;
- Establishes a DOD School of Nursing; and
- Expands suicide prevention efforts.

### *Legislation:*

#### **Military Pay and Bonuses**

##### Service Member Pay Raise

The Committee authorizes a pay raise of 3.9%, an increase of 0.5% above the budget request. This further reduces the gap in pay increases between the uniformed services and the private sector to 2.9%.

##### Special Pays and Bonuses

The Committee extends special pays and bonuses for a wide variety of groups, and extends bonuses and special pays for reenlistment, referrals and critical wartime specialties, such as mental health professionals and nurses.

A special emphasis is placed on critical foreign language and cultural skills, and the Committee authorizes bonuses for service members in commissioning programs who enroll in a training program in one of these areas.

### Continuation of Bonuses

The Committee mandates that any service member who is retired or separated for a service-connected disability or the survivor of a member who dies on active duty will not be required to repay any portion of a bonus or other benefit. Additionally, the full amount of the benefit must be paid within 90 days.

### Size of the Force

The Committee is pleased to see DOD finally recognize the importance of increasing the size of the Army and Marine Corps by including the cost of this permanent increase in its regular budget request.

### Military-to-Civilian Conversions

The Committee is disappointed that despite requirements in the FY08 Defense Authorization Act, the Department continues converting military healthcare positions to civilian positions and failed to provide funds to restore previously converted positions. In order to meet the law, this bill increases the end strength of the Navy by 1,023 and the Air Force by 450, above the requested levels. The Army requested an end strength increase, which the Committee expects will be used to restore previously converted positions. The Committee further prohibits all future conversions.

### Healthcare Benefits

#### Suicide Prevention in the Armed Forces

The Committee urges DOD to evaluate current suicide prevention efforts and directs a study on the possibility of providing second opinions to potentially suicidal service members in a combat theater. This study will include consideration of the feasibility of a telephonic evaluation of a service member to ensure that they and others are not placed at additional risk by moving them to a different location to obtain a second opinion.

#### Prohibition on Increased Cost Sharing

The Committee extends prohibitions on increased premiums and co-pays for TRICARE recipients and increased user fees for the TRICARE retail pharmacy program. This will save beneficiaries \$1.2 billion in healthcare costs.

#### Preventive Health Services Initiatives

The Committee establishes a series of demonstration projects that focus on preventive care in order to reduce the overall need for care, rather than reducing the amount of care available or the size of the beneficiary population.

#### Recalculation of TRICARE Reserve Select Premiums

The Government Accountability Office (GAO) has reported that DOD was collecting more in premiums from TRICARE Reserve Select beneficiaries than they were paying in actual healthcare costs. The bill requires DOD to recalculate the monthly premiums being charged.

### Wounded Warriors as Healthcare Providers

The bill directs DOD to study the feasibility of identifying and retraining wounded service members as military health professionals. These individuals are uniquely qualified to assist and relate to other wounded service members as they work their way through the recovery process.

### Department of Defense School of Nursing

The Committee directs the establishment of a DOD School of Nursing to address the critical nursing shortage in our military services.

## **Family Support Programs**

### Family Support Programs

The Committee remains committed to our military families as they endure year after year of having a loved one deployed overseas and authorizes an increase of \$15 million to expand family support programs.

### Education and Training for Military Spouses

The Committee provides tuition assistance and training opportunities for those spouses seeking degrees or careers that are portable, such as nursing, mental health providers and financial educators, as they move with their military spouse from station to station.

### Support for Military Spouse Career Development

The Committee authorizes an increased weight allowance for spouses of service members to transport professional items during a relocation.

### Family Separation Allowance

When both military parents are deployed simultaneously, the Committee authorizes DOD to pay a portion of a second family separation allowance. Currently, despite both parents being deployed, only one allowance is paid per family.

### Impact Aid

The bill provides \$50 million to help local educational agencies providing support to our military children, with an additional \$15 million for those heavily impacted by force structure changes, such as BRAC.

### Enlisted Service Members Housing Improvement

In order to improve the housing situation for enlisted service members, the Committee authorizes individuals in the grade of E-8 to receive a housing allowance using housing standards authorized for members in the grade of E-9.

### Shipping Allowance for Household Items

The weight allowances for shipment of household items to be transported between assignments for service members in grades E-5 through E-9 are increased by 500 pounds.

## **Retired Pay and Survivor Benefits**

### Computation of Disability for Reservists

The bill requires that the calculation of retired pay for reserve component service members include the individual's total years of service, not just active duty years.

### Expansion of Phased-In Annuity

The bill also applies the phased-in annuity authorized in the FY08 Defense Authorization Act to surviving spouses of members who die while serving on active duty.

## **Commissaries and Exchanges**

### Private Operation of Commissary Store Functions

The bill extends the moratorium on public/private cost comparisons until after the Defense Commissary Agency has reengineered its workforce to increase efficiency.

### Disabled Veterans Access to Commissaries and Exchanges

DOD is directed to study the feasibility of expanding the group of veterans allowed to shop at commissaries and exchanges to include those rated from 30% to 100% disabled.

## **Additional Provisions**

### Career Intermission Pilot Program

The bill provides greater flexibility for officer and enlisted personnel management by authorizing a pilot program to allow a service member to be released from active duty for a maximum of three years to focus on professional goals outside of the military.

### Handbook for Separating Service Members

The bill requires the DOD to include additional items in the handbook for wounded service members required by section 1651 of the FY08 NDAA.

### Meals Received at Military Hospitals

The Committee permanently prohibits service members from being charged for meals at military treatment facilities while undergoing medical recuperation or therapy.

### Marine Corps Reserve Officer Requirements

The Committee is concerned that there has been a deliberate decision to authorize additional positions in the grade of Lieutenant Colonel to the sacrifice of positions in the grade of Major. There is concern that this force structure will be insufficient to support future missions. The bill directs a study to determine what the real joint personnel requirements are across all components and whether or not this was an appropriate decision.

### Securing Recruiting Database Information

The Committee directs the Secretary of Defense to verify that procedures are available for parents to remove personal information about their children from all DOD recruiting databases and to ensure that information is not released to any agency outside DOD.

#### Creation of Sexual Assault Database

The bill requires DOD to establish a centralized database for the collection and maintenance of information regarding sexual assaults involving a member of the armed forces. This will enable the Sexual Assault Prevention and Response Office to properly track and analyze assault data. For cases subject to restricted reporting, limited data will be included.

#### Military Decorations Database

To preserve the prestige of all military valor decorations and reduce instances of fraud, the Committee directs a study of the feasibility of establishing a database of all individuals who have been awarded military medals for valor. The study will take into account the cost, administrative challenges, privacy concerns, and options for public access.

#### Report on Duty Status of the Reserve Component

The Commission on National Guard and Reserves found that today's reservists are managed under a confusing web of 29 different statuses. The Committee directs DOD to undertake a review of all the duty statuses currently being used and to provide a strategic plan that would allow for a clear, simple structure.

#### Commission to Examine Diversity in Senior Military Leadership

The bill establishes a commission to assess the diversity of senior military leadership and provide recommendations on what can be done to improve the diversity within these ranks.

#### Notification of Military Protective Orders

The Committee requires the military services to notify civilian law enforcement whenever a military protective order is issued.



## GENERAL POLICY PROVISIONS

### General Contractor Oversight and Inherently Governmental Functions

#### Cost Accounting Standards for Overseas Contracts

The Committee clarifies that existing cost accounting standards also apply to federal contracts that are entered into or performed overseas. A recent federal rulemaking failed to extend these standards to overseas contracts, which have experienced significant accounting problems.

#### Technical Data Rights

The bill enhances protection of DOD's rights to technical data, such as ship designs, which have increasingly become a source of dispute with contractors.

#### Definition of "Inherently Governmental"

The Committee has raised concerns about DOD's increased reliance on the use of contractors to fill positions and perform functions that are inherently governmental in nature. The Committee requires the Office of Management and Budget to develop a single definition of "inherently governmental" for use government-wide. The definition should assist in determining which jobs should only be performed by government personnel and would be applied consistently throughout the government.

#### Personal Services Contracts

Personal Services Contracts are characterized by an employer-employee relationship between the government and contractor personnel. The Committee requires DOD to provide clear guidance on the appropriate use of such contracts.

#### Defense Contractor Conflicts of Interest

The bill requires DOD to develop a policy to prevent personal conflicts of interest in defense contracts, including a standard contract clause. The Committee is concerned that contractor employees who work side-by-side with government employees are not subject to the same conflict of interest provisions.

The bill also requires DOD's Panel on Contracting Integrity to make recommendations on the feasibility of applying federal procurement integrity regulations to all contractor personnel working for DOD.

#### Program System Integrators (PSIs)

The bill requires that a DOD employee or member of the armed services serve as the PSI whenever DOD enters into a performance based logistics contract beginning in FY11.

#### Report on Required Number of Contractors

The Committee notes that guidance issued by the Chairman of the Joint Chiefs of Staff requires future operational plans to include information on the need for contracted services, and also notes that this information should include how contracts will be awarded and how contractors will be managed. The Committee requires DOD to report on the implementation of the Chairman's guidance.

The Committee also urges DOD to include in the next Quadrennial Defense Review (QDR) an assessment of the number and types of logistics support contractors necessary to assist with implementation of the defense strategy.

#### Configuration Steering Boards

The bill requires DOD to submit a benchmark report for six major programs, BAMS, CSAR-X, JLTV, KC-45, VH-71 and Warrior-alpha. It also establishes Configuration Steering Boards for each program and states that they may not proceed to production if they have unaddressed cost growth or production slips.

#### **Gansler Commission Recommendations**

The Gansler Commission called for urgent reform in the Army's approach to contracting, placing significant emphasis on reestablishing the balance between military and civilian personnel. The following provisions serve to enhance the civilian acquisitions workforce.

#### Career Path Improvement

The bill requires an improved career path for military personnel in acquisition and contracting, including billets reserved for general officers.

#### Acquisition Workforce Development

The Committee provides authority to expedite the hiring process for officials to fill critical acquisition positions. Additionally, the FY08 Defense Authorization Act established an acquisition fund to enable DOD to invest in its acquisition workforce. The Committee expects DOD to fully utilize these resources to focus more attention on the people in the acquisition field.

#### Deployed Civilians Benefits

The Committee extends the authority to waive limitations on premium pay available to civilian employees who work overseas in combat zones. The Committee also directs a review of the policies on medical treatment at military facilities for these deployed civilians and establishes a working group to review the full range of medical care and compensation available to these individuals. Additionally, the Committee directs DOD to ensure that deploying federal civilians and military medical providers are all fully aware of the procedures in place to provide care to civilians in a combat zone.

## **Protecting Our Service Members**

### **Body Armor**

The Committee authorizes approximately \$783 million for the continued procurement and enhancement of current body armor systems.

### **Mine Resistant Ambush Protected Vehicles (MRAP)**

The Committee authorizes \$2.6 billion to procure, sustain, transport, and field MRAP vehicles for our troops overseas. Additionally, DOD is required to report on the current status of the MRAP program and any future plans to field enough vehicles for training.

### **Joint Improvised Explosive Device Defeat Organization (JIEDDO)**

- The bill focuses on efforts to characterize high explosive signatures in order to develop better detection methods. The Committee believes current efforts are neither well coordinated nor adequately funded, and directs JIEDDO to take the lead in these efforts by directing at least \$10 million towards development of a database of explosive signatures and standard methods for their characterization.
- The Committee withholds at least 50 percent of research, development, test, and evaluation funds until JIEDDO submits a report describing its science and technology roadmap.
- The bill directs \$50 million towards the rapid fielding of additional ISR capabilities, an urgent request from our commanders in the field.

## **Iraq Policy**

### **Sharing the Cost Burden**

The Committee has significant concerns about the increasing requests for funding for the Commanders Emergency Response Program (CERP) in Iraq and requires DOD to submit a report detailing how the increasing income of the Iraqi government is being included in calculating the CERP funding request, as well as what underfunded needs exist in Afghanistan.

The Committee also requires more burden sharing with Iraq by tying amounts for reconstruction under CERP to Iraqi contributions. For every \$1 provided by the Iraqis for the Iraqi CERP fund, \$2 may be spent from the U.S. CERP fund.

Additionally, the Committee authorizes \$1 billion, half of the original budget request, for training and support of the Iraqi Security Forces and prohibits any of those funds from being used on infrastructure.

### **Requirement to Separate Iraq-Related Funding in Budget Request**

In order to improve oversight and accountability, the Committee requires DOD to clearly break out its Iraq-related budget items in each future budget request. A similar provision exists for future Afghanistan budget requests.

### **Status of Forces Agreement (SOFA)**

DOD is required to report to Congress on details of any SOFAs that exist or are signed between the U.S. and Iraq and how such agreements protect U.S. service members and affect U.S. operations in Iraq.

### **Special Visas for Iraqi Translators**

The FY08 Defense Authorization Act expanded the authority to grant a limited number of special immigrant visas to Iraqis who worked for U.S. forces in Iraq as translators. Many of these individuals have worked for coalition forces for years and possess skills which could be useful while the U.S. is still involved there.

The Committee urges DOD to hire them directly where appropriate and create incentives for private contractors to do so, as well. The Committee further requires a report on the status of efforts to hire these individuals and any changes in law that might be necessary to improve such efforts.

### **Strategy for Performance Monitoring of Provincial Reconstruction Teams (PRTs) in Iraq**

The Committee requires DOD to develop a strategy to ensure that U.S.-led PRTs are supporting the strategic goals of the coalition and to establish measures of effectiveness and performance in meeting work plans.

### **Prohibition on Permanent Bases in Iraq**

The Committee prohibits the use of funds to establish permanent bases in Iraq and prohibits U.S. control of Iraqi oil revenues. Additionally, the bill defines “permanent” to mean any condition that exists without a stated end date. This forces DOD to set an end date for their occupation of U.S. military installations in Iraq, otherwise they will be considered permanent.

### **Building Partnership Capacity**

With the current threats facing our nation today, it is more important than ever that we work to improve our relationships with other nations and assist them in developing their own capabilities to counter terrorist threats. The following provisions will take important steps in that direction.

### **Training and Equipping Authority**

The bill extends the authority to train and equip the military forces of friendly and partner nations for two years and authorizes up to \$300 million for that purpose.

### **Security and Stabilization Assistance**

The bill reauthorizes DOD to transfer \$100 million to the Department of State for security, reconstruction and stabilization activities.

### **Personnel Protection Equipment to Foreign Militaries**

The Committee extends for one year the authority to lend personnel protection equipment for one year to foreign nations participating in combined operations with the U.S. military.

### **Regional Defense Combating Terrorism Fellowship**

The Committee authorizes a total of \$35 million, an increase of \$10 million for this valuable program that places foreign military officers and defense officials in various counter-terrorism programs throughout the U.S.

### **Pakistan Frontier Corps**

The current authority to assist the Pakistan Frontier Corps is extended for two years, and the Committee authorizes \$75 million for these efforts.

## **Industrial Base and Foreign Subsidies**

### Review of Illegal Subsidies

If the World Trade Organization (WTO) rules that an illegal subsidy was given to any large commercial aircraft manufacturer, the Committee requires the Air Force to review the potential impact of that subsidy on the recent source selection process for the KC-45 aerial refueling tanker program. If the Air Force determines that the subsidy did impact the competition, then it must find a way to remove the impact from the competition to ensure the fairness of the process.

### Prohibition on Illegal Subsidies in Defense Contract Awards

The bill prohibits any future DOD contract from being awarded to a company that benefits from illegal subsidies.

### Industrial Base Consideration

DOD is required to consider the potential impact on the domestic industrial base during all future competitions for major program contracts.

### Consideration of Employee Benefits

DOD must ensure that no foreign company receives a competitive advantage if its employee benefits costs are borne by the government.

## **Counter-Narcotics (C-N) Policy**

In order to adapt counter-narcotics policy to the current nature of the narcotics threat, the Committee authorizes several provisions that focus greater C-N resources on areas of western Africa.

### Joint Interagency Task Force South (JIATF-S)

The authority of JIATF-S is temporarily extended to AFRICOM to aid in the detection and monitoring of narcotics trafficking in that region. Currently, the group's geographic area of responsibility is limited to the western hemisphere.

### Nations Eligible for C-N Assistance

The bill designates three African nations as newly eligible for C-N assistance and resources: Ghana, Guinea-Bissau, and Senegal.

### Plan for Africa

The bill requires DOD to prepare a region-wide, counter-drug plan for Africa, with a special emphasis on West Africa and the Maghreb.

### **Department of Defense Cooperative Threat Reduction (CTR)**

The Committee fully supports the CTR program and continues to believe it is critical to U.S. national security and must be a top priority. The Committee believes the program would benefit from additional funding and authorizes \$445.1 million, an increase of \$31 million. This includes \$20 million for weapons of mass destruction proliferation prevention and \$10 million for new CTR initiatives.

### **Biological Threat Reduction Program (BTRP)**

The Committee encourages DOD to strengthen the BTRP, particularly in the area of interagency engagement and coordination, while still maintaining a strong focus within the CTR program on other threat reduction challenges.

### **Shchuch'ye Chemical Weapons Destruction Project**

The Schuch'ye project should be a high priority within the CTR program, but the Committee has ongoing concerns about project completion. The Committee continues to conduct vigorous oversight of the project, and urges DOD to take all steps necessary to ensure successful project completion.

### **Department of Energy Nonproliferation Programs**

The Committee fully supports DOE nonproliferation programs and continues to believe these programs are critical to U.S. national security and must be a top priority. The Committee believes there are additional opportunities for DOE nonproliferation programs to address the wide variety of global threats arising from the proliferation of weapons of mass destruction. The Committee authorizes \$1.5 billion, an increase of \$215 million.

### **Nonstrategic Nuclear Weapons Review**

The Committee requires DOD, along with the Director of National Intelligence and the Departments of State and Energy, to conduct a worldwide review of nonstrategic nuclear weapons. The review will include an inventory of nonstrategic nuclear arsenals, an analysis of the reliance placed on these weapons, an evaluation of their use as deterrents, an assessment of the risks associated with their use, and recommendations for improving their security and disposal.

### **International Nuclear Materials Protection and Cooperation**

The Committee authorizes \$479.7 million, an increase of \$50 million, including \$28 million for the U.S.-Russia Bratislava Nuclear Security Initiative.

### **Global Threat Reduction Initiative (GTRI)**

The Committee recommends \$389.6 million, an increase of \$170 million, for efforts that include accelerating the conversion of domestic and international research reactors from using highly-enriched uranium to low-enriched uranium, securing domestic and international sites with high-priority radiological sources and removing radiological sources inside and outside the U.S.

### **Mixed Oxide (MOX) Fuel Facility**

The Committee fully funds the MOX project at \$487 million and continues to support the execution of this important project by the NNSA Office of Defense Nuclear Nonproliferation.

Global Nuclear Energy Partnership (GNEP)

The Committee is concerned about the proliferation risks associated with GNEP and has found the arguments in support of GNEP unpersuasive. The bill does not authorize any funding for GNEP, a reduction of \$6.9 million.

NNSA Office of the Administrator

The Committee authorizes an additional \$5 million for the Office of the Administrator to expand and strengthen staff capacity and capabilities relating to DOE's nonproliferation programs.

U.S. Coordinator for Prevention of WMD Proliferation and Terrorism

The Committee is seriously concerned that the President has failed to appoint a U.S. Coordinator for Prevention of WMD Proliferation and Terrorism, as required in the 9/11 Commission Act of 2007, and expects him to do so at the earliest possible time.

Global Initiative for Proliferation Prevention (GIPP)

The Committee has been conducting vigorous oversight on the GIPP program and encourages NNSA to continue strengthening program management and implementation to ensure that this important nonproliferation program achieves its intended objectives.

International Contributions

The Secretary of Energy is authorized to accept international contributions to the Russian Plutonium Disposition program.



### **Iran Policy**

There are concerns that Iran's policies and actions that threaten the internal security of their neighbors and the collective stability of the region. The Committee has held numerous hearings and briefings on Iran and requires an extensive report on Iranian nuclear capabilities.

### **Pakistan Policy**

The Committee is seriously concerned about instability in Pakistan and its implications for U.S. national security and security in Afghanistan and the region. The Committee has been conducting vigorous oversight and encourages DOD and the rest of the interagency to remain engaged on security matters involving Pakistan and to continue keeping the Committee fully informed of any significant developments. Additionally, the Committee authorizes \$75 million for the Pakistan Frontier Corps and extends the current authority for two years.

### **Defense Industrial Security**

The bill provides a statutory basis for DOD's Industrial Security Program including the requirement to monitor and mitigate foreign ownership, control, and influence and extends certain best practices for security to all companies with classified contracts.

The Committee requires companies working on classified contracts to make the members of their boards of directors personally responsible for the firm's compliance with DOD's industrial security regulations.

Additionally, the Committee requires reporting on the extent of foreign ownership, control and influence in the defense industry, along with a trend analysis of industry changes and security vulnerabilities.

### **Detainee Issues**

#### **Army Regulation 190-8**

DOD is currently revising Army Regulation 190-8, the regulation that has governed prisoner of war (POW) and detainee treatment for over 10 years. Because the final outcome is still unknown and this is a highly contentious issue, the Committee requires DOD to notify Congress and wait 60 days before implementing any of the new policies.

### **Foreign Military Sales (FMS)**

The training and equipping of foreign security forces is an increasingly important element of U.S. national security policy. The FMS program is well-established and a better long-term option for equipping these nations than other, more ad hoc processes. The Committee directs a report analyzing whether the FMS program is flexible enough to be used with all these nations and any potential changes that might be necessary to adapt it to new requirements.

### **Transformation of Southern Command (SOUTHCOM)**

The Committee generally supports the efforts of SOUTHCOM to transform itself into a joint, interagency regional security command, however the Committee does have some concerns about the implications of these changes. The bill directs DOD to respond to concerns about the new organizational structure, any challenges it may pose for the core missions of the command, and how the command intends to evaluate its progress in achieving these new goals.

The Committee also fences 10 percent of SOUTHCOM's operations and maintenance funds until DOD certifies that these development activities are not diverting limited resources away from SOUTHCOM's core readiness mission.

### **Africa Command (AFRICOM)**

The Committee is concerned about the appearance of militarizing U.S. foreign policy on the continent of Africa and requires a report on the final set of roles and missions of AFRICOM, including how the interagency will contribute to its staffing and funding.

### **Northern Command (NORTHCOM)**

The bill requires a report on the development of interagency plans, as well as command and control relationships at NORTHCOM.

### **Adjutant General Joint Duty Experience**

The bill authorizes service performed as an Adjutant General to qualify as joint duty experience.

### **Domestic Emergency Preparation**

The bill requires the Commanders of Northern Command, Pacific Command and the Chief of the National Guard Bureau to jointly enter into a memorandum of understanding on the operational relationships and individual roles and responsibilities during domestic emergencies.

### **Network Centric Operations**

The Committee requires an independent study of the usefulness of having a joint organization to control network centric operations.