

HLC

109TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ 109-_____

JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2007

_____, 2006.—ORDERED TO BE PRINTED

Mr. Warner, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 5122]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5122), to authorize appropriations for fiscal year 2007 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

1 **SECTION 1. SHORT TITLE; FINDINGS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “John Warner National Defense Authorization Act for
4 Fiscal Year 2007”.

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

7 (1) Senator John Warner of Virginia was elect-
8 ed a member of the United States Senate on Novem-
9 ber 7, 1978, for a full term beginning on January
10 3, 1979. He was subsequently appointed by the Gov-
11 ernor of Virginia to fill a vacancy on January 2,
12 1979, and has served continuously since that date.
13 He was appointed a member of the Committee on
14 Armed Services in January 1979, and has served
15 continuously on the Committee since that date, a pe-
16 riod of nearly 28 years. Senator Warner’s service on
17 the Committee represents nearly half of its existence
18 since it was established after World War II.

19 (2) Senator Warner came to the Senate and the
20 Committee on Armed Services after a distinguished
21 record of service to the Nation, including combat
22 service in the Armed Forces and high civilian office.

23 (3) Senator Warner enlisted in the United
24 States Navy upon graduation from high school in

1 1945, and served until the summer of 1946, when
2 he was discharged as a Petty Officer 3rd Class. He
3 then attended Washington and Lee University on
4 the G.I. Bill. He graduated in 1949 and entered the
5 University of Virginia Law School.

6 (4) Upon the outbreak of the Korean War in
7 1950, Senator Warner volunteered for active duty,
8 interrupting his education to accept a commission in
9 the United States Marine Corps. He served in com-
10 bat in Korea as a ground officer in the First Marine
11 Air Wing. Following his active service, he remained
12 in the Marine Corps Reserve for several years, at-
13 taining the rank of captain.

14 (5) Senator Warner resumed his legal education
15 upon returning from the Korean War and graduated
16 from the University of Virginia Law School in 1953.
17 He was selected by the late Chief Judge E. Barrett
18 Prettyman of the United States Court of Appeals for
19 the District of Columbia Circuit as his law clerk.
20 After his service to Judge Prettyman, Senator War-
21 ner became an Assistant United States Attorney in
22 the District of Columbia, and later entered private
23 law practice.

24 (6) In 1969, the Senate gave its advice and
25 consent to the appointment of Senator Warner as

1 Under Secretary of the Navy. He served in this posi-
2 tion until 1972, when he was confirmed and ap-
3 pointed as the 61st Secretary of the Navy since the
4 office was established in 1798. As Secretary, Sen-
5 ator Warner was the principal United States nego-
6 tiator and signatory of the Incidents at Sea Execu-
7 tive Agreement with the Soviet Union, which was
8 signed in 1972 and remains in effect today. It has
9 served as the model for similar agreements between
10 states covering the operation of naval ships and air-
11 craft in international sea lanes throughout the
12 world.

13 (7) Senator Warner left the Department of the
14 Navy in 1974. His next public service was as Ad-
15 ministrator of the American Revolution Bicentennial
16 Commission. In this capacity, he coordinated the
17 celebration of the Nation's founding, directing the
18 Federal role in all 50 States and in over 20 foreign
19 nations.

20 (8) Senator Warner has served as chairman of
21 the Committee on Armed Services of the United
22 States Senate from 1999 to 2001, and again since
23 January 2003. He served as ranking minority mem-
24 ber of the committee from 1987 to 1993, and again
25 from 2001 to 2003. Senator Warner concludes his

1 service as chairman at the end of the 109th Con-
2 gress, but will remain a member of the committee.

3 (9) This Act is the twenty-eighth annual au-
4 thorization Act for the Department of Defense for
5 which Senator Warner has taken a major responsi-
6 bility as a member of the Committee on Armed
7 Services of the United States Senate, and the four-
8 teenth for which he has exercised a leadership role
9 as chairman or ranking minority member of the
10 committee.

11 (10) Senator Warner, as seaman, Marine offi-
12 cer, Under Secretary and Secretary of the Navy, and
13 member, ranking minority member, and chairman of
14 the Committee on Armed Services of the United
15 States Senate, has made unique and lasting con-
16 tributions to the national security of the United
17 States.

18 (11) It is altogether fitting and proper that this
19 Act, the last annual authorization Act for the na-
20 tional defense managed by Senator Warner in and
21 for the United States Senate as chairman of the
22 Committee on Armed Services, be named in his
23 honor, as provided in subsection (a).

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

3 (a) DIVISIONS.—This Act is organized into three divi-
4 sions as follows:

5 (1) Division A—Department of Defense Au-
6 thorizations.

7 (2) Division B—Military Construction Author-
8 izations.

9 (3) Division C—Department of Energy Na-
10 tional Security Authorizations and Other Authoriza-
11 tions.

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

Sec. 1. Short title; findings.

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

Sec. 3. Congressional defense committees.

**DIVISION A—DEPARTMENT OF DEFENSE
AUTHORIZATIONS**

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.

Sec. 102. Navy and Marine Corps.

Sec. 103. Air Force.

Sec. 104. Defense-wide activities.

Subtitle B—Army Programs

Sec. 111. Sense of Congress on future multiyear procurement authority for
Family of Medium Tactical Vehicles.

Sec. 112. Multiyear procurement authority for MH-60R helicopters and mission
equipment.

Sec. 113. Funding profile for Modular Force Initiative of the Army.

Sec. 114. Bridge to Future Networks program.

Sec. 115. Comptroller General report on the contract for the Future Combat
Systems program.

Sec. 116. Priority for allocation of replacement equipment to operational units
based on combat mission deployment schedule.

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Subtitle C—Navy Programs

- Sec. 121. CVN-21 class aircraft carrier procurement.
- Sec. 122. Adherence to Navy cost estimates for CVN-21 class of aircraft carriers.
- Sec. 123. Modification of limitation on total cost of procurement of CVN-77 aircraft carrier.
- Sec. 124. Construction of first two vessels under the DDG-1000 Next-Generation Destroyer program.
- Sec. 125. Adherence to Navy cost estimates for LHA Replacement amphibious assault ship program.
- Sec. 126. Cost limitation for San Antonio (LPD-17) class amphibious ship program.
- Sec. 127. Multiyear procurement authority for V-22 tiltrotor aircraft program.
- Sec. 128. Alternative technologies for future surface combatants.
- Sec. 129. Sense of Congress regarding the size of the attack submarine force.
- Sec. 130. Quality control in procurement of ship critical safety items and related services.

Subtitle D—Air Force Programs

- Sec. 131. Bomber force structure.
- Sec. 132. Strategic airlift force structure.
- Sec. 133. Limitation on retirement of U-2 aircraft.
- Sec. 134. Multiyear procurement authority for F-22A Raptor fighter aircraft.
- Sec. 135. Limitation on retirement of KC-135E aircraft during fiscal year 2007.
- Sec. 136. Limitation on retirement of F-117A aircraft during fiscal year 2007.
- Sec. 137. Limitation on retirement of C-130E tactical airlift aircraft.
- Sec. 138. Procurement of Joint Primary Aircraft Training System aircraft after fiscal year 2006.
- Sec. 139. Minuteman III intercontinental ballistic missile modernization.

Subtitle E—Joint and Multiservice Matters

- Sec. 141. Clarification of limitation on initiation of new unmanned aerial vehicle systems.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.
- Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Acquisition of, and independent cost analyses for, the Joint Strike Fighter propulsion system.
- Sec. 212. Expansion and extension of authority to award prizes for advanced technology achievements.
- Sec. 213. Defense Acquisition Challenge Program extension, enhancement, and modification to address critical cost growth threshold breaches in major defense acquisition programs.
- Sec. 214. Future Combat Systems milestone review.

- Sec. 215. Dedicated amounts for implementing or evaluating Navy shipbuilding technology proposals under Defense Acquisition Challenge Program.
- Sec. 216. Independent estimate of costs of the Future Combat Systems.
- Sec. 217. Funding of defense science and technology programs.
- Sec. 218. Hypersonics development.
- Sec. 219. Report on program for replacement of nuclear warheads on certain Trident sea-launched ballistic missiles with conventional warheads.

Subtitle C—Missile Defense Programs

- Sec. 221. Fielding of ballistic missile defense capabilities.
- Sec. 222. Limitation on use of funds for space-based interceptor.
- Sec. 223. Policy of the United States on priorities in the development, testing, and fielding of missile defense capabilities.
- Sec. 224. One-year extension of Comptroller General assessments of ballistic missile defense programs.
- Sec. 225. Submittal of plans for test and evaluation of the operational capability of the Ballistic Missile Defense System.
- Sec. 226. Annual reports on transition of ballistic missile defense programs to the military departments.

Subtitle D—Other Matters

- Sec. 231. Policies and practices on test and evaluation to address emerging acquisition approaches.
- Sec. 232. Extension of requirement for Global Research Watch Program.
- Sec. 233. Sense of Congress on technology sharing of Joint Strike Fighter technology.
- Sec. 234. Report on vehicle-based active protection systems for certain battlefield threats.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.
- Sec. 303. Other Department of Defense programs.

Subtitle B—Environmental Provisions

- Sec. 311. Revision of requirement for unexploded ordnance program manager.
- Sec. 312. Funding of cooperative agreements under environmental restoration program.
- Sec. 313. Response plan for remediation of unexploded ordnance, discarded military munitions, and munitions constituents.
- Sec. 314. Research on effects of ocean disposal of munitions.
- Sec. 315. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
- Sec. 316. Transfer of Government-furnished uranium stored at Sequoyah Fuels Corporation, Gore, Oklahoma.
- Sec. 317. Extension of authority to grant exemptions to certain requirements.
- Sec. 318. National Academy of Sciences study on human exposure to contaminated drinking water at Camp Lejeune, North Carolina.

Subtitle C—Program Requirements, Restrictions, and Limitations

- Sec. 321. Limitation on financial management improvement and audit initiatives within the Department of Defense.
- Sec. 322. Funds for exhibits for the national museums of the Armed Forces.
- Sec. 323. Prioritization of funds for equipment readiness and strategic capability.
- Sec. 324. Limitation on deployment of Marine Corps Total Force System to Navy.

Subtitle D—Workplace and Depot Issues

- Sec. 331. Permanent exclusion of certain contract expenditures from percentage limitation on the performance of depot-level maintenance.
- Sec. 332. Minimum capital investment for certain depots.
- Sec. 333. Extension of temporary authority for contractor performance of security guard functions.

Subtitle E—Reports

- Sec. 341. Report on Navy Fleet Response Plan.
- Sec. 342. Report on Navy surface ship rotational crew programs.
- Sec. 343. Report on Army live-fire ranges in Hawaii.
- Sec. 344. Comptroller General report on joint standards and protocols for access control systems at Department of Defense installations.
- Sec. 345. Comptroller General report on readiness of Army and Marine Corps ground forces.
- Sec. 346. Report on Air Force safety requirements for Air Force flight training operations at Pueblo Memorial Airport, Colorado.
- Sec. 347. Annual report on Personnel Security Investigations for Industry and National Industrial Security Program.
- Sec. 348. Five-year extension of annual report on training range sustainment plan and training range inventory.
- Sec. 349. Reports on withdrawal or diversion of equipment from reserve units for support of reserve units being mobilized and other units.

Subtitle F—Other Matters

- Sec. 351. Department of Defense strategic policy on prepositioning of materiel and equipment.
- Sec. 352. Authority to make Department of Defense horses available for adoption.
- Sec. 353. Sale and use of proceeds of recyclable munitions materials.
- Sec. 354. Recovery and transfer to Corporation for the Promotion of Rifle Practice and Firearms Safety of certain firearms, ammunition, and parts granted to foreign countries.
- Sec. 355. Extension of Department of Defense telecommunications benefit program.
- Sec. 356. Extension of availability of funds for commemoration of success of the Armed Forces in Operation Enduring Freedom and Operation Iraqi Freedom.
- Sec. 357. Capital security cost sharing.
- Sec. 358. Utilization of fuel cells as back-up power systems in Department of Defense operations.
- Sec. 359. Improving Department of Defense support for civil authorities.
- Sec. 360. Energy efficiency in weapons platforms.

- Sec. 361. Prioritization of funds within Navy mission operations, ship maintenance, combat support forces, and weapons system support.
- Sec. 362. Provision of adequate storage space to secure personal property outside of assigned military family housing unit.
- Sec. 363. Expansion of payment of replacement value of personal property damaged during transport at Government expense.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Revision in permanent active duty end strength minimum levels.
- Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2007 limitation on number of non-dual status technicians.
- Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.
- Sec. 422. Armed Forces Retirement Home.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

PART I—OFFICER PERSONNEL POLICY GENERALLY

- Sec. 501. Military status of officers serving in certain intelligence community positions.
- Sec. 502. Extension of age for mandatory retirement for active-duty general and flag officers.
- Sec. 503. Increased mandatory retirement ages for reserve officers.
- Sec. 504. Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army.
- Sec. 505. Management of chief warrant officers.
- Sec. 506. Extension of temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty list officers in grades of first lieutenant and lieutenant (junior grade).
- Sec. 507. Grade and exclusion from active-duty general and flag officer distribution and strength limitations of officer serving as Attending Physician to the Congress.
- Sec. 508. Modification of qualifications for leadership of the Naval Postgraduate School.

PART II—OFFICER PROMOTION POLICY

- Sec. 511. Revisions to authorities relating to authorized delays of officer promotions.

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- Sec. 512. Consideration of adverse information by selection boards in recommendations on officers to be promoted.
- Sec. 513. Expanded authority for removal from reports of selection boards of officers recommended for promotion to grades below general and flag grades.
- Sec. 514. Special selection board authorities.
- Sec. 515. Removal from promotion list of officers not promoted within 18 months of approval of list by the President.

PART III—JOINT OFFICER MANAGEMENT REQUIREMENTS

- Sec. 516. Modification and enhancement of general authorities on management of officers who are joint qualified.
- Sec. 517. Modification of promotion policy objectives for joint officers.
- Sec. 518. Applicability of joint duty assignment requirements limited to graduates of National Defense University schools.
- Sec. 519. Modification of certain definitions relating to jointness.

Subtitle B—Reserve Component Matters

PART I—RESERVE COMPONENT MANAGEMENT

- Sec. 521. Recognition of former Representative G. V. ‘Sonny’ Montgomery for his 30 years of service in the House of Representatives.
- Sec. 522. Revisions to reserve call-up authority.
- Sec. 523. Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001.

PART II—AUTHORITIES RELATING TO GUARD AND RESERVE DUTY

- Sec. 524. Title 10 definition of Active Guard and Reserve duty.
- Sec. 525. Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel.
- Sec. 526. Governor’s authority to order members to Active Guard and Reserve duty.
- Sec. 527. Expansion of operations of civil support teams.
- Sec. 528. Modification of authorities relating to the Commission on the National Guard and Reserves.
- Sec. 529. Additional matters to be reviewed by Commission on the National Guard and Reserves.

Subtitle C—Education and Training

PART I—SERVICE ACADEMIES

- Sec. 531. Expansion of service academy exchange programs with foreign military academies.
- Sec. 532. Revision and clarification of requirements with respect to surveys and reports concerning sexual harassment and sexual violence at the service academies.
- Sec. 533. Department of Defense policy on service academy and ROTC graduates seeking to participate in professional sports before completion of their active-duty service obligations.

PART II—SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS

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- Sec. 535. Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty.
- Sec. 536. Detail of commissioned officers as students at medical schools.
- Sec. 537. Increase in maximum amount of repayment under education loan repayment for officers in specified health professions.
- Sec. 538. Health Professions Scholarship and Financial Assistance Program for Active Service.

PART III—JUNIOR ROTC PROGRAM

- Sec. 539. Junior Reserve Officers' Training Corps instructor qualifications.
- Sec. 540. Expansion of members eligible to be employed to provide Junior Reserve Officers' Training Corps instruction.
- Sec. 541. Expansion of Junior Reserve Officers' Training Corps program.
- Sec. 542. Review of legal status of Junior ROTC program.

PART IV—OTHER EDUCATION AND TRAINING PROGRAMS

- Sec. 543. Expanded eligibility for enlisted members for instruction at Naval Postgraduate School.

Subtitle D—General Service Authorities

- Sec. 546. Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT).
- Sec. 547. Clarification of nondisclosure requirements applicable to certain selection board proceedings.
- Sec. 548. Report on extent of provision of timely notice of long-term deployments.

Subtitle E—Military Justice Matters

- Sec. 551. Applicability of Uniform Code of Military Justice to members of the Armed Forces ordered to duty overseas in inactive duty for training status.
- Sec. 552. Clarification of application of Uniform Code of Military Justice during a time of war.

Subtitle F—Decorations and Awards

- Sec. 555. Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients.
- Sec. 556. Review of eligibility of prisoners of war for award of the Purple Heart.
- Sec. 557. Report on Department of Defense process for awarding decorations.

Subtitle G—Matters Relating to Casualties

- Sec. 561. Authority for retention after separation from service of assistive technology and devices provided while on active duty.
- Sec. 562. Transportation of remains of casualties dying in a theater of combat operations.

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- Sec. 563. Annual budget display of funds for POW/MIA activities of Department of Defense.
- Sec. 564. Military Severely Injured Center.
- Sec. 565. Comprehensive review on procedures of the Department of Defense on mortuary affairs.
- Sec. 566. Additional elements of policy on casualty assistance to survivors of military decedents.
- Sec. 567. Requirement for deploying military medical personnel to be trained in preservation of remains under combat or combat-related conditions.

Subtitle H—Impact Aid and Defense Dependents Education System

- Sec. 571. Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe.
- Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 573. Impact aid for children with severe disabilities.
- Sec. 574. Plan and authority to assist local educational agencies experiencing growth in enrollment due to force structure changes, relocation of military units, or base closures and realignments.
- Sec. 575. Pilot program on parent education to promote early childhood education for dependent children affected by military deployment or relocation of military units.

Subtitle I—Armed Forces Retirement Home

- Sec. 578. Report on leadership and management of the Armed Forces Retirement Home.
- Sec. 579. Report on Local Boards of Trustees of the Armed Forces Retirement Home.

Subtitle J—Reports

- Sec. 581. Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets.
- Sec. 582. Report on feasibility of establishment of Military Entrance Processing Command station on Guam.
- Sec. 583. Inclusion in annual Department of Defense report on sexual assaults of information on results of disciplinary actions.
- Sec. 584. Report on provision of electronic copy of military records on discharge or release of members from the Armed Forces.
- Sec. 585. Report on omission of social security account numbers from military identification cards.
- Sec. 586. Report on maintenance and protection of data held by the Secretary of Defense as part of the Department of Defense Joint Advertising, Market Research and Studies (JAMRS) program.
- Sec. 587. Comptroller General report on military conscientious objectors.

Subtitle K—Other Matters

- Sec. 591. Modification in Department of Defense contributions to Military Retirement Fund.
- Sec. 592. Revision in Government contributions to Medicare-Eligible Retiree Health Care Fund.

- Sec. 593. Dental Corps of the Navy Bureau of Medicine and Surgery.
- Sec. 594. Permanent authority for presentation of recognition items for recruitment and retention purposes.
- Sec. 595. Persons authorized to administer enlistment and appointment oaths.
- Sec. 596. Military voting matters.
- Sec. 597. Physical evaluation boards.
- Sec. 598. Military ID cards for retiree dependents who are permanently disabled.
- Sec. 599. United States Marine Band and United States Marine Drum and Bugle Corps.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Fiscal year 2007 increase in military basic pay and reform of basic pay rates.
- Sec. 602. Increase in maximum rate of basic pay for general and flag officer grades to conform to increase in pay cap for Senior Executive Service personnel.
- Sec. 603. One-year extension of prohibition against requiring certain injured members to pay for meals provided by military treatment facilities.
- Sec. 604. Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations.
- Sec. 605. Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members.
- Sec. 606. Payment of full premium for coverage under Servicemembers' Group Life Insurance program during service in Operation Enduring Freedom or Operation Iraqi Freedom.
- Sec. 607. Clarification of effective date of prohibition on compensation for correspondence courses.
- Sec. 608. Extension of pilot program on contributions to Thrift Savings Plan for initial enlistees in the Army.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. Extension of certain bonus and special pay authorities for reserve forces.
- Sec. 612. Extension of certain bonus and special pay authorities for health care professionals.
- Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
- Sec. 614. Extension of authorities relating to payment of other bonuses and special pays.
- Sec. 615. Expansion of eligibility of dental officers for additional special pay.
- Sec. 616. Increase in maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties.
- Sec. 617. Expansion and enhancement of accession bonus authorities for certain officers in health care specialties.
- Sec. 618. Authority to provide lump sum payment of nuclear officer incentive pay.
- Sec. 619. Increase in maximum amount of nuclear career accession bonus.

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- Sec. 620. Increase in maximum amount of incentive bonus for transfer between Armed Forces.
- Sec. 621. Additional authorities and incentives to encourage retired members and reserve component members to volunteer to serve on active duty in high-demand, low-density assignments.
- Sec. 622. Accession bonus for members of the Armed Forces appointed as commissioned officers after completing officer candidate school.
- Sec. 623. Modification of certain authorities applicable to the targeted shaping of the Armed Forces.
- Sec. 624. Enhancement of bonus to encourage certain persons to refer other persons for enlistment in the Army.

Subtitle C—Travel and Transportation Allowances

- Sec. 631. Travel and transportation allowances for transportation of family members incident to illness or injury of members.

Subtitle D—Retired Pay and Survivor Benefits

- Sec. 641. Retired pay of general and flag officers to be based on rates of basic pay provided by law.
- Sec. 642. Inapplicability of retired pay multiplier maximum percentage to certain service of members of the Armed Forces in excess of 30 years.
- Sec. 643. Military Survivor Benefit Plan beneficiaries under insurable interest coverage.
- Sec. 644. Modification of eligibility for commencement of authority for optional annuities for dependents under the Survivor Benefit Plan.
- Sec. 645. Study of training costs, manning, operations tempo, and other factors that affect retention of members of the Armed Forces with special operations designations.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

- Sec. 661. Treatment of price surcharges of certain merchandise sold at commissary stores.
- Sec. 662. Limitations on lease of non-excess Department of Defense property for protection of morale, welfare, and recreation activities and revenue.
- Sec. 663. Report on cost effectiveness of purchasing commercial insurance for commissary and exchange facilities and facilities of other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.
- Sec. 664. Study and report regarding access of disabled persons to morale, welfare, and recreation facilities and activities.

Subtitle F—Other Matters

- Sec. 670. Limitations on terms of consumer credit extended to servicemembers and dependents.
- Sec. 671. Enhancement of authority to waive claims for overpayment of pay and allowances and travel and transportation allowances.
- Sec. 672. Exception for notice to consumer reporting agencies regarding debts or erroneous payments pending a decision to waive, remit, or cancel.

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- Sec. 673. Expansion and enhancement of authority to remit or cancel indebtedness of members and former members of the Armed Forces incurred on active duty.
- Sec. 674. Phased recovery of overpayments of pay made to members of the uniformed services.
- Sec. 675. Joint family support assistance program.
- Sec. 676. Special working group on transition to civilian employment of National Guard and Reserve members returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.
- Sec. 677. Audit of pay accounts of members of the Army evacuated from a combat zone for inpatient care.
- Sec. 678. Report on eligibility and provision of assignment incentive pay.
- Sec. 679. Sense of Congress calling for payment to World War II veterans who survived Bataan Death March.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program Improvements

- Sec. 701. TRICARE coverage for forensic examination following sexual assault or domestic violence.
- Sec. 702. Authorization of anesthesia and other costs for dental care for children and certain other patients.
- Sec. 703. Improvements to descriptions of cancer screening for women.
- Sec. 704. Prohibition on increases in certain health care costs for members of the uniformed services.
- Sec. 705. Demonstration project on coverage of selected over-the-counter drugs under the pharmacy benefits program.
- Sec. 706. Expanded eligibility of Selected Reserve members under TRICARE program.
- Sec. 707. Relationship between the TRICARE program and employer-sponsored group health care plans.
- Sec. 708. Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program.

Subtitle B—Studies and Reports

- Sec. 711. Department of Defense task force on the future of military health care.
- Sec. 712. Study relating to chiropractic health care services.
- Sec. 713. Comptroller General audits of Department of Defense health care costs and cost-saving measures.
- Sec. 714. Transfer of custody of the Air Force Health Study assets to Medical Follow-up Agency.
- Sec. 715. Study on allowing dependents of activated members of reserve components to retain civilian health care coverage.
- Sec. 716. Study of health effects of exposure to depleted uranium.
- Sec. 717. Report and plan on services to military dependent children with autism.
- Sec. 718. Comptroller General study on Department of Defense pharmacy benefits program.
- Sec. 719. Review of Department of Defense medical quality improvement program.
- Sec. 720. Report on distribution of hemostatic agents for use in the field.

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Sec. 721. Longitudinal study on traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom.

Subtitle C—Planning, Programming, and Management

- Sec. 731. Standardization of claims processing under TRICARE program and Medicare program.
- Sec. 732. Requirements for support of military treatment facilities by civilian contractors under TRICARE.
- Sec. 733. Standards and tracking of access to health care services for wounded, injured, or ill servicemembers returning to the United States from a combat zone.
- Sec. 734. Disease and chronic care management.
- Sec. 735. Additional elements of assessment of Department of Defense task force on mental health relating to mental health of members who were deployed in Operation Iraqi Freedom and Operation Enduring Freedom.
- Sec. 736. Additional authorized option periods for extension of current contracts under TRICARE.
- Sec. 737. Military vaccination matters.
- Sec. 738. Enhanced mental health screening and services for members of the Armed Forces.

Subtitle D—Other Matters

- Sec. 741. Pilot projects on early diagnosis and treatment of post traumatic stress disorder and other mental health conditions.
- Sec. 742. Requirement to certify and report on conversion of military medical and dental positions to civilian medical and dental positions.
- Sec. 743. Three-year extension of joint incentives program on sharing of health care resources by the Department of Defense and Department of Veterans Affairs.
- Sec. 744. Training curricula for family caregivers on care and assistance for members and former members of the Armed Forces with traumatic brain injury.
- Sec. 745. Recognition of Representative Lane Evans upon his retirement from the House of Representatives.

**TITLE VIII—ACQUISITION POLICY, ACQUISITION
MANAGEMENT, AND RELATED MATTERS**

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

- Sec. 801. Requirements management certification training program.
- Sec. 802. Additional requirements relating to technical data rights.
- Sec. 803. Study and report on revisions to Selected Acquisition Report requirements.
- Sec. 804. Biannual updates on implementation of acquisition reform in the Department of Defense.
- Sec. 805. Additional certification requirements for major defense acquisition programs before proceeding to Milestone B.
- Sec. 806. Original baseline estimate for major defense acquisition programs.
- Sec. 807. Lead system integrators.

Subtitle B—Acquisition Policy and Management

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- Sec. 811. Time-certain development for Department of Defense information technology business systems.
- Sec. 812. Pilot program on time-certain development in acquisition of major weapon systems.
- Sec. 813. Establishment of Panel on Contracting Integrity.
- Sec. 814. Linking of award and incentive fees to acquisition outcomes.
- Sec. 815. Report on defense instruction relating to contractor personnel authorized to accompany Armed Forces.
- Sec. 816. Major automated information system programs.
- Sec. 817. Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.
- Sec. 818. Determination of contract type for development programs.
- Sec. 819. Three-year extension of requirement for reports on commercial price trend analyses of the Department of Defense.
- Sec. 820. Government performance of critical acquisition functions.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 831. One-year extension of special temporary contract closeout authority.
- Sec. 832. Limitation on contracts for the acquisition of certain services.
- Sec. 833. Use of Federal supply schedules by State and local governments for goods and services for recovery from natural disasters, terrorism, or nuclear, biological, chemical, or radiological attack.
- Sec. 834. Waivers to extend task order contracts for advisory and assistance services.

Subtitle D—United States Defense Industrial Base Provisions

- Sec. 841. Assessment and annual report of United States defense industrial base capabilities and acquisitions of articles, materials, and supplies manufactured outside the United States.
- Sec. 842. Protection of strategic materials critical to national security.
- Sec. 843. Strategic Materials Protection Board.

Subtitle E—Other Matters

- Sec. 851. Report on former Department of Defense officials employed by contractors of the Department of Defense.
- Sec. 852. Report and regulations on excessive pass-through charges.
- Sec. 853. Program manager empowerment and accountability.
- Sec. 854. Joint policies on requirements definition, contingency program management, and contingency contracting.
- Sec. 855. Clarification of authority to carry out certain prototype projects.
- Sec. 856. Contracting with employers of persons with disabilities.
- Sec. 857. Enhanced access for small business.
- Sec. 858. Procurement goal for Hispanic-serving institutions.

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION
AND MANAGEMENT**

Subtitle A—Department of Defense Management

- Sec. 901. Increase in authorized number of Assistant Secretaries of Defense.
- Sec. 902. Modifications to the Combatant Commander Initiative Fund.
- Sec. 903. Addition to membership of specified council.

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- Sec. 904. Consolidation and standardization of authorities relating to Department of Defense Regional Centers for Security Studies.
- Sec. 905. Oversight by Office of Under Secretary of Defense for Acquisition, Technology, and Logistics of exercise of acquisition authority by combatant commanders and heads of Defense Agencies.
- Sec. 906. Standardization of statutory references to “national security system” within laws applicable to Department of Defense.
- Sec. 907. Correction of reference to predecessor of Defense Information Systems Agency.

Subtitle B—Space Activities

- Sec. 911. Designation of successor organizations for the disestablished Interagency Global Positioning Executive Board.
- Sec. 912. Extension of authority for pilot program for provision of space surveillance network services to non-United States Government entities.
- Sec. 913. Operationally responsive space.
- Sec. 914. Independent review and assessment of Department of Defense organization and management for national security in space.

Subtitle C—Chemical Demilitarization Program

- Sec. 921. Sense of Congress on completion of destruction of United States chemical weapons stockpile.
- Sec. 922. Comptroller General review of cost-benefit analysis of off-site versus on-site treatment and disposal of hydrolysate derived from neutralization of VX nerve gas at Newport Chemical Depot, Indiana.
- Sec. 923. Incentives clauses in chemical demilitarization contracts.
- Sec. 924. Chemical demilitarization program contracting authority.

Subtitle D—Intelligence-Related Matters

- Sec. 931. Four-year extension of authority of Secretary of Defense to engage in commercial activities as security for intelligence collection activities.
- Sec. 932. Annual reports on intelligence oversight activities of the Department of Defense.
- Sec. 933. Collection by National Security Agency of service charges for certification or validation of information assurance products.

Subtitle E—Other Matters

- Sec. 941. Department of Defense policy on unmanned systems.
- Sec. 942. Executive Schedule level IV for Deputy Under Secretary of Defense for Logistics and Materiel Readiness.
- Sec. 943. Study and report on reform of Defense Travel System.
- Sec. 944. Administration of pilot project on Civilian Linguist Reserve Corps.
- Sec. 945. Improvement of authorities on the National Security Education Program.
- Sec. 946. Report on the posture of United States Special Operations Command to conduct the global war on terrorism.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

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- Sec. 1001. General transfer authority.
- Sec. 1002. Authorization of additional emergency supplemental appropriations for fiscal year 2006.
- Sec. 1003. Reduction in certain authorizations due to savings relating to lower inflation.
- Sec. 1004. Increase in fiscal year 2006 general transfer authority.
- Sec. 1005. United States contribution to NATO common-funded budgets in fiscal year 2007.
- Sec. 1006. Report on budgeting for fluctuations in fuel cost rates.
- Sec. 1007. Modification of date of submittal of OMB/CBO report on scoring of outlays.
- Sec. 1008. Budgeting for ongoing military operations in Afghanistan and Iraq.

Subtitle B—Policy Relating to Vessels and Shipyards

- Sec. 1011. Aircraft carrier force structure.
- Sec. 1012. Sense of Congress on naming the CVN-78 aircraft carrier as the U.S.S. Gerald R. Ford.
- Sec. 1013. Transfer of naval vessels to foreign nations based upon vessel class.
- Sec. 1014. Overhaul, repair, and maintenance of vessels in foreign shipyards.
- Sec. 1015. Report on options for future lease arrangement for Guam Shipyard.
- Sec. 1016. Assessments of naval vessel construction efficiencies and of effectiveness of special contractor incentives.
- Sec. 1017. Obtaining carriage by vessel: criterion regarding overhaul, repair, and maintenance of vessels in the United States.
- Sec. 1018. Riding gang member requirements.
- Sec. 1019. Authority to transfer SS Arthur M. Huddell to the Government of Greece.

Subtitle C—Counter-Drug Activities

- Sec. 1021. Extension of authority of Department of Defense to provide additional support for counterdrug activities of other governmental agencies.
- Sec. 1022. Extension and expansion of Department of Defense authority to provide support for counter-drug activities of certain foreign governments.
- Sec. 1023. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.
- Sec. 1024. Continuation of reporting requirement regarding Department of Defense expenditures to support foreign counterdrug activities.
- Sec. 1025. Report on interagency counter-narcotics plan for Afghanistan and South and Central Asian regions.
- Sec. 1026. Report on United States support for Operation Bahamas, Turks & Caicos.

Subtitle D—Force Structure and Defense Policy Matters

- Sec. 1031. Improvements to Quadrennial Defense Review.
- Sec. 1032. Quarterly reports on implementation of 2006 Quadrennial Defense Review Report.
- Sec. 1033. Report on feasibility of establishing a regional combatant command for Africa.
- Sec. 1034. Determination of Department of Defense intratheater and intertheater airlift requirements and sealift mobility requirements.

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- Sec. 1035. Presidential report on improving interagency support for United States 21st century national security missions and interagency operations in support of stability, security, transition, and reconstruction operations.

Subtitle E—Reports

- Sec. 1041. Additional element in annual report on chemical and biological warfare defense.
- Sec. 1042. Report on biodefense human capital requirements in support of biosafety laboratories.
- Sec. 1043. Report on technologies for neutralizing or defeating threats to military rotary-wing aircraft from portable air defense systems and rocket-propelled grenades.
- Sec. 1044. Reports on expanded use of unmanned aerial vehicles in the National Airspace System.
- Sec. 1045. Report on incentives to encourage certain members and former members of the Armed Forces to serve in the Bureau of Customs and Border Protection.
- Sec. 1046. Repeal of certain report requirements.
- Sec. 1047. Requirement for identification of recently enacted recurring reporting requirements applicable to the Department of Defense.

Subtitle F—Miscellaneous Authorities and Limitations on Availability and Use of Funds

- Sec. 1051. Acceptance and retention of reimbursement from non-Federal sources to defray Department of Defense costs of conferences.
- Sec. 1052. Increased flexibility in use of funds for Joint Staff exercises.
- Sec. 1053. Prohibition on parking of funds.
- Sec. 1054. Modification of authorities relating to the Special Inspector General for Iraq Reconstruction.

Subtitle G—Matters Involving Detainees

- Sec. 1061. Provision of information to Congress on certain criminal investigations and prosecutions involving detainees.

Subtitle H—Other Matters

- Sec. 1071. Technical and clerical amendments.
- Sec. 1072. Revision to authorities relating to Commission on the Implementation of the New Strategic Posture of the United States.
- Sec. 1073. Revised deadline for submission of final report of EMP Commission.
- Sec. 1074. Extension of returning worker exemption to H-2B numerical limitation.
- Sec. 1075. Patent term extensions for the badges of the American Legion, the American Legion Women's Auxiliary, and the Sons of the American Legion.
- Sec. 1076. Use of the Armed Forces in major public emergencies.
- Sec. 1077. Increased hunting and fishing opportunities for members of the Armed Forces, retired members, and disabled veterans.

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. Accrual of annual leave for members of the uniformed services performing dual employment.

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- Sec. 1102. Strategy for improving the senior management, functional, and technical workforce of the Department of Defense.
- Sec. 1103. Three-year extension of authority for experimental personnel management program for scientific and technical personnel.
- Sec. 1104. Reports on members of the Armed Forces and civilian employees of the Department of Defense serving in the legislative branch.
- Sec. 1105. Extension of authority to waive annual limitation on total compensation paid to Federal civilian employees.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

- Sec. 1201. Logistic support for allied forces participating in combined operations.
- Sec. 1202. Temporary authority to use acquisition and cross-servicing agreements to lend certain military equipment to foreign forces in Iraq and Afghanistan for personnel protection and survivability.
- Sec. 1203. Recodification and revision to law relating to Department of Defense humanitarian demining assistance.
- Sec. 1204. Enhancements to Regional Defense Combating Terrorism Fellowship Program.
- Sec. 1205. Participation of the Department of Defense in multinational military centers of excellence.
- Sec. 1206. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
- Sec. 1207. Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability.

Subtitle B—Nonproliferation Matters and Countries of Concern

- Sec. 1211. North Korea.
- Sec. 1212. Report on participation of multinational partners in the United Nations Command in the Republic of Korea.
- Sec. 1213. Intelligence on Iran.
- Sec. 1214. Sense of Congress on United States policy on the nuclear programs of Iran.

Subtitle C—Other Matters

- Sec. 1221. Exclusion of petroleum, oil, and lubricants from limitations on annual amount of liabilities the United States may accrue under acquisition and cross-servicing agreements.
- Sec. 1222. Modification of limitations on assistance under the American Servicemembers' Protection Act of 2002.
- Sec. 1223. Humanitarian support for Iraqi children in urgent need of medical care.
- Sec. 1224. Sense of Congress opposing the granting of amnesty by the government of Iraq to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq.
- Sec. 1225. Annual reports on United States contributions to the United Nations.
- Sec. 1226. Comprehensive regional strategy and annual reports on Somalia.
- Sec. 1227. Report on the implementation of the Darfur Peace Agreement.

- Sec. 1228. Sense of Congress concerning cooperation with Russia on issues pertaining to missile defense.
- Sec. 1229. Sense of Congress calling for convening of a summit for a comprehensive political agreement for Iraq.
- Sec. 1230. Sense of Congress on the commendable actions of the Armed Forces in Iraq.
- Sec. 1231. Annual report on foreign sales of significant military equipment manufactured in the United States.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

- Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
- Sec. 1302. Funding allocations.
- Sec. 1303. Extension of temporary authority to waive limitation on funding for chemical weapons destruction facility in Russia.
- Sec. 1304. National Academy of Sciences study of prevention of proliferation of biological weapons.

TITLE XIV—MATTERS RELATED TO DEFENSE AGAINST TERRORISM AND RELATED SECURITY MATTERS

- Sec. 1401. Enhancement to authority to pay rewards for assistance in combating terrorism.
- Sec. 1402. Quarterly reports on Department of Defense response to threat posed by improvised explosive devices.
- Sec. 1403. Requirement that all military wheeled vehicles used in Iraq and Afghanistan outside of secure military operating bases be protected by Improvised Explosive Device (IED) jammers.
- Sec. 1404. Report on assessment process of Chairman of the Joint Chiefs of Staff relating to Global War on Terrorism.
- Sec. 1405. Treatment under Freedom of Information Act of certain confidential information shared with State and local personnel.
- Sec. 1406. Database of emergency response capabilities.

TITLE XV—AUTHORIZATION FOR INCREASED COSTS DUE TO OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

- Sec. 1501. Purpose.
- Sec. 1502. Army procurement.
- Sec. 1503. Navy and Marine Corps procurement.
- Sec. 1504. Air Force procurement.
- Sec. 1505. Defense-wide activities procurement.
- Sec. 1506. Research, development, test and evaluation.
- Sec. 1507. Operation and maintenance.
- Sec. 1508. Defense Health Program.
- Sec. 1509. Classified programs.
- Sec. 1510. Military personnel.
- Sec. 1511. Treatment as additional authorizations.
- Sec. 1512. Transfer authority.
- Sec. 1513. Availability of funds.
- Sec. 1514. Joint Improvised Explosive Device Defeat Fund.
- Sec. 1515. Iraq Freedom Fund.
- Sec. 1516. Iraq Security Forces Fund.
- Sec. 1517. Afghanistan Security Forces Fund.

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- Sec. 1518. Submittal to Congress of Department of Defense supplemental and cost of war execution reports.
- Sec. 1519. Limitation on availability of funds for certain purposes relating to Iraq.
- Sec. 1520. Intelligence Community Management Account.

**DIVISION B—MILITARY CONSTRUCTION
AUTHORIZATIONS**

- Sec. 2001. Short title
- Sec. 2002. Recognition of Representative Joel Hefley upon his retirement from the House of Representatives.

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects
- Sec. 2102. Family housing
- Sec. 2103. Improvements to military family housing units
- Sec. 2104. Authorization of appropriations, Army

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2004, 2005, and 2006 projects.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects
- Sec. 2302. Family housing
- Sec. 2303. Improvements to military family housing units
- Sec. 2304. Authorization of appropriations, Air Force
- Sec. 2305. Modification of authority to carry out certain fiscal year 2006 project.

TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Family housing.
- Sec. 2403. Energy conservation projects.
- Sec. 2404. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.
- Sec. 2405. Authorization of appropriations, Defense Agencies.
- Sec. 2406. Modification of authority to carry out certain fiscal year 2006 project.

**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

- Sec. 2501. Authorized NATO construction and land acquisition projects
- Sec. 2502. Authorization of appropriations, NATO

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 2004 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 2003 projects.

Sec. 2704. Effective date.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Increase in maximum annual amount authorized to be obligated for emergency military construction.

Sec. 2802. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.

Sec. 2803. Repeal of requirement to determine availability of suitable alternative housing for acquisition in lieu of construction of new family housing.

Sec. 2804. Authority to continue to occupy leased family housing for United States Southern Command personnel.

Sec. 2805. Consideration of alternative and more efficient uses for general officer and flag officer quarters in excess of 6,000 square feet.

Sec. 2806. Modification of notification requirements related to cost variation authority.

Sec. 2807. Consideration of local comparability of floor areas in construction, acquisition, and improvement of military unaccompanied housing.

Sec. 2808. Certification required for military construction projects for facilities designed to provide training in urban operations.

Sec. 2809. Authority to carry out military construction projects in connection with industrial facility investment program.

Sec. 2810. Repeal of special requirement for military construction contracts on Guam.

Sec. 2811. Temporary expansion of authority to convey property at military installations to support military construction.

Sec. 2812. Pilot projects for acquisition or construction of military unaccompanied housing.

Subtitle B—Real Property and Facilities Administration

Sec. 2821. Congressional notice requirements, in advance of acquisition of land by condemnation for military purposes.

Sec. 2822. Consolidation of Department of Defense authorities regarding granting of easements for rights-of-way.

Sec. 2823. Authority to grant restrictive easements for conservation purposes in connection with land conveyances.

Sec. 2824. Maximum term of leases for structures and real property relating to structures in foreign countries needed for purposes other than family housing.

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- Sec. 2825. Consolidation of laws relating to transfer of Department of Defense real property within the Department of Defense and to other Federal agencies.
- Sec. 2826. Defense access road program.
- Sec. 2827. Reports on Army operational ranges.

Subtitle C—Base Closure and Realignment

- Sec. 2831. Modification of deposit requirements in connection with lease proceeds received at military installations approved for closure or realignment after January 1, 2005.
- Sec. 2832. Report on Air Force and Air National Guard bases affected by 2005 round of defense base closure and realignment.

Subtitle D—Land Conveyances

- Sec. 2841. Conveyance of easement, Pine Bluff Arsenal, Arkansas.
- Sec. 2842. Modification of land transfer authority, Potomac Annex, District of Columbia.
- Sec. 2843. Land conveyance, Naval Air Station, Barbers Point, Hawaii.
- Sec. 2844. Land conveyances, Omaha, Nebraska.
- Sec. 2845. Land conveyance, Hopkinton, New Hampshire.
- Sec. 2846. Land conveyance, North Hills Army Reserve Center, Allison Park, Pennsylvania.
- Sec. 2847. Transfer of jurisdiction, Fort Jackson, South Carolina.
- Sec. 2848. Sense of Congress regarding land conveyance involving Army Reserve Center, Marshall, Texas.
- Sec. 2849. Modifications to land conveyance authority, Engineering Proving Ground, Fort Belvoir, Virginia.
- Sec. 2850. Land conveyance, Radford Army Ammunition Plant, New River Unit, Virginia.

Subtitle E—Energy Security

- Sec. 2851. Consolidation and enhancement of laws to improve Department of Defense energy efficiency and conservation.
- Sec. 2852. Department of Defense goal regarding use of renewable energy to meet electricity needs.
- Sec. 2853. Congressional notification of cancellation ceiling for Department of Defense energy savings performance contracts.
- Sec. 2854. Use of energy efficiency products in new construction.

Subtitle F—Other Matters

- Sec. 2861. Availability of research and technical assistance under Defense Economic Adjustment Program.
- Sec. 2862. Availability of community planning assistance relating to encroachment of civilian communities on military facilities used for training by the Armed Forces.
- Sec. 2863. Prohibitions against making certain military airfields or facilities available for use by civil aircraft.
- Sec. 2864. Modification of certain transportation projects.
- Sec. 2865. Availability of funds for South County Commuter Rail project, Providence, Rhode Island.
- Sec. 2866. Fox Point Hurricane Barrier, Providence, Rhode Island.
- Sec. 2867. Federal funding for fixed guideway projects.

Sec. 2868. Feasibility study regarding use of General Services Administration property for Fort Belvoir, Virginia, realignment.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Defense nuclear waste disposal.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.
- Sec. 3112. Extension of Facilities and Infrastructure Recapitalization Program.
- Sec. 3113. Utilization of contributions to Global Threat Reduction Initiative.
- Sec. 3114. Utilization of contributions to Second Line of Defense program.
- Sec. 3115. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel.
- Sec. 3116. National Academy of Sciences study of quantification of margins and uncertainty methodology for assessing and certifying the safety and reliability of the nuclear stockpile.
- Sec. 3117. Consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration.
- Sec. 3118. Notice-and-wait requirement applicable to certain third-party financing arrangements.
- Sec. 3119. Extension of deadline for transfer of lands to Los Alamos County, New Mexico, and of lands in trust for the Pueblo of San Ildefonso.
- Sec. 3120. Limitations on availability of funds for Waste Treatment and Immobilization Plant.
- Sec. 3121. Report on Russian Surplus Fissile Materials Disposition Program.
- Sec. 3122. Limitation on availability of funds for construction of MOX Fuel Fabrication Facility.
- Sec. 3123. Education of future nuclear engineers.
- Sec. 3124. Technical correction related to authorization of appropriations for fiscal year 2006.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

- Sec. 3301. Authorized uses of National Defense Stockpile funds.
- Sec. 3302. Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations

TITLE XXXV—MARITIME ADMINISTRATION

- Sec. 3501. Authorization of appropriations for fiscal year 2007.
- Sec. 3502. Amendments relating to the Maritime Security Fleet program.
- Sec. 3503. Applicability to certain Maritime Administration vessels of limitations on overhaul, repair, and maintenance of vessels in foreign shipyards.
- Sec. 3504. Vessel transfer authority.
- Sec. 3505. United States Merchant Marine Academy graduates: service requirements.
- Sec. 3506. United States Merchant Marine Academy graduates: service obligation performance reporting requirement.
- Sec. 3507. Temporary authority to transfer obsolete combatant vessels to Navy for disposal.
- Sec. 3508. Qualifying Reserve duty for receipt of student incentive payments.
- Sec. 3509. Large passenger ship crew requirements.
- Sec. 3510. Miscellaneous Maritime Administration provisions.

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

Subtitle A—Authorization of Appropriations

101. Army.
102. Navy and Marine Corps.
103. Air Force.
104. Defense-wide activities.

Subtitle B—Army Programs

111. Sense of Congress on future multiyear procurement authority for Family of Medium Tactical Vehicles.
112. Multiyear procurement authority for MH-60R helicopters and mission equipment.
113. Funding profile for Modular Force Initiative of the Army.
114. Bridge to Future Networks program.
115. Comptroller General report on the contract for the Future Combat Systems program.
116. Priority for allocation of replacement equipment to operational units based on combat mission deployment schedule.

Subtitle C—Navy Programs

121. CVN-21 class aircraft carrier procurement.

1 (6) For National Guard Equipment,
2 \$318,000,000.

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

4 (a) NAVY.—Funds are hereby authorized to be appro-
5 priated for fiscal year 2007 for procurement for the Navy
6 as follows:

7 (1) For aircraft, \$10,734,071,000.

8 (2) For weapons, including missiles and tor-
9 pedoes, \$2,549,020,000.

10 (3) For shipbuilding and conversion,
11 \$11,021,553,000.

12 (4) For other procurement, \$4,995,033,000.

13 (b) MARINE CORPS.—Funds are hereby authorized to
14 be appropriated for fiscal year 2007 for procurement for
15 the Marine Corps in the amount of \$1,253,813,000.

16 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds
17 are hereby authorized to be appropriated for fiscal year
18 2007 for procurement of ammunition for the Navy and
19 the Marine Corps in the amount of \$797,943,000.

20 **SEC. 103. AIR FORCE.**

21 Funds are hereby authorized to be appropriated for
22 fiscal year 2007 for procurement for the Air Force as fol-
23 lows:

24 (1) For aircraft, \$12,179,154,000.

25 (2) For ammunition, \$1,072,749,000.

1 (3) For missiles, \$4,171,886,000.

2 (4) For other procurement, \$15,443,286,000.

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

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2007 for Defense-wide procurement in the
6 amount of \$2,886,361,000.

7 **Subtitle B—Army Programs**

8 **SEC. 111. SENSE OF CONGRESS ON FUTURE MULTIYEAR**
9 **PROCUREMENT AUTHORITY FOR FAMILY OF**
10 **MEDIUM TACTICAL VEHICLES.**

11 (a) **FUTURE ACQUISITION STRATEGY.**—It is the
12 sense of Congress that, as part of the Army's planning,
13 programming, and budgeting process for fiscal year 2008,
14 the Secretary of the Army should request from Congress
15 authority by law to enter into a multiyear procurement
16 (MYP) contract for the Family of Medium Tactical Vehi-
17 cles (FMTV) program and that, in support of such re-
18 quest, the Secretary should submit to Congress the nec-
19 essary justification materials required by law to justify a
20 multiyear procurement (MYP) contract, including the ma-
21 terial required by section 2306b of title 10, United States
22 Code.

23 (b) **INCORPORATION OF PRODUCT IMPROVEMENTS.**—
24 It is the sense of Congress that any proposal by the Sec-
25 retary of the Army for multiyear procurement authority

1 for procurement of vehicles under the Family of Medium
2 Tactical Vehicles program should provide for incorpora-
3 tion into the vehicles to be procured through such author-
4 ity of improvements from—

5 (1) lessons learned from operations involving
6 the Global War on Terrorism; and

7 (2) product improvement programs carried out
8 for the Family of Medium Tactical Vehicles program
9 in the areas of force protection, survivability, reli-
10 ability, network communications, situational aware-
11 ness, and safety.

12 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR MH-**
13 **60R HELICOPTERS AND MISSION EQUIPMENT.**

14 (a) MH-60R HELICOPTER.—Subject to subsection
15 (c), the Secretary of the Army, acting as executive agent
16 for the Department of the Navy, may enter into a
17 multiyear contract for the procurement of MH-60R heli-
18 copters.

19 (b) MH-60R HELICOPTER MISSION EQUIPMENT.—
20 Subject to subsection (c), the Secretary of the Navy may
21 enter into a multiyear contract for the procurement of
22 MH-60R helicopter mission equipment for the helicopters
23 covered by a multiyear contract under subsection (a).

24 (c) CONTRACT REQUIREMENTS.—Any multiyear con-
25 tract under this section—

1 (1) shall be entered into in accordance with sec-
2 tion 2306b of title 10, United States Code, and shall
3 commence with the fiscal year 2007 program year;
4 and

5 (2) shall provide that any obligation of the
6 United States to make a payment under the contract
7 is subject to the availability of appropriations for
8 that purpose.

9 **SEC. 113. FUNDING PROFILE FOR MODULAR FORCE INITIA-**
10 **TIVE OF THE ARMY.**

11 The Secretary of the Army shall set forth in the
12 budget presentation materials of the Army submitted to
13 Congress in support of the President's budget for any fis-
14 cal year after fiscal year 2007, and in other relevant mate-
15 rials submitted to Congress with respect to the budget of
16 the Army for any such fiscal year, all amounts for procure-
17 ment for the M1A2 Abrams tank System Enhancement
18 Program (SEP) and for the Bradley A3 fighting vehicle
19 as elements within the amounts requested for the Modular
20 Force Initiative of the Army, in accordance with the report
21 of the Army titled "The Army Modular Force Initiative",
22 submitted to Congress in March 2006.

23 **SEC. 114. BRIDGE TO FUTURE NETWORKS PROGRAM.**

24 (a) LIMITATION ON FISCAL YEAR 2007 AMOUNT.—
25 Of the amount authorized to be appropriated for the Army

1 for fiscal year 2007 for Other Procurement, Army, that
2 is available for the program of the Army designated as
3 the Bridge to Future Networks, not more than 75 percent
4 shall be made available for obligation until the Secretary
5 of the Army submits to the congressional defense commit-
6 tees a report on that program that includes the matters
7 specified in subsection (b).

8 (b) MATTERS TO BE INCLUDED.—The report under
9 subsection (a) shall include the following:

10 (1) An analysis of how the systems specified in
11 subsection (c) will fit together, including, for each
12 such system, an analysis of whether there are oppor-
13 tunities to leverage technologies and equipment from
14 that system as part of the development of the other
15 systems.

16 (2) A description of the extent to which compo-
17 nents of the systems specified in subsection (c) could
18 be used together as elements of a single tactical net-
19 work.

20 (3) A description of the strategy of the Army
21 for completing the systems engineering necessary to
22 ensure the end-to-end interoperability of a single
23 tactical network referred to in paragraph (2).

24 (4) An assessment of the costs of acquiring
25 each of the systems specified in subsection (c).

1 (5) An assessment of the technical compatibility
2 of the systems specified in subsection (c).

3 (6) A description of the plans of the Army for
4 fielding the systems specified in subsection (c).

5 (7) A description of the plans of the Army for
6 sustaining the Joint Network Node through fiscal
7 year 2020 and an assessment of the need to upgrade
8 its technologies and equipment.

9 (8) A description of the plans of the Army for
10 the insertion of new technology into the Joint Net-
11 work Node.

12 (c) SPECIFIED SYSTEMS.—The systems referred to in
13 subsection (b) are as follows:

14 (1) The Joint Network Node (JNN) element of
15 the Bridge to Future Networks program.

16 (2) The Warfighter Information Network-Tac-
17 tical (WIN-T) program.

18 (3) The Mounted Battle Command On-the-
19 Move (MBCOTM) system.

20 **SEC. 115. COMPTROLLER GENERAL REPORT ON THE CON-**
21 **TRACT FOR THE FUTURE COMBAT SYSTEMS**
22 **PROGRAM.**

23 (a) REPORT REQUIRED.—Not later than March 15,
24 2007, the Comptroller General of the United States shall
25 submit to the congressional defense committees a report

1 on the participation and activities of the lead systems inte-
2 grator in the Future Combat Systems (FCS) program
3 under the contract of the Army for the Future Combat
4 Systems.

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

7 (1) A description of the responsibilities of the
8 lead systems integrator in managing the Future
9 Combat Systems program under the contract for the
10 Future Combat Systems, and an assessment of the
11 manner in which such responsibilities differ from the
12 typical responsibilities of a lead systems integrator
13 under acquisition contracts of the Department of
14 Defense.

15 (2) A description and assessment of the respon-
16 sibilities of the Army in managing the Future Com-
17 bat Systems program, including oversight of the ac-
18 tivities of the lead systems integrator and the deci-
19 sions made by the lead systems integrator.

20 (3) An assessment of the manner in which the
21 Army—

22 (A) ensures that the lead systems inte-
23 grator meets goals for the Future Combat Sys-
24 tems in a timely manner; and

1 (B) evaluates the extent to which such
2 goals are met.

3 (4) An identification of the mechanisms in place
4 to ensure the protection of the interests of the
5 United States in the Future Combat Systems pro-
6 gram.

7 (5) An identification of the mechanisms in place
8 to mitigate organizational conflicts of interest with
9 respect to competition on Future Combat Systems
10 technologies and equipment under subcontracts
11 under the Future Combat Systems program.

12 **SEC. 116. PRIORITY FOR ALLOCATION OF REPLACEMENT**
13 **EQUIPMENT TO OPERATIONAL UNITS BASED**
14 **ON COMBAT MISSION DEPLOYMENT SCHED-**
15 **ULE.**

16 The Secretary of Defense shall ensure that priority
17 for the distribution of new and combat-serviceable replace-
18 ment equipment acquired using funds authorized to be ap-
19 propriated by this title (together with associated support
20 and test equipment) is given to operational units (regard-
21 less of component) based on combat mission deployment
22 schedule.

1 **Subtitle C—Navy Programs**

2 **SEC. 121. CVN-21 CLASS AIRCRAFT CARRIER PROCURE-**
3 **MENT.**

4 (a) CONTRACT AUTHORITY FOR CONSTRUCTION.—In
5 the fiscal year immediately following the last fiscal year
6 of the contract for advance procurement for a CVN-21
7 class aircraft carrier designated CVN-78, CVN-79, or
8 CVN-80, as applicable, the Secretary may enter into a
9 contract for the construction of such aircraft carrier to
10 be funded in the fiscal year of such contract for construc-
11 tion and the succeeding three fiscal years.

12 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-
13 MENTS.—A contract entered into under subsection (a)
14 shall provide that any obligation of the United States to
15 make a payment under the contract for any subsequent
16 fiscal year is subject to the availability of appropriations
17 for that purpose for such subsequent fiscal year.

18 (c) REPEAL OF SUPERCEDED PROVISION.—Section
19 128 of the National Defense Authorization Act for Fiscal
20 Year 2006 (Public Law 109-163; 119 Stat. 3159) is re-
21 pealed.

22 **SEC. 122. ADHERENCE TO NAVY COST ESTIMATES FOR**
23 **CVN-21 CLASS OF AIRCRAFT CARRIERS.**

24 (a) LIMITATION.—

1 (1) LEAD SHIP.—The total amount obligated or
2 expended from funds appropriated or otherwise
3 made available for Shipbuilding and Conversion,
4 Navy, or for any other procurement account, for the
5 aircraft carrier designated as CVN-21 may not ex-
6 ceed \$10,500,000,000 (as adjusted pursuant to sub-
7 section (b)).

8 (2) FOLLOW-ON SHIPS.—The total amount obli-
9 gated or expended from funds appropriated or other-
10 wise made available for Shipbuilding and Conver-
11 sion, Navy, or for any other procurement account,
12 for the construction of any ship that is constructed
13 in the CVN-21 class of aircraft carriers after the
14 lead ship of that class may not exceed
15 \$8,100,000,000 (as adjusted pursuant to subsection
16 (b)).

17 (b) ADJUSTMENT OF LIMITATION AMOUNT.—The
18 Secretary of the Navy may adjust the amount set forth
19 in subsection (a) for any ship constructed in the CVN-
20 21 class of aircraft carriers by the following:

21 (1) The amounts of increases or decreases in
22 costs attributable to economic inflation after Sep-
23 tember 30, 2006.

24 (2) The amounts of increases or decreases in
25 costs attributable to compliance with changes in

1 Federal, State, or local laws enacted after Sep-
2 tember 30, 2006.

3 (3) The amounts of outfitting costs and post-
4 delivery costs incurred for that ship.

5 (4) The amounts of increases or decreases in
6 costs of that ship that are attributable to insertion
7 of new technology into that ship, as compared to the
8 technology baseline as it was defined in the approved
9 acquisition program baseline estimate of December
10 2005.

11 (5) The amounts of increases or decreases to
12 nonrecurring design and engineering cost attrib-
13 utable to achieving compliance with the cost limita-
14 tion.

15 (6) The amounts of increases or decreases to
16 cost required to correct deficiencies that may affect
17 the safety of the ship and personnel or otherwise
18 preclude the ship from safe operations and crew cer-
19 tification.

20 (c) LIMITATION ON TECHNOLOGY INSERTION COST
21 ADJUSTMENT.—The Secretary of the Navy may use the
22 authority under paragraph (4) of subsection (b) to adjust
23 the amount set forth in subsection (a) for a ship referred
24 to in that subsection with respect to insertion of new tech-
25 nology into that ship only if—

1 (1) the Secretary determines, and certifies to
2 the congressional defense committees, that insertion
3 of the new technology would lower the life-cycle cost
4 of the ship; or

5 (2) the Secretary determines, and certifies to
6 the congressional defense committees, that insertion
7 of the new technology is required to meet an emerg-
8 ing threat and the Secretary of Defense certifies to
9 those committees that such threat poses grave harm
10 to national security.

11 (d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

12 (1) REQUIREMENT.—The Secretary of the Navy
13 shall submit to the congressional defense committees
14 each year, at the same time that the budget is sub-
15 mitted under section 1105(a) of title 31, United
16 States Code, for the next fiscal year, written notice
17 of any change in the amount set forth in subsection
18 (a) during the preceding fiscal year that the Sec-
19 retary has determined to be associated with a cost
20 referred to in subsection (b).

21 (2) EFFECTIVE DATE.—The requirement in
22 paragraph (1) shall become effective with the budget
23 request for the year of procurement of the first ship
24 referred to in subsection (a).

1 **SEC. 123. MODIFICATION OF LIMITATION ON TOTAL COST**
2 **OF PROCUREMENT OF CVN-77 AIRCRAFT**
3 **CARRIER.**

4 Section 122(f)(1) of the National Defense Authoriza-
5 tion Act for Fiscal Year 1998 (Public Law 105-85; 111
6 Stat. 1650) is amended by striking “\$4,600,000,000 (such
7 amount being the estimated cost for the procurement of
8 the CVN-77 aircraft carrier in the March 1997 procure-
9 ment plan)” and inserting “\$6,057,000,000”.

10 **SEC. 124. CONSTRUCTION OF FIRST TWO VESSELS UNDER**
11 **THE DDG-1000 NEXT-GENERATION DE-**
12 **STROYER PROGRAM.**

13 (a) AVAILABILITY OF FUNDS.—Of the amount au-
14 thorized to be appropriated by section 102(a)(3) for fiscal
15 year 2007 for Shipbuilding and Conversion, Navy,
16 \$2,568,000,000 may be available for the construction of
17 the first two vessels under the DDG-1000 Next-Genera-
18 tion Destroyer program.

19 (b) CONTRACT AUTHORITY.—

20 (1) IN GENERAL.—The Secretary of the Navy
21 may enter into a contract beginning with the fiscal
22 year 2007 program year for procurement of each of
23 the first two vessels under the DDG-1000 Next-
24 Generation Destroyer program.

1 (2) LIMITATION.—Not more than one contract
2 described in paragraph (1) may be awarded under
3 that paragraph to a single shipyard.

4 (3) SPLIT FUNDING AUTHORIZED.—Each con-
5 tract under paragraph (1) shall contemplate funding
6 for the procurement of a vessel under such contract
7 using a combination of funds appropriated for fiscal
8 year 2007 and funds appropriated for fiscal year
9 2008.

10 (4) CONDITION ON OUT-YEAR CONTRACT PAY-
11 MENTS.—A contract entered into under paragraph
12 (1) shall provide that any obligation of the United
13 States to make a payment under such contract for
14 any fiscal year after fiscal year 2007 is subject to
15 the availability of appropriations for that purpose
16 for such fiscal year.

17 (c) SENSE OF CONGRESS ON FUNDING FOR FOLLOW-
18 ON SHIPS.—It is the sense of Congress that there is suffi-
19 cient benefit to authorizing the one-time exception pro-
20 vided in this section to the full funding policy in order
21 to support the competitive procurement of the follow-on
22 ships of the DDG-1000 Next-Generation Destroyer pro-
23 gram. However, it is the expectation of Congress that the
24 Secretary of the Navy will structure the DDG-1000 pro-

1 gram so that each ship, after the first two ships, is pro-
2 cured using the method of full funding in a single year.

3 **SEC. 125. ADHERENCE TO NAVY COST ESTIMATES FOR LHA**
4 **REPLACEMENT AMPHIBIOUS ASSAULT SHIP**
5 **PROGRAM.**

6 (a) LIMITATION.—The total amount obligated or ex-
7 pended from funds appropriated or otherwise made avail-
8 able for Shipbuilding and Conversion, Navy, or for any
9 other procurement account, for procurement of any ship
10 that is constructed under the LHA Replacement
11 (LHA(R)) amphibious assault ship program may not ex-
12 ceed \$2,813,600,000 (as adjusted pursuant to subsection
13 (b)).

14 (b) ADJUSTMENT OF LIMITATION AMOUNT.—The
15 Secretary of the Navy may adjust the amount set forth
16 in subsection (a) for any ship constructed under the LHA
17 Replacement amphibious assault ship program by the fol-
18 lowing:

19 (1) The amounts of increases or decreases in
20 costs attributable to economic inflation after Sep-
21 tember 30, 2006.

22 (2) The amounts of increases or decreases in
23 costs attributable to compliance with changes in
24 Federal, State, or local laws enacted after Sep-
25 tember 30, 2006.

1 (3) The amounts of outfitting costs and post-
2 delivery costs incurred for that ship.

3 (4) The amounts of increases or decreases in
4 costs of that ship that are attributable to insertion
5 of new technology into that ship, as compared to the
6 technology baseline as it was defined at the develop-
7 ment stage referred to as Milestone B.

8 (5) The amounts of increases or decreases to
9 nonrecurring design and engineering cost attrib-
10 utable to achieving compliance with the cost limita-
11 tion.

12 (6) The amounts of increases or decreases to
13 cost required to correct deficiencies that may affect
14 the safety of the ship and personnel or otherwise
15 preclude the ship from safe operations and crew cer-
16 tification.

17 (7) Contract cost adjustments directly attrib-
18 uted to the effect of Hurricane Katrina in August
19 2005 or other force majeure contract modifications.

20 (c) LIMITATION ON TECHNOLOGY INSERTION COST
21 ADJUSTMENT.—The Secretary of the Navy may use the
22 authority under paragraph (4) of subsection (b) to adjust
23 the amount set forth in subsection (a) for a ship referred
24 to in that subsection with respect to insertion of new tech-
25 nology into that ship only if—

1 (1) the Secretary determines, and certifies to
2 the congressional defense committees, that insertion
3 of the new technology would lower the life-cycle cost
4 of the ship; or

5 (2) the Secretary determines, and certifies to
6 the congressional defense committees, that insertion
7 of the new technology is required to meet an emerg-
8 ing threat and the Secretary of Defense certifies to
9 those committees that such threat poses grave harm
10 to national security.

11 (d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

12 (1) REQUIREMENT.—The Secretary of the Navy
13 shall submit to the congressional defense committees
14 each year, at the same time that the budget is sub-
15 mitted under section 1105(a) of title 31, United
16 States Code, for the next fiscal year, written notice
17 of any change in the amount set forth in subsection
18 (a) during the preceding fiscal year that the Sec-
19 retary has determined to be associated with a cost
20 referred to in subsection (b).

21 (2) EFFECTIVE DATE.—The requirement in
22 paragraph (1) shall become effective with the budget
23 request for the year of procurement of the first ship
24 referred to in subsection (a).

1 **SEC. 126. COST LIMITATION FOR SAN ANTONIO (LPD-17)**

2 **CLASS AMPHIBIOUS SHIP PROGRAM.**

3 (a) LIMITATION.—

4 (1) PROCUREMENT COST.—The total amount
5 obligated or expended from funds appropriated or
6 otherwise made available for Shipbuilding and Con-
7 version, Navy, for the San Antonio-class amphibious
8 ships designated as LPD-22, LPD-23, LPD-24,
9 and LPD-25 may not exceed the amount for each
10 such vessel specified in paragraph (2).

11 (2) SPECIFIED COST LIMIT BY VESSEL.—The
12 limitation under this subsection for each vessel spec-
13 ified in paragraph (1) is the following:

14 (A) For the LPD-22 ship, \$1,523,000,000
15 (as adjusted pursuant to subsection (b)).

16 (B) For the LPD-23 ship, \$1,477,000,000
17 (as adjusted pursuant to subsection (b)).

18 (C) For the LPD-24 ship, \$1,633,000,000
19 (as adjusted pursuant to subsection (b)).

20 (D) For the LPD-25 ship, \$1,927,000,000
21 (as adjusted pursuant to subsection (b)).

22 (b) ADJUSTMENT OF LIMITATION AMOUNTS.—The
23 Secretary of the Navy may adjust the amount set forth
24 in subsection (a) for any ship specified in that subsection
25 by the following:

1 (1) The amounts of increases or decreases in
2 costs attributable to economic inflation after Sep-
3 tember 30, 2006.

4 (2) The amounts of increases or decreases in
5 costs attributable to compliance with changes in
6 Federal, State, or local laws enacted after Sep-
7 tember 30, 2006.

8 (3) The amounts of outfitting costs and post-
9 delivery costs incurred for that ship.

10 (4) The amounts of increases or decreases in
11 costs of that ship that are attributable to insertion
12 of new technology into that ship, as compared to the
13 technology built into the U.S.S. San Antonio (LPD-
14 17), the lead ship of the LPD-17 class.

15 (5) Contract cost adjustments directly attrib-
16 uted to the effect of Hurricane Katrina in August
17 2005 or other force majeure contract modifications.

18 (6) The amounts of closeout costs associated
19 with completion of the LPD-17 class program.

20 (c) LIMITATION ON TECHNOLOGY INSERTION COST
21 ADJUSTMENT.—The Secretary of the Navy may use the
22 authority under paragraph (4) of subsection (b) to adjust
23 the amount set forth in subsection (a) for any LPD-17
24 class ship with respect to insertion of new technology into
25 that ship only if—

1 (1) the Secretary determines, and certifies to
2 the congressional defense committees, that insertion
3 of the new technology would lower the life-cycle cost
4 of the ship; or

5 (2) the Secretary determines, and certifies to
6 the congressional defense committees, that insertion
7 of the new technology is required to meet an emerg-
8 ing threat and the Secretary of Defense certifies to
9 those committees that such threat poses grave harm
10 to national security.

11 (d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

12 (1) REQUIREMENT.—The Secretary of the Navy
13 shall submit to the congressional defense committees
14 each year, at the same time that the budget is sub-
15 mitted under section 1105(a) of title 31, United
16 States Code, for the next fiscal year, written notice
17 of any change in the amount set forth in subsection
18 (a) during the preceding fiscal year that the Sec-
19 retary has determined to be associated with a cost
20 referred to in subsection (b).

21 (2) EFFECTIVE DATE.—The requirement in
22 paragraph (1) shall become effective with the budget
23 request for the year of procurement of the first ship
24 referred to in subsection (a).

1 **SEC. 127. MULTIYEAR PROCUREMENT AUTHORITY FOR V-22**
2 **TILTROTOR AIRCRAFT PROGRAM.**

3 The Secretary of the Navy, in accordance with section
4 2306b of title 10, United States Code, and acting as execu-
5 tive agent for the Secretary of the Air Force and the
6 commander of the United States Special Operations Com-
7 mand, may enter into a multiyear contract, beginning with
8 the fiscal year 2008 program year, for procurement of V-
9 22 tiltrotor aircraft.

10 **SEC. 128. ALTERNATIVE TECHNOLOGIES FOR FUTURE SUR-**
11 **FACE COMBATANTS.**

12 (a) FINDINGS.—Congress makes the following find-
13 ings:

14 (1) Securing and maintaining access to afford-
15 able and plentiful sources of energy is a vital na-
16 tional security interest for the United States.

17 (2) The Nation's dependence upon foreign oil is
18 a threat to national security due to the inherently
19 volatile nature of the global oil market and the polit-
20 ical instability of some of the world's largest oil pro-
21 ducing states.

22 (3) Given the recent increase in the cost of
23 crude oil, which cannot realistically be expected to
24 improve over the long term, other energy sources
25 must be seriously considered.

1 (1) The United States Navy must be large
2 enough, agile enough, and lethal enough to deter any
3 threat and defeat any foe.

4 (2) The proliferation of modern nuclear and
5 nonnuclear submarines in the navies of nations
6 around the globe will make undersea superiority a
7 more significant challenge in the future.

8 (3) The unique combination of firepower,
9 stealth, sensors, and communications equipment con-
10 tained in a modern attack submarine make the at-
11 tack submarine a critical component of the Armed
12 Forces of the United States.

13 (4) The report entitled “Report to Congress on
14 Annual Long-Range Plan for Construction of Naval
15 Vessels for fiscal year 2007”, submitted to Congress
16 by the Secretary of the Navy pursuant to section
17 231 of title 10, United States Code—

18 (A) identifies future naval force structure
19 requirements indexed to Department of Defense
20 fiscal year 2020 threat assessments and compli-
21 ant with the Fiscal Year 2006 Quadrennial De-
22 fense Review and, with respect to the attack
23 submarine force, identifies a need for the Navy
24 to maintain a fleet of not less than 48 attack
25 submarines; and

1 (B) projects that the attack submarine
2 force will fall below 48 vessels between 2020
3 and 2032.

4 (b) SENSE OF CONGRESS.—In light of the findings
5 in subsection (a), it is the sense of Congress that the Sec-
6 retary of the Navy should take all reasonable effort to ac-
7 celerate the construction of Virginia Class submarines to
8 maintain the attack submarine force structure at not less
9 than 48 submarines and (if the number of attack sub-
10 marines should fall below 48), to minimize the period the
11 attack submarine force remains below 48 vessels.

12 **SEC. 130. QUALITY CONTROL IN PROCUREMENT OF SHIP**
13 **CRITICAL SAFETY ITEMS AND RELATED**
14 **SERVICES.**

15 (a) QUALITY CONTROL POLICY.—The Secretary of
16 Defense shall prescribe in regulations a quality control
17 policy for the procurement of the following:

- 18 (1) Ship critical safety items.
19 (2) Modifications, repair, and overhaul of ship
20 critical safety items.

21 (b) ELEMENTS.—The policy required under sub-
22 section (a) shall include requirements as follows:

- 23 (1) That the head of the design control activity
24 for ship critical safety items establish processes to

1 identify and manage the procurement, modification,
2 repair, and overhaul of such items.

3 (2) That the head of the contracting activity for
4 a ship critical safety item enter into a contract for
5 the procurement, modification, repair, or overhaul of
6 such item only with a source on a qualified manufac-
7 turers list or a source approved by the design control
8 activity in accordance with section 2319 of title 10,
9 United States Code (as amended by subsection (d)).

10 (3) That the ship critical safety items delivered,
11 and the services performed with respect to such
12 items, meet all technical and quality requirements
13 specified by the design control activity.

14 (c) DEFINITIONS.—In this section, the terms “ship
15 critical safety item” and “design control activity” have the
16 meanings given such terms in subsection (g) of 2319 of
17 title 10, United States Code (as so amended).

18 (d) CONFORMING AMENDMENTS.—Section 2319 of
19 title 10, United States Code, is amended—

20 (1) in subsection (c)(3), by inserting “or ship
21 critical safety item” after “aviation critical safety
22 item”; and

23 (2) in subsection (g)—

24 (A) by redesignating paragraph (2) as
25 paragraph (3);

1 (B) by inserting after paragraph (1) the
2 following new paragraph (2):

3 “(2) The term ‘ship critical safety item’ means
4 any ship part, assembly, or support equipment con-
5 taining a characteristic the failure, malfunction, or
6 absence of which could cause a catastrophic or crit-
7 ical failure resulting in loss of or serious damage to
8 the ship or unacceptable risk of personal injury or
9 loss of life.”; and

10 (C) in paragraph (3), as so redesignated—

11 (i) by inserting “or ship critical safety
12 item” after “aviation critical safety item”;

13 (ii) by inserting “, or the seaworthi-
14 ness of a ship or ship equipment,” after
15 “equipment”; and

16 (iii) by striking “the item” and insert-
17 ing “such item”.

18 **Subtitle D—Air Force Programs**

19 **SEC. 131. BOMBER FORCE STRUCTURE.**

20 (a) REQUIREMENT FOR B-52 FORCE STRUCTURE.—

21 (1) RETIREMENT LIMITATION.—During the B-
22 52 retirement limitation period, the Secretary of the
23 Air Force—

24 (A) may not retire more than 18 B-52 air-
25 craft; and

1 (B) shall maintain not less than 44 such
2 aircraft as combat-coded aircraft.

3 (2) B-52 RETIREMENT LIMITATION PERIOD.—

4 For purposes of paragraph (1), the B-52 retirement
5 limitation period is the period beginning on the date
6 of the enactment of this Act and ending on the date
7 that is the earlier of—

8 (A) January 1, 2018; and

9 (B) the date as of which a long-range
10 strike replacement aircraft with equal or great-
11 er capability than the B-52H model aircraft has
12 attained initial operational capability status.

13 (b) LIMITATION ON RETIREMENT PENDING REPORT
14 ON BOMBER FORCE STRUCTURE.—

15 (1) LIMITATION.—No funds authorized to be
16 appropriated for the Department of Defense may be
17 obligated or expended for retiring any of the 93 B-
18 52H bomber aircraft in service in the Air Force as
19 of the date of the enactment of this Act until 45
20 days after the date on which the Secretary of the Air
21 Force submits the report specified in paragraph (2).

22 (2) REPORT.—A report specified in this sub-
23 section is a report submitted by the Secretary of the
24 Air Force to the Committees on Armed Services of
25 the Senate and the House of Representatives on the

1 amount and type of bomber force structure of the
2 Air Force, including the matters specified in para-
3 graph (4).

4 (3) AMOUNT AND TYPE OF BOMBER FORCE
5 STRUCTURE DEFINED.—In this subsection, the term
6 “amount and type of bomber force structure” means
7 the number of each of the following types of aircraft
8 that are required to carry out the national security
9 strategy of the United States:

10 (A) B-2 bomber aircraft.

11 (B) B-52H bomber aircraft.

12 (C) B-1 bomber aircraft.

13 (4) MATTER TO BE INCLUDED.—A report
14 under paragraph (2) shall include the following:

15 (A) The plan of the Secretary of the Air
16 Force for the modernization of the B-52, B-1,
17 and B-2 bomber aircraft fleets.

18 (B) The amount and type of bomber force
19 structure for the conventional mission and stra-
20 tegic nuclear mission in executing two overlap-
21 ping “swift defeat” campaigns.

22 (C) A justification of the cost and pro-
23 jected savings of any reductions to the B-52H
24 bomber aircraft fleet as a result of the retire-

1 ment of the B-52H bomber aircraft covered by
2 the report.

3 (D) The life expectancy of each bomber
4 aircraft to remain in the bomber force struc-
5 ture.

6 (E) The capabilities of the bomber force
7 structure that would be replaced, augmented, or
8 superseded by any new bomber aircraft.

9 (5) PREPARATION OF REPORT.—A report under
10 paragraph (2) shall be prepared by the Institute for
11 Defense Analyses and submitted to the Secretary of
12 the Air Force for submittal by the Secretary in ac-
13 cordance with that paragraph.

14 **SEC. 132. STRATEGIC AIRLIFT FORCE STRUCTURE.**

15 Section 8062 of title 10, United States Code, is
16 amended by adding at the end the following new sub-
17 section:

18 “(g)(1) Effective October 1, 2008, the Secretary of
19 the Air Force shall maintain a total aircraft inventory of
20 strategic airlift aircraft of not less than 299 aircraft.

21 “(2) In this subsection:

22 “(A) The term ‘strategic airlift aircraft’ means
23 an aircraft—

24 “(i) that has a cargo capacity of at least
25 150,000 pounds; and

1 “(ii) that is capable of transporting out-
2 sized cargo an unrefueled range of at least
3 2,400 nautical miles.

4 “(B) The term ‘outsized cargo’ means any sin-
5 gle item of equipment that exceeds 1,090 inches in
6 length, 117 inches in width, or 105 inches in
7 height.”.

8 **SEC. 133. LIMITATION ON RETIREMENT OF U-2 AIRCRAFT.**

9 (a) FISCAL YEAR 2007.— The Secretary of the Air
10 Force may not retire any U-2 aircraft of the Air Force
11 in fiscal year 2007.

12 (b) YEARS AFTER FISCAL YEAR 2007.—

13 (1) CERTIFICATION REQUIRED.—After fiscal
14 year 2007, the Secretary of the Air Force may retire
15 a U-2 aircraft only if the Secretary of Defense cer-
16 tifies to Congress that the intelligence, surveillance,
17 and reconnaissance (ISR) capabilities provided by
18 the U-2 aircraft no longer contribute to mitigating
19 any gaps in intelligence, surveillance, and reconnais-
20 sance capabilities identified in the 2006 Quadrennial
21 Defense Review.

22 (2) LIMITATIONS.—No action may be taken by
23 the Department of Defense to retire (or to prepare
24 to retire) any U-2 aircraft before a certification
25 specified in paragraph (1) is submitted to Congress.

1 If such a certification is submitted, no such action
2 may be taken until after the end of the 60-day pe-
3 riod beginning on the date on which the certification
4 is submitted.

5 **SEC. 134. MULTIYEAR PROCUREMENT AUTHORITY FOR F-**
6 **22A RAPTOR FIGHTER AIRCRAFT.**

7 (a) PROHIBITION ON USE OF INCREMENTAL FUND-
8 ING.—The Secretary of the Air Force may not use incre-
9 mental funding for the procurement of F-22A aircraft.

10 (b) MULTIYEAR AUTHORITY.—The Secretary of the
11 Air Force may enter into a multiyear contract for the pro-
12 curement of up to 60 F-22A Raptor fighter aircraft begin-
13 ning with the 2007 program year.

14 (c) COMPLIANCE WITH LAW APPLICABLE TO
15 MULTIYEAR CONTRACTS.—A contract under subsection
16 (b) for the procurement of F-22A aircraft shall be entered
17 into in accordance with section 2306b of title 10, United
18 States Code, except that, notwithstanding subsection (k)
19 of that section, such a contract may not be for a period
20 in excess of three program years.

21 (d) SECRETARY OF DEFENSE CERTIFICATION.—In
22 the case of a contract under subsection (b) for the pro-
23 curement of F-22A aircraft, a certification under sub-
24 section (i)(1)(A) of section 2306b of title 10, United
25 States Code, with respect to that contract may only be

1 submitted if the certification includes an additional certifi-
2 cation by the Secretary that each of the conditions speci-
3 fied in subsection (a) of that section has been satisfied
4 with respect to that contract, as follows:

5 (1) That the use of such contract will result in
6 substantial savings of the total anticipated costs of
7 carrying out the program through annual contracts.

8 (2) That the minimum need for the property to
9 be purchased is expected to remain substantially un-
10 changed during the contemplated contract period in
11 terms of production rate, procurement rate, and
12 total quantities.

13 (3) That there is a reasonable expectation that
14 throughout the contemplated contract period the
15 Secretary of the Air Force will request funding for
16 the contract at the level required to avoid contract
17 cancellation.

18 (4) That there is a stable design for the prop-
19 erty to be acquired and that the technical risks asso-
20 ciated with such property are not excessive.

21 (5) That the estimates of both the cost of the
22 contract and the anticipated cost avoidance through
23 the use of a multiyear contract are realistic.

24 (6) That the use of such contract will promote
25 the national security of the United States.

1 In certifying that the cost savings are substantial, the Sec-
2 retary shall duly consider the historical cost savings that
3 led to a decision to proceed with a multiyear procurement
4 contract under section 2306b of title 10, United States
5 Code, in the case of previous aviation-related multiyear
6 contracts authorized by law dating back to fiscal year
7 1982.

8 (e) FFRDC COST REPORT.—The Secretary of De-
9 fense shall provide for a federally funded research and de-
10 velopment center (other than the Institute for Defense
11 Analyses) to report on the cost estimates for a three year,
12 60-aircraft, F-22A multiyear procurement program, be-
13 ginning in fiscal year 2007, compared to a corresponding
14 annual procurement program.

15 (f) NOTICE-AND-WAIT REQUIREMENT.—Upon sub-
16 mission to Congress of a certification referred to in sub-
17 section (d) with respect to a proposed contract under sub-
18 section (b) for the procurement of F-22A aircraft and the
19 Secretary's submission to the congressional defense com-
20 mittees of the report referred to in subsection (e), the con-
21 tract may then be entered into only after the end of the
22 30-day period beginning on the later of the date of the
23 submission of the certification or the date of the submis-
24 sion of the report.

1 **SEC. 135. LIMITATION ON RETIREMENT OF KC-135E AIR-**
2 **CRAFT DURING FISCAL YEAR 2007.**

3 (a) LIMITATION.—The number of KC-135E aircraft
4 retired by the Secretary of the Air Force during fiscal year
5 2007 may not exceed 29.

6 (b) TREATMENT OF RETIRED AIRCRAFT.—The Sec-
7 retary of the Air Force shall maintain each KC-135E air-
8 craft that is retired by the Secretary after September 30,
9 2006, in a condition that would allow recall of that aircraft
10 to future service in the Air Force Reserve, Air National
11 Guard, or active forces aerial refueling force structure.

12 **SEC. 136. LIMITATION ON RETIREMENT OF F-117A AIR-**
13 **CRAFT DURING FISCAL YEAR 2007.**

14 (a) LIMITATION.—The number of F-117A aircraft re-
15 tired by the Secretary of the Air Force during fiscal year
16 2007 may not exceed 10.

17 (b) TREATMENT OF RETIRED AIRCRAFT.—The Sec-
18 retary of the Air Force shall maintain each F-117A air-
19 craft that is retired by the Secretary after September 30,
20 2006, in a condition that would allow recall of that aircraft
21 to future service.

22 **SEC. 137. LIMITATION ON RETIREMENT OF C-130E TAC-**
23 **TICAL AIRLIFT AIRCRAFT.**

24 (a) LIMITATION.—The number of C-130E tactical
25 airlift aircraft retired by the Secretary of the Air Force
26 during fiscal year 2007 may not exceed 51.

1 (b) TREATMENT OF RETIRED AIRCRAFT.—The Sec-
2 retary of the Air Force shall maintain each C-130E tac-
3 tical airlift aircraft that is retired by the Secretary after
4 September 30, 2006, in a condition that would allow recall
5 of that aircraft to future service.

6 **SEC. 138. PROCUREMENT OF JOINT PRIMARY AIRCRAFT**
7 **TRAINING SYSTEM AIRCRAFT AFTER FISCAL**
8 **YEAR 2006.**

9 Any Joint Primary Aircraft Training System
10 (JPATS) aircraft procured after fiscal year 2006 shall be
11 procured through a contract under part 15 of the Federal
12 Acquisition Regulation (FAR), relating to acquisition of
13 items by negotiated contract (48 C.F.R. 15.000 et seq.),
14 rather than through a contract under part 12 of the Fed-
15 eral Acquisition Regulation, relating to acquisition of com-
16 mercial items (48 C.F.R. 12.000 et seq.).

17 **SEC. 139. MINUTEMAN III INTERCONTINENTAL BALLISTIC**
18 **MISSILE MODERNIZATION.**

19 (a) MODERNIZATION OF INTERCONTINENTAL BAL-
20 LISTIC MISSILES REQUIRED.—The Secretary of the Air
21 Force shall modernize Minuteman III intercontinental bal-
22 listic missiles in the United States inventory as required
23 to maintain a sufficient supply of launch test assets and
24 spares to sustain the deployed force of such missiles
25 through 2030.

1 (b) LIMITATION ON TERMINATION OF MODERNIZA-
2 TION PROGRAMS PENDING REPORT.—

3 (1) LIMITATION.—No funds authorized to be
4 appropriated for the Department of Defense may be
5 obligated or expended for the termination of any
6 ICBM modernization program with respect to the
7 Minuteman III intercontinental ballistic missile sys-
8 tem, or for the withdrawal of any Minuteman III
9 intercontinental ballistic missile from the active
10 force, until 30 days after the date on which the Sec-
11 retary of Defense submits to the congressional de-
12 fense committees a report described in subsection
13 (c).

14 (2) ICBM MODERNIZATION PROGRAM DE-
15 FINED.—In this subsection, the term “ICBM Mod-
16 ernization program” means each of the following:

17 (A) The Guidance Replacement Program
18 (GRP).

19 (B) The Propulsion Replacement Program
20 (PRP).

21 (C) The Propulsion System Rocket Engine
22 (PSRE) program.

23 (D) The Safety Enhanced Reentry Vehicle
24 (SERV) program.

1 (c) REPORT ELEMENTS.—A report under subsection
2 (b)(1) is a report setting forth the following:

3 (1) A detailed strategic justification for the pro-
4 posal to reduce the Minuteman III intercontinental
5 ballistic missile force from 500 to 450 missiles, in-
6 cluding an analysis of the effects of the reduction on
7 the ability of the United States to assure allies and
8 dissuade potential competitors.

9 (2) A detailed analysis of the strategic ramifica-
10 tions of continuing to equip a portion of the Minute-
11 man III missile force with multiple independent war-
12 heads rather than single warheads.

13 (3) An assessment of the test assets and spares
14 required to maintain a force of 500 deployed Min-
15 uteman III missiles through 2030.

16 (4) An assessment of the test assets and spares
17 required to maintain a force of 450 deployed Min-
18 uteman III missiles through 2030.

19 (5) An inventory of currently available Minute-
20 man III missile test assets and spares.

21 (6) A plan to sustain and complete the mod-
22 ernization of all deployed and spare Minuteman III
23 missiles, a test plan, and an analysis of the funding
24 required to carry out modernization of all deployed
25 and spare Minuteman III missiles.

1 “(b) EXCEPTION FOR EXISTING SYSTEMS.—The lim-
2 itation in subsection (a) does not apply with respect to
3 an unmanned aerial vehicle (UAV) system (or any compo-
4 nent or other item of associated equipment of any such
5 system described in subsection (a)) if as of January 6,
6 2006—

7 “(1) the system (or component or item of asso-
8 ciated equipment) to be procured is otherwise under
9 contract or has previously been procured by the De-
10 partment; or

11 “(2) funds have been appropriated but not yet
12 obligated for the system (or component or item of
13 associated equipment) .”.

14 **TITLE II—RESEARCH, DEVELOP-**
15 **MENT, TEST, AND EVALUA-**
16 **TION**

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Acquisition of, and independent cost analyses for, the Joint Strike
Fighter propulsion system.

Sec. 212. Expansion and extension of authority to award prizes for advanced
technology achievements.

Sec. 213. Defense Acquisition Challenge Program extension, enhancement, and
modification to address critical cost growth threshold breaches
in major defense acquisition programs.

Sec. 214. Future Combat Systems milestone review.

Sec. 215. Dedicated amounts for implementing or evaluating Navy shipbuilding
technology proposals under Defense Acquisition Challenge Pro-
gram.

Sec. 216. Independent estimate of costs of the Future Combat Systems.

Sec. 217. Funding of defense science and technology programs.

Sec. 218. Hypersonics development.

Sec. 219. Report on program for replacement of nuclear warheads on certain Trident sea-launched ballistic missiles with conventional warheads.

Subtitle C—Missile Defense Programs

- Sec. 221. Fielding of ballistic missile defense capabilities.
Sec. 222. Limitation on use of funds for space-based interceptor.
Sec. 223. Policy of the United States on priorities in the development, testing, and fielding of missile defense capabilities.
Sec. 224. One-year extension of Comptroller General assessments of ballistic missile defense programs.
Sec. 225. Submittal of plans for test and evaluation of the operational capability of the Ballistic Missile Defense System.
Sec. 226. Annual reports on transition of ballistic missile defense programs to the military departments.

Subtitle D—Other Matters

- Sec. 231. Policies and practices on test and evaluation to address emerging acquisition approaches.
Sec. 232. Extension of requirement for Global Research Watch Program.
Sec. 233. Sense of Congress on technology sharing of Joint Strike Fighter technology.
Sec. 234. Report on vehicle-based active protection systems for certain battlefield threats.

1 **Subtitle A—Authorization of**
2 **Appropriations**

3 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2007 for the use of the Department of Defense
6 for research, development, test, and evaluation as follows:

7 (1) For the Army, \$10,876,609,000.

8 (2) For the Navy, \$17,383,857,000.

9 (3) For the Air Force, \$24,235,951,000.

10 (4) For Defense-wide activities,
11 \$21,111,559,000, of which \$181,520,000 is author-
12 ized for the Director of Operational Test and Eval-
13 uation.

1 **SEC. 202. AMOUNT FOR DEFENSE SCIENCE AND TECH-**
2 **NOLOGY.**

3 (a) FISCAL YEAR 2007.—Of the amounts authorized
4 to be appropriated by section 201, \$11,662,554,000 shall
5 be available for the Defense Science and Technology Pro-
6 gram, including basic research, applied research, and ad-
7 vanced technology development projects.

8 (b) BASIC RESEARCH, APPLIED RESEARCH, AND AD-
9 VANCED TECHNOLOGY DEVELOPMENT DEFINED.—For
10 purposes of this section, the term “basic research, applied
11 research, and advanced technology development” means
12 work funded in program elements for defense research and
13 development under Department of Defense budget activity
14 1, 2, or 3.

15 **Subtitle B—Program Require-**
16 **ments, Restrictions, and Limita-**
17 **tions**

18 **SEC. 211. ACQUISITION OF, AND INDEPENDENT COST ANAL-**
19 **YSES FOR, THE JOINT STRIKE FIGHTER PRO-**
20 **PULSION SYSTEM.**

21 (a) ACQUISITION.—

22 (1) IN GENERAL.—The Secretary of Defense
23 shall provide for the development and procurement
24 of the propulsion system for the Joint Strike Fighter
25 aircraft through the continued development and
26 sustainment of two interchangeable propulsion sys-

1 tems for that aircraft by two separate contractors
2 throughout the life cycle of the aircraft.

3 (2) MODIFICATIONS PROHIBITED.—Except as
4 provided by paragraph (3), the Secretary may not
5 carry out any modification to the acquisition pro-
6 gram for the Joint Strike Fighter aircraft that
7 would result in the development or procurement of
8 the propulsion system for that aircraft in a manner
9 other than that required by paragraph (1).

10 (3) MODIFICATIONS ALLOWED.—Notwith-
11 standing paragraph (1), a modification described in
12 paragraph (2) may be carried out to the extent that
13 each of the following requirements is met:

14 (A) The Secretary of Defense has notified
15 the congressional defense committees of the
16 modification.

17 (B) Each of the reports required by sub-
18 section (b) has been submitted.

19 (C) Funds are appropriated for that pur-
20 pose pursuant to an authorization of appropria-
21 tions.

22 (b) INDEPENDENT COST ANALYSES.—

23 (1) IN GENERAL.—A comprehensive and de-
24 tailed cost analysis of the Joint Strike Fighter en-

1 engine program shall be independently performed by
2 each of the following:

3 (A) The Comptroller General.

4 (B) A federally funded research and devel-
5 opment center selected by the Secretary of De-
6 fense.

7 (C) The Secretary of Defense, acting
8 through the Cost Analysis Improvement Group
9 of the Office of the Secretary of Defense.

10 (2) MATTERS COVERED.—Each such cost anal-
11 ysis shall cover—

12 (A) an alternative under which the Joint
13 Strike Fighter aircraft is capable of using the
14 F135 engine only;

15 (B) an alternative under which the pro-
16 gram executes a one-time firm-fixed price con-
17 tract for a selected propulsion system for the
18 Joint Strike Fighter aircraft for the life cycle of
19 the aircraft following the Initial Service Release
20 of the propulsion system in fiscal year 2008;

21 (C) an alternative under which the Joint
22 Strike Fighter aircraft is capable of using ei-
23 ther the F135 engine or the F136 engine, and
24 the engine selection is carried out on a competi-
25 tive basis; and

1 (D) any other alternative, whether com-
2 petitive or sole source, that would reduce total
3 life-cycle cost, improve program schedule, or
4 both.

5 (3) REPORTS.—Not later than March 15, 2007,
6 the Secretary of Defense, the Comptroller General,
7 and the chief executive officer of the federally fund-
8 ed research and development center selected under
9 paragraph (1)(B) shall independently submit to the
10 congressional defense committees a report on the
11 cost analysis carried out under paragraph (1). Each
12 such report shall include each of the following mat-
13 ters:

14 (A) The key assumptions used in carrying
15 out the cost analysis.

16 (B) The methodology and techniques used
17 in carrying out the cost analysis.

18 (C) For each alternative required by para-
19 graph (2)—

20 (i) a comparison of the life-cycle costs,
21 including costs in current and constant
22 dollars and a net-present-value analysis;

23 (ii) estimates of—

1 (I) supply, maintenance, and
2 other operations manpower required
3 to support the alternative;

4 (II) the number of flight hours
5 required to achieve engine maturity
6 and the year in which that is expected
7 to be achieved; and

8 (III) the total number of engines
9 expected to be procured over the life-
10 time of the Joint Strike Fighter pro-
11 gram; and

12 (iii) an evaluation of benefits, other
13 than cost, provided by competition, to in-
14 clude an assessment of improved perform-
15 ance, operational readiness and
16 warfighting capability, risk reduction, tech-
17 nology innovation, and contractor respon-
18 siveness.

19 (D) A description of the acquisition strate-
20 gies (including development and production)
21 that were used for, and experience with respect
22 to cost, schedule, and performance under, past
23 acquisition programs for engines for tactical
24 fighter aircraft, including the F-15, F-16, F-
25 18, and F-22 aircraft.

1 (E) A comparison of the experiences under
2 past acquisition programs carried out on a sole-
3 source basis with respect to performance, sav-
4 ings, maintainability, reliability, and technical
5 innovation.

6 (F) The impact that canceling the F136
7 competitive engine would have on the high-per-
8 formance military engine industrial base, and
9 on the Department of Defense's ability to make
10 competitive engine choices for future combat
11 aircraft systems beyond the Joint Strike Fight-
12 er.

13 (G) Conclusions and recommendations.

14 (4) CERTIFICATIONS.—In submitting the report
15 required by paragraph (3), the Comptroller General
16 and the chief executive officer of the federally fund-
17 ed research and development center shall also sub-
18 mit a certification as to whether the Secretary of
19 Defense provided access to sufficient information to
20 enable the Comptroller General or the chief executive
21 officer, as the case may be, to make informed judg-
22 ments on the matters required to be included in the
23 report.

24 (c) LIFE-CYCLE COSTS DEFINED.—In this section,
25 the term “life-cycle costs” includes—

1 (1) those elements of cost that would be consid-
2 ered for a life-cycle cost analysis for a major defense
3 acquisition program, including procurement of en-
4 gines, procurement of spare engines, and procure-
5 ment of engine components and parts; and

6 (2) good-faith estimates of routine engine costs
7 (such as performance upgrades and component im-
8 provement) that historically have occurred in tactical
9 fighter engine programs.

10 **SEC. 212. EXPANSION AND EXTENSION OF AUTHORITY TO**
11 **AWARD PRIZES FOR ADVANCED TECH-**
12 **NOLOGY ACHIEVEMENTS.**

13 (a) EXPANSION.—

14 (1) IN GENERAL.—Subsection (a) of section
15 2374a of title 10, United States Code, is amended—

16 (A) by striking “Director of the Defense
17 Advanced Research Projects Agency” and in-
18 serting “Director of Defense Research and En-
19 gineering and the service acquisition executive
20 for each military department”; and

21 (B) by striking “a program” and inserting
22 “programs”.

23 (2) CONFORMING AMENDMENTS.—Such section
24 is further amended—

1 (A) in subsection (b), by striking “The
2 program” and inserting “Each program”; and

3 (B) in subsection (d)—

4 (i) by striking “The program” and in-
5 sserting “A program”; and

6 (ii) by striking “the Director” and in-
7 sserting “an official referred to in that sub-
8 section”.

9 (b) EXTENSION.—Subsection (f) of such section is
10 amended by striking “September 30, 2007” and inserting
11 “September 30, 2010”.

12 (c) MODIFICATION OF REPORTING REQUIREMENT.—
13 Subsection (e) of such section is amended to read as fol-
14 lows:

15 “(e) ANNUAL REPORT.—

16 “(1) IN GENERAL.—Not later than March 1 of
17 each year, the Secretary shall submit to the Com-
18 mittee on Armed Services of the Senate and the
19 Committee on Armed Services of the House of Rep-
20 resentatives a report on the activities carried out
21 during the preceding fiscal year under the authority
22 in subsection (a).

23 “(2) INFORMATION INCLUDED.—The report for
24 a fiscal year under this subsection shall include, for
25 each program under subsection (a), the following:

1 “(A) A description of the proposed goals of
2 the competitions established under the program,
3 including the areas of research, technology de-
4 velopment, or prototype development to be pro-
5 moted by such competitions and the relation-
6 ship of such areas to the military missions of
7 the Department of Defense.

8 “(B) An analysis of why the utilization of
9 the authority in subsection (a) was the pref-
10 erable method of achieving the goals described
11 in subparagraph (A) as opposed to other au-
12 thorities available to the Department, such as
13 contracts, grants, and cooperative agreements.

14 “(C) The total amount of cash prizes
15 awarded under the program, including a de-
16 scription of the manner in which the amounts
17 of cash prizes awarded and claimed were allo-
18 cated among the accounts of the Department
19 for recording as obligations and expenditures.

20 “(D) The methods used for the solicitation
21 and evaluation of submissions under the pro-
22 gram, together with an assessment of the effec-
23 tiveness of such methods.

24 “(E) A description of the resources, includ-
25 ing personnel and funding, used in the execu-

1 tion of the program, together with a detailed
2 description of the activities for which such re-
3 sources were used and an accounting of how
4 funding for execution was allocated among the
5 accounts of the Department for recording as
6 obligations and expenditures.

7 “(F) A description of any plans to transi-
8 tion the technologies or prototypes developed as
9 a result of the program into an acquisition pro-
10 gram of the Department.

11 “(3) SUSPENSION OF AUTHORITY FOR FAILURE
12 TO INCLUDE INFORMATION.—For each program
13 under subsection (a), the authority to obligate or ex-
14 pend funds under that program is suspended as of
15 the date specified in paragraph (1) if the Secretary
16 does not, by that date, submit a report that includes,
17 for that program, all the information required by
18 paragraph (2). As of the date on which the Sec-
19 retary does submit a report that includes, for that
20 program, all the information required by paragraph
21 (2), the suspension is lifted.”.

1 **SEC. 213. DEFENSE ACQUISITION CHALLENGE PROGRAM**
2 **EXTENSION, ENHANCEMENT, AND MODIFICA-**
3 **TION TO ADDRESS CRITICAL COST GROWTH**
4 **THRESHOLD BREACHES IN MAJOR DEFENSE**
5 **ACQUISITION PROGRAMS.**

6 (a) ASSESSMENT OF ADDITIONAL ISSUES REQUIRED
7 IN THE EVENT OF CRITICAL COST GROWTH.—Section
8 2433(e)(2)(A) of title 10, United States Code, is amend-
9 ed—

10 (1) by redesignating clauses (i), (ii), and (iii) as
11 clauses (ii), (iii), and (iv) respectively; and

12 (2) by inserting before clause (ii) (as so redesign-
13 nated) the following new clause:

14 “(i) any design, engineering, manufac-
15 turing, or technology integration issues that
16 contributed significantly to the cost growth of
17 the program;”.

18 (b) REQUIREMENT FOR CHALLENGE PROGRAM TO
19 ADDRESS CRITICAL COST GROWTH THRESHOLD
20 BREACHES IN MAJOR DEFENSE ACQUISITION PRO-
21 GRAMS.—

22 (1) SOLICITATION OF CHALLENGE PRO-
23 POSALS.—Section 2359b(e) of title 10, United
24 States Code, is amended—

1 (A) by redesignating paragraphs (4), (5),
2 and (6) as paragraphs (5), (6), and (7), respec-
3 tively; and

4 (B) by inserting after paragraph (3) the
5 following new paragraph (4):

6 “(4)(A) The Under Secretary shall establish
7 procedures for the prompt issuance of a solicitation
8 for challenge proposals addressing—

9 “(i) any acquisition program for which,
10 since the last such announcement, the Secretary
11 concerned has determined under section
12 2433(d) of this title that the program’s acquisi-
13 tion unit cost or procurement unit cost has in-
14 creased by a percentage equal to or greater
15 than the critical cost growth threshold for the
16 program (in this section referred to as a ‘crit-
17 ical cost growth threshold breach’); and

18 “(ii) any design, engineering, manufac-
19 turing, or technology integration issues, in ac-
20 cordance with the assessment required by sec-
21 tion 2433(e)(2)(A) of this title, that have con-
22 tributed significantly to the cost growth of such
23 program.

24 “(B) A solicitation under this paragraph may
25 be included in a broad agency announcement issued

1 pursuant to paragraph (3) as long as the broad
2 agency announcement is released in an expeditious
3 manner following the determination of the Secretary
4 concerned that a critical cost growth threshold
5 breach has occurred with respect to a major defense
6 acquisition program.”.

7 (2) REQUIREMENT FOR GUIDELINES FOR COV-
8 ERING COSTS OF CHALLENGE PROPOSALS.—Section
9 2359b(e) of such title is amended by adding at the
10 end the following new paragraph:

11 “(3) In the case of a challenge proposal submitted
12 in response to a solicitation issued as a result of a critical
13 cost growth threshold breach that is determined under full
14 review and evaluation to satisfy each of the criteria speci-
15 fied in subsection (c)(5), the Under Secretary shall estab-
16 lish guidelines for covering the costs of the challenge pro-
17 posal. If appropriate, such guidelines shall not be re-
18 stricted to funding provided by the Defense Acquisition
19 Challenge Program, but shall also consider alternative
20 funding sources, such as the acquisition program with re-
21 spect to which the breach occurred.”.

22 (3) ACTION UPON UNFAVORABLE FULL REVIEW
23 AND EVALUATION.—Section 2359b of such title is
24 amended—

1 (A) by redesignating subsections (f), (g),
2 (h), (i), and (j) as subsections (g), (h), (i), (j),
3 and (k) respectively; and

4 (B) by inserting after subsection (e) the
5 following new subsection (f):

6 “(f) ACTION UPON UNFAVORABLE FULL REVIEW
7 AND EVALUATION.—Under procedures prescribed by the
8 Under Secretary, if a challenge proposal is determined by
9 a Panel to satisfy each of the criteria specified in sub-
10 section (c)(5), but is not determined under a full review
11 and evaluation to satisfy such criteria, the following provi-
12 sions apply:

13 “(1) The office carrying out the full review and
14 evaluation shall provide to the Panel that conducted
15 the preliminary evaluation a statement containing a
16 summary of the rationale for the unfavorable evalua-
17 tion.

18 “(2) If the Panel disagrees with the rationale
19 provided under paragraph (1), the Panel may return
20 the challenge proposal to the office for further con-
21 sideration.”.

22 (4) ADDITIONAL INFORMATION REQUIRED TO
23 BE INCLUDED IN ANNUAL REPORT.—Section
24 2359b(j) of such title, as redesignated by paragraph
25 (3), is amended by striking “No report is required

1 for a fiscal year in which the Challenge Program is
2 not carried out.” and inserting “The report shall
3 also include a list of each challenge proposal that
4 was determined by a Panel to satisfy each of the cri-
5 teria specified in subsection (c)(5), but was not de-
6 termined under a full review and evaluation to sat-
7 isfy such criteria, together with a detailed rationale
8 for the Department’s determination that such cri-
9 teria were not satisfied.”.

10 (c) EVALUATION AND REPORT REQUIRED.—The
11 Under Secretary of Defense for Acquisition, Technology,
12 and Logistics, in coordination with the service acquisition
13 executives, shall—

14 (1) evaluate the efficacy of the incentives pro-
15 vided to encourage the adoption of each challenge
16 proposal receiving favorable full review and evalua-
17 tion, as required by section 2359b(e)(2) of title 10,
18 United States Code;

19 (2) identify additional incentives and authorities
20 required, if any, to further facilitate the adoption of
21 each challenge proposal receiving favorable full re-
22 view and evaluation, particularly in the case of chal-
23 lenge proposals submitted in response to critical cost
24 growth threshold breaches (as such term is used in
25 section 2359b of such title); and

1 (3) not later than March 1, 2007, submit to the
2 Committees on Armed Services of the Senate and
3 the House of Representatives a report setting forth
4 the results of such evaluation and identification.

5 (d) PRIORITY FOR PROPOSALS FROM CERTAIN BUSI-
6 NESSES.—Paragraph (6) of section 2359b(e) of such title,
7 as redesignated by paragraph (b)(1)(A), is amended to
8 read as follows:

9 “(6) The Under Secretary—

10 “(A) may establish procedures to ensure that
11 the Challenge Program does not become an avenue
12 for the repetitive submission of proposals that have
13 been previously reviewed and found not to have
14 merit; and

15 “(B) may establish procedures to ensure that
16 the Challenge Program establishes appropriate prior-
17 ities for proposals from businesses that are not
18 major contractors with the Department of De-
19 fense.”.

20 (e) CONFIDENTIALITY.—Subsection (h) of section
21 2359b of such title, as redesignated by subsection (b)(3),
22 is amended—

23 (1) by amending the heading to read as follows:

24 “CONFLICTS OF INTEREST AND CONFIDENTIALITY”;

25 and

1 (2) by striking the period at the end and insert-
2 ing the following: “and that the identity of any per-
3 son or activity submitting a challenge proposal is not
4 disclosed outside the Federal Government, prior to
5 contract award, without the consent of the person or
6 activity. For purposes of the proceeding sentence,
7 the term ‘Federal Government’ includes both em-
8 ployees of the Federal Government and employees of
9 Federal Government contractors providing advisory
10 and assistance services as described in part 37 of
11 the Federal Acquisition Regulation.”.

12 (f) EXTENSION.—Subsection (k) of section 2359b of
13 title 10, United States Code, as redesignated by subsection
14 (b)(3), is amended by striking “September 30, 2007” and
15 inserting “September 30, 2012”.

16 (g) ADDITIONAL CONFORMING AMENDMENTS.—Sec-
17 tion 2359b of such title is further amended—

18 (1) in subsection (c)(7), as redesignated by sub-
19 section (b), by striking “paragraph (4)” and insert-
20 ing “paragraph (5)”;

21 (2) in subsection (d)(1), by striking “subsection
22 (c)(6)” and inserting “subsection (c)(7)”;

23 (3) in subsection (d)(2), by striking “subsection
24 (c)(4)” and inserting “subsection (c)(5)”; and

1 (4) in subsection (e)(1), by striking “subsection
2 (c)(4)” and inserting “subsection (c)(5)”.

3 **SEC. 214. FUTURE COMBAT SYSTEMS MILESTONE REVIEW.**

4 (a) MILESTONE REVIEW REQUIRED.—Not later than
5 120 days after the preliminary design review of the Future
6 Combat Systems program is completed, the Secretary of
7 Defense shall carry out a Defense Acquisition Board mile-
8 stone review of the Future Combat Systems program. The
9 milestone review shall include an assessment as to each
10 of the following:

11 (1) Whether the warfighter’s needs are valid
12 and can be best met with the concept of the pro-
13 gram.

14 (2) Whether the concept of the program can be
15 developed and produced within existing resources.

16 (3) Whether the program should—

17 (A) continue as currently structured;

18 (B) continue in restructured form; or

19 (C) be terminated.

20 (b) DETERMINATIONS TO BE MADE IN ASSESSING
21 WHETHER PROGRAM SHOULD CONTINUE.—In making
22 the assessment required by subsection (a)(3), the Sec-
23 retary shall make a determination with respect to each of
24 the following:

1 (1) Whether each critical technology for the
2 program is at least Technical Readiness Level 6.

3 (2) For each system and network component of
4 the program, what the key design and technology
5 risks are, based on System Functional Reviews, Pre-
6 liminary Design Reviews, and Technical Readiness
7 Levels.

8 (3) Whether actual demonstrations, rather than
9 simulations, have shown that the concept of the pro-
10 gram will work.

11 (4) Whether actual demonstrations, rather than
12 plans, have shown that the software for the program
13 is functional.

14 (5) What the cost estimate for the program is.

15 (6) What the affordability assessment for the
16 program is, based on that cost estimate.

17 (c) REPORT.—The Secretary shall submit to the con-
18 gressional defense committees a report on the findings and
19 conclusions of the milestone review required by subsection
20 (a). The report shall include, and display, each of the as-
21 sessments required by subsection (a) and each of the de-
22 terminations required by subsection (b).

23 (d) RESTRICTION ON PROCUREMENT FUNDS EFFEC-
24 TIVE FISCAL 2009.—

1 (1) IN GENERAL.—For fiscal years beginning
2 with 2009, the Secretary may not obligate any funds
3 for procurement for the Future Combat Systems
4 program.

5 (2) EXCEPTIONS.—Paragraph (1) does not
6 apply with respect to—

7 (A) the obligation of funds for costs attrib-
8 utable to an insertion of new technology (to in-
9 clude spinout systems) into the current force, if
10 the insertion is approved by the Under Sec-
11 retary of Defense for Acquisition, Technology,
12 and Logistics; or

13 (B) the obligation of funds for the non-
14 line-of-sight cannon system.

15 (3) TERMINATION.—The requirement of para-
16 graph (1) terminates after the report required by
17 subsection (c) is submitted.

18 **SEC. 215. DEDICATED AMOUNTS FOR IMPLEMENTING OR**
19 **EVALUATING NAVY SHIPBUILDING TECH-**
20 **NOLOGY PROPOSALS UNDER DEFENSE AC-**
21 **QUISITION CHALLENGE PROGRAM.**

22 (a) AMOUNTS REQUIRED.—Of the amounts appro-
23 priated pursuant to the authorization of appropriations in
24 section 201(4) for research, development, test, and evalua-
25 tion, Defense-wide, \$4,000,000 may be available to imple-

1 ment or evaluate challenge proposals specified in sub-
2 section (b).

3 (b) CHALLENGE PROPOSALS COVERED.—A challenge
4 proposal referred to in subsection (a) is a proposal under
5 the Defense Acquisition Challenge Program established by
6 section 2359b of title 10, United States Code, that relates
7 to technology directly contributing to combat systems and
8 open architecture design for Navy ship platforms.

9 **SEC. 216. INDEPENDENT ESTIMATE OF COSTS OF THE FU-**
10 **TURE COMBAT SYSTEMS.**

11 (a) INDEPENDENT ESTIMATE REQUIRED.—

12 (1) IN GENERAL.—The Secretary of Defense
13 shall provide for the preparation of an independent
14 estimate of the anticipated costs of systems develop-
15 ment and demonstration with respect to the Future
16 Combat Systems.

17 (2) CONDUCT OF ESTIMATE.—The estimate re-
18 quired by this subsection shall be prepared by a fed-
19 erally funded research and development center se-
20 lected by the Secretary for purposes of this sub-
21 section.

22 (3) MATTERS TO BE ADDRESSED.—The inde-
23 pendent estimate prepared under this subsection
24 shall address costs of research, development, test,
25 and evaluation, and costs of procurement, for—

1 (A) the system development and dem-
2 onstration phase of the core Future Combat
3 Systems;

4 (B) the Future Combat Systems tech-
5 nologies to be incorporated into the equipment
6 of the current force of the Army (often referred
7 to as “spinouts”);

8 (C) the installation kits for the incorpora-
9 tion of such technologies into such equipment;

10 (D) the systems treated as complementary
11 systems for the Future Combat Systems;

12 (E) science and technology initiatives that
13 support the Future Combat Systems program;
14 and

15 (F) any pass-through charges anticipated
16 to be assessed by the lead systems integrator of
17 the Future Combat Systems and its major sub-
18 contractors.

19 (4) SUBMITTAL TO CONGRESS.—Upon comple-
20 tion of the independent estimate required by this
21 subsection, the Secretary shall submit to the con-
22 gressional defense committees a report on the esti-
23 mate.

1 (5) DEADLINE FOR SUBMITTAL.—The report
2 described in paragraph (4) shall be submitted not
3 later than April 1, 2007.

4 (b) PASS-THROUGH CHARGE DEFINED.—In this sec-
5 tion, the term “pass-through charge” has the meaning
6 given that term in section 805(c)(5) of the National De-
7 fense Authorization Act for Fiscal Year 2006 (Public Law
8 109–163; 119 Stat. 3373).

9 **SEC. 217. FUNDING OF DEFENSE SCIENCE AND TECH-**
10 **NOLOGY PROGRAMS.**

11 (a) FAILURE TO COMPLY WITH FUNDING OBJEC-
12 TIVE.—Section 212 of the National Defense Authorization
13 Act for Fiscal Year 2000 (10 U.S.C. 2501 note) is amend-
14 ed in subsection (a) by striking “especially the Air Force
15 Science and Technology Program,”.

16 (b) EXTENSION OF FUNDING OBJECTIVE.—Such sec-
17 tion is amended in subsection (b) by striking “through
18 2009” and inserting “through 2012”.

19 (c) ACTIONS FOLLOWING FAILURE TO COMPLY
20 WITH OBJECTIVE.—Such section is further amended by
21 adding at the end the following new subsection:

22 “(c) ACTIONS FOLLOWING FAILURE TO COMPLY
23 WITH OBJECTIVE.—If the proposed budget for a fiscal
24 year covered by subsection (b) fails to comply with the
25 objective set forth in that subsection, the Secretary of De-

1 fense shall submit to the congressional defense commit-
2 tees, at the same time that the Department of Defense
3 budget justification materials for the next fiscal year are
4 submitted to Congress—

5 “(1) a detailed, prioritized list, including esti-
6 mates of required funding, of highly-rated science
7 and technology projects received by the Department
8 through competitive solicitations and broad agency
9 announcements which—

10 “(A) are not funded solely due to lack of
11 resources, but

12 “(B) represent science and technology op-
13 portunities that support the research and devel-
14 opment programs and goals of the military de-
15 partments and the Defense Agencies; and

16 “(2) a report, in both classified and unclassified
17 form, containing an analysis and evaluation of inter-
18 national research and technology capabilities, includ-
19 ing an identification of any technology areas in
20 which the United States may not have global tech-
21 nical leadership within the next 10 years, in each of
22 the technology areas described in the following
23 plans:

24 “(A) The most current Joint Warfighting
25 Science and Technology Plan required by sec-

1 tion 270 of the National Defense Authorization
2 Act for Fiscal Year 1997 (10 U.S.C. 2501
3 note).

4 “(B) The Defense Technology Area Plan
5 of the Department of Defense.

6 “(C) The Basic Research Plan of the De-
7 partment of Defense.”.

8 **SEC. 218. HYPERSONICS DEVELOPMENT.**

9 (a) ESTABLISHMENT OF JOINT TECHNOLOGY OF-
10 FICE ON HYPERSONICS.—The Secretary of Defense shall
11 establish within the Office of the Secretary of Defense a
12 joint technology office on hypersonics. The office shall
13 carry out the program required under subsection (b), and
14 shall have such other responsibilities relating to
15 hypersonics as the Secretary shall specify.

16 (b) PROGRAM ON HYPERSONICS.—The joint tech-
17 nology office established under subsection (a) shall carry
18 out a program for the development of hypersonics for de-
19 fense purposes.

20 (c) RESPONSIBILITIES.—In carrying out the program
21 required by subsection (b), the joint technology office es-
22 tablished under subsection (a) shall do the following:

23 (1) Coordinate and integrate current and future
24 research, development, test, and evaluation programs

1 and system demonstration programs of the Depart-
2 ment of Defense on hypersonics.

3 (2) Undertake appropriate actions to ensure—

4 (A) close and continuous integration of the
5 programs on hypersonics of the military depart-
6 ments with the programs on hypersonics of the
7 Defense Agencies;

8 (B) coordination of the programs referred
9 to in subparagraph (A) with the programs on
10 hypersonics of the National Aeronautics and
11 Space Administration; and

12 (C) that developmental testing resources
13 are adequate and facilities are made available in
14 a timely manner to support hypersonics re-
15 search, demonstration programs, and system
16 development.

17 (3) Approve demonstration programs on
18 hypersonic systems.

19 (4) Ensure that any demonstration program on
20 hypersonic systems that is carried out in any year
21 after its approval under paragraph (3) is carried out
22 only if certified under subsection (e) as being con-
23 sistent with the roadmap under subsection (d).

24 (d) ROADMAP.—

1 (1) ROADMAP REQUIRED.—The joint technology
2 office established under subsection (a) shall develop,
3 and every two years revise, a roadmap for the
4 hypersonics programs of the Department of Defense.

5 (2) COORDINATION.—The roadmap shall be de-
6 veloped and revised under paragraph (1) in coordi-
7 nation with the Joint Staff and in consultation with
8 the National Aeronautics and Space Administration.

9 (3) ELEMENTS.—The roadmap shall include
10 the following matters:

11 (A) Anticipated or potential mission re-
12 quirements for hypersonics.

13 (B) Short-term, mid-term, and long-term
14 goals for the Department of Defense on
15 hypersonics, which shall be consistent with the
16 missions and anticipated requirements of the
17 Department over the applicable period.

18 (C) A schedule for meeting such goals, in-
19 cluding—

20 (i) the activities and funding antici-
21 pated to be required for meeting such
22 goals; and

23 (ii) the activities of the National Aero-
24 nautics and Space Administration to be le-

1 veraged by the Department to meet such
2 goals.

3 (D) The test and evaluation facilities re-
4 quired to support the activities identified in
5 subparagraph (C), along with the schedule and
6 funding required to upgrade those facilities, as
7 necessary.

8 (E) Acquisition transition plans for
9 hypersonics.

10 (4) SUBMITTAL TO CONGRESS.—The Secretary
11 shall submit to the congressional defense commit-
12 tees—

13 (A) at the same time as the submittal to
14 Congress of the budget for fiscal year 2008 (as
15 submitted pursuant to section 1105 of title 31,
16 United States Code), the roadmap developed
17 under paragraph (1); and

18 (B) at the same time as the submittal to
19 Congress of the budget for each even-numbered
20 fiscal year after 2008, the roadmap revised
21 under paragraph (1).

22 (e) ANNUAL REVIEW AND CERTIFICATION OF FUND-
23 ING.—

1 (1) ANNUAL REVIEW.—The joint technology of-
2 fice established under subsection (a) shall conduct
3 on an annual basis a review of—

4 (A) the funding available for research, de-
5 velopment, test, and evaluation and demonstra-
6 tion programs within the Department of De-
7 fense for hypersonics, in order to determine
8 whether or not such funding is consistent with
9 the roadmap developed under subsection (d);
10 and

11 (B) the hypersonics demonstration pro-
12 grams of the Department, in order to determine
13 whether or not such programs avoid duplication
14 of effort and support the goals of the Depart-
15 ment in a manner consistent with the roadmap
16 developed under subsection (d).

17 (2) CERTIFICATION.—The joint technology of-
18 fice shall, as a result of each review under para-
19 graph (1), certify to the Secretary whether or not
20 the funding and programs subject to such review are
21 consistent with the roadmap developed under sub-
22 section (d).

23 (3) TERMINATION.—The requirements of this
24 subsection shall terminate after the submittal to

1 Congress of the budget for fiscal year 2012 pursu-
2 ant to section 1105 of title 31, United States Code.

3 (f) REPORTS TO CONGRESS.—If, as a result of a re-
4 view under subsection (e), funding or a program on
5 hypersonics is certified under that subsection not to be
6 consistent with the roadmap developed under subsection
7 (d), the Secretary shall submit to the congressional de-
8 fense committees, at the same time as the submittal to
9 Congress of the budget (as submitted pursuant to section
10 1105 of title 31, United States Code), a report on such
11 funding or program, as the case may be, describing how
12 such funding or program is not consistent with the road-
13 map, together with a statement of the actions to be taken
14 by the Department.

15 **SEC. 219. REPORT ON PROGRAM FOR REPLACEMENT OF**
16 **NUCLEAR WARHEADS ON CERTAIN TRIDENT**
17 **SEA-LAUNCHED BALLISTIC MISSILES WITH**
18 **CONVENTIONAL WARHEADS.**

19 (a) REPORT REQUIRED.—Not later than February 1,
20 2007, the Secretary of Defense shall submit to the con-
21 gressional defense committees a report setting forth a pro-
22 posal to replace nuclear warheads on 24 Trident D-5 sea-
23 launched ballistic missiles with conventional kinetic war-
24 heads for deployment on submarines that carry Trident

1 sea-launched ballistic missiles. The report shall be pre-
2 pared in consultation with the Secretary of State.

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

5 (1) A description of the types of scenarios,
6 types of targets, and circumstances in which a con-
7 ventional sea-launched ballistic missile might be
8 used.

9 (2) A discussion of the weapon systems or
10 weapons, whether current or planned, that could be
11 used as an alternative for each of the scenarios, tar-
12 get types, and circumstances set forth under para-
13 graph (1), and a statement of any reason why each
14 such weapon system or weapon is not a suitable al-
15 ternative to a conventional sea-launched ballistic
16 missile.

17 (3) A description of the command and control
18 arrangements for conventional sea-launched ballistic
19 missiles, including launch authority and the use of
20 Permissive Action Links (PALs).

21 (4) An assessment of the capabilities of other
22 countries to detect and track the launch of a conven-
23 tional or nuclear sea-launched ballistic missile.

24 (5) An assessment of the capabilities of other
25 countries to discriminate between the launch of a

1 nuclear sea-launched ballistic missile and a conven-
2 tional sea-launched ballistic missile, other than in a
3 testing scenario.

4 (6) An assessment of the notification and other
5 protocols that would have to be in place before using
6 any conventional sea-launched ballistic missile and a
7 plan for entering into such protocols.

8 (7) An assessment of the adequacy of the intel-
9 ligence that would be needed to support an attack
10 involving conventional sea-launched ballistic missiles.

11 (8) A description of the total program cost, in-
12 cluding the procurement costs of additional D-5 mis-
13 siles, of the conventional Trident sea-launched bal-
14 listic missile program, by fiscal year.

15 (9) An analysis and assessment of the implica-
16 tions for ballistic missile proliferation if the United
17 States decides to go forward with the conventional
18 Trident sea-launched ballistic missile program or
19 any other conventional long-range ballistic missile
20 program.

21 (10) An analysis and assessment of the implica-
22 tions for the United States missile defense system if
23 other countries use conventional long-range ballistic
24 missiles.

1 (11) An analysis of any problems created by the
2 ambiguity that results from the use of the same bal-
3 listic missile for both conventional and nuclear war-
4 heads.

5 (12) An analysis and assessment of the meth-
6 ods that other countries might use to resolve the
7 ambiguities associated with a nuclear or conven-
8 tional sea-launched ballistic missile.

9 (13) An analysis, by the Secretary of State, of
10 the international, treaty, and other concerns that
11 would be associated with the use of a conventional
12 sea-launched ballistic missile and recommendations
13 for measures to mitigate or eliminate such concerns.

14 (14) A joint statement by the Secretary of De-
15 fense and the Secretary of State on how to ensure
16 that the use of a conventional sea-launched ballistic
17 missile will not result in an intentional, inadvertent,
18 mistaken, or accidental reciprocal or responsive
19 launch of a nuclear strike by any other country.

20 **Subtitle C—Missile Defense** 21 **Programs**

22 **SEC. 221. FIELDING OF BALLISTIC MISSILE DEFENSE CAPA-** 23 **BILITIES.**

24 Upon approval by the Secretary of Defense, funds au-
25 thorized to be appropriated for fiscal years 2007 and 2008

1 for research, development, test, and evaluation for the
2 Missile Defense Agency may be used for the development
3 and fielding of ballistic missile defense capabilities.

4 **SEC. 222. LIMITATION ON USE OF FUNDS FOR SPACE-**
5 **BASED INTERCEPTOR.**

6 (a) **LIMITATION.**—No funds appropriated or other-
7 wise made available to the Department of Defense may
8 be obligated or expended for the testing or deployment of
9 a space-based interceptor until 90 days after the date on
10 which a report described in subsection (c) is submitted.

11 (b) **SPACE-BASED INTERCEPTOR DEFINED.**—For
12 purposes of this section, the term “space-based inter-
13 ceptor” means a kinetic or directed energy weapon that
14 is stationed on a satellite or orbiting platform and that
15 is intended to destroy another satellite in orbit or a bal-
16 listic missile launched from earth.

17 (c) **REPORT.**—A report described in this subsection
18 is a report prepared by the Director of the Missile Defense
19 Agency and submitted to the congressional defense com-
20 mittees containing the following:

21 (1) A description of the essential components of
22 a proposed space-based interceptor system, including
23 a description of how the system proposed would en-
24 hance or complement other missile defense systems.

1 (2) An estimate of the acquisition and life-cycle
2 cost of the system described under paragraph (1),
3 including lift cost and periodic replacement cost due
4 to depreciation and attrition.

5 (3) An analysis of the vulnerability of such a
6 system to counter-measures, including direct ascent
7 and co-orbital interceptors, and an analysis of the
8 functionality of such a system in the aftermath of a
9 nuclear detonation in space.

10 (4) A projection of the foreign policy and na-
11 tional security implications of a space-based inter-
12 ceptor program, including the probable response of
13 United States adversaries and United States allies.

14 **SEC. 223. POLICY OF THE UNITED STATES ON PRIORITIES**
15 **IN THE DEVELOPMENT, TESTING, AND FIELD-**
16 **ING OF MISSILE DEFENSE CAPABILITIES.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) In response to the threat posed by ballistic
20 missiles, President George W. Bush in December
21 2002 directed the Secretary of Defense to proceed
22 with the fielding of an initial set of missile defense
23 capabilities in 2004 and 2005.

24 (2) According to assessments by the intelligence
25 community of the United States, North Korea tested

1 in 2005 a new solid propellant short-range ballistic
2 missile, conducted a launch of a Taepodong-2 bal-
3 listic missile/space launch vehicle in 2006, and is
4 likely developing intermediate-range and interconti-
5 nental ballistic missile capabilities that could some-
6 day reach as far as the United States with a nuclear
7 payload.

8 (3) According to assessments by the intelligence
9 community of the United States, Iran continued in
10 2005 to test its medium-range ballistic missile, and
11 the danger that Iran will acquire a nuclear weapon
12 and integrate it with a ballistic missile Iran already
13 possesses is a reason for immediate concern.

14 (b) POLICY.—It is the policy of the United States
15 that the Department of Defense accord a priority within
16 the missile defense program to the development, testing,
17 fielding, and improvement of effective near-term missile
18 defense capabilities, including the ground-based midcourse
19 defense system, the Aegis ballistic missile defense system,
20 the Patriot PAC-3 system, the Terminal High Altitude
21 Area Defense system, and the sensors necessary to sup-
22 port such systems.

1 **SEC. 224. ONE-YEAR EXTENSION OF COMPROLLER GEN-**
2 **ERAL ASSESSMENTS OF BALLISTIC MISSILE**
3 **DEFENSE PROGRAMS.**

4 Section 232(g) of the National Defense Authorization
5 Act for Fiscal Year 2002 (10 U.S.C. 2431 note) is amend-
6 ed—

7 (1) in paragraph (1), by striking “through
8 2007” and inserting “through 2008”; and

9 (2) in paragraph (2), by striking “through
10 2008” and inserting “through 2009”.

11 **SEC. 225. SUBMITTAL OF PLANS FOR TEST AND EVALUA-**
12 **TION OF THE OPERATIONAL CAPABILITY OF**
13 **THE BALLISTIC MISSILE DEFENSE SYSTEM.**

14 Section 234(a) of the National Defense Authorization
15 Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat.
16 3174; 10 U.S.C. 2431 note) is amended by adding at the
17 end the following new paragraph:

18 “(3) SUBMITTAL TO CONGRESS.—Each plan
19 prepared under this subsection and approved by the
20 Director of Operational Test and Evaluation shall be
21 submitted to the congressional defense committees
22 not later than 30 days after the date of the approval
23 of such plan by the Director.”.

1 **SEC. 226. ANNUAL REPORTS ON TRANSITION OF BALLISTIC**
2 **MISSILE DEFENSE PROGRAMS TO THE MILI-**
3 **TARY DEPARTMENTS.**

4 (a) REPORT REQUIRED.—Not later than March 1,
5 2007, and annually thereafter through 2013, the Under
6 Secretary of Defense for Acquisition, Technology, and Lo-
7 gistics shall submit to the congressional defense commit-
8 tees a report on the plans of the Department of Defense
9 for the transition of missile defense programs from the
10 Missile Defense Agency to the military departments.

11 (b) SCOPE OF REPORTS.—Each report required by
12 subsection (a) shall cover the period covered by the future-
13 years defense program that is submitted under section 221
14 of title 10, United States Code, in the year in which such
15 report is submitted.

16 (c) ELEMENTS.—Each report required by subsection
17 (a) shall include the following:

18 (1) An identification of—

19 (A) the missile defense programs planned
20 to be transitioned from the Missile Defense
21 Agency to the military departments; and

22 (B) the missile defense programs, if any,
23 not planned for transition to the military de-
24 partments.

25 (2) The schedule for transition of each missile
26 defense program planned to be transitioned to a

1 military department, and an explanation of such
2 schedule.

3 (3) A description of—

4 (A) the status of the plans of the Missile
5 Defense Agency and the military departments
6 for the transition of missile defense programs
7 from that agency to the military departments;
8 and

9 (B) the status of any agreement between
10 the Missile Defense Agency and one or more of
11 the military departments on the transition of
12 any such program from that agency to the mili-
13 tary departments, including any agreement on
14 the operational test criteria that must be
15 achieved before such transition.

16 (4) An identification of the entity of the De-
17 partment of Defense (whether the Missile Defense
18 Agency, a military department, or both) that will be
19 responsible for funding each missile defense program
20 to be transitioned to a military department, and at
21 what date.

22 (5) A description of the type of funds that will
23 be used (whether funds for research, development,
24 test, and evaluation, procurement, military construc-
25 tion, or operation and maintenance) for each missile

1 defense program to be transitioned to a military de-
2 partment.

3 (6) An explanation of the number of systems
4 planned for procurement for each missile defense
5 program to be transitioned to a military department,
6 and the schedule for procurement of each such sys-
7 tem.

8 **Subtitle D—Other Matters**

9 **SEC. 231. POLICIES AND PRACTICES ON TEST AND EVALUA-** 10 **TION TO ADDRESS EMERGING ACQUISITION** 11 **APPROACHES.**

12 (a) REVISION TO REPORT REQUIREMENT.—Section
13 2399(b) of title 10, United States Code, is amended—

14 (1) by amending paragraph (2) to read as fol-
15 lows:

16 “(2) The Director shall analyze the results of the
17 operational test and evaluation conducted for each major
18 defense acquisition program. At the conclusion of such
19 testing, the Director shall prepare a report stating—

20 “(A) the opinion of the Director as to—

21 “(i) whether the test and evaluation per-
22 formed were adequate; and

23 “(ii) whether the results of such test and
24 evaluation confirm that the items or compo-

1 nents actually tested are effective and suitable
2 for combat; and

3 “(B) additional information on the operational
4 capabilities of the items or components that the Di-
5 rector considers appropriate based on the testing
6 conducted.”;

7 (2) by redesignating paragraph (5) as para-
8 graph (6); and

9 (3) by inserting after paragraph (4) the fol-
10 lowing:

11 “(5) If, before a final decision described in paragraph
12 (4) is made for a major defense acquisition program, a
13 decision is made within the Department of Defense to pro-
14 ceed to operational use of that program or to make pro-
15 curement funds available for that program, the Director
16 shall submit to the Secretary of Defense and the congres-
17 sional defense committees the report with respect to that
18 program under paragraph (2) as soon as practicable after
19 the decision described in this paragraph is made.”.

20 (b) REVIEW AND REVISION OF POLICIES AND PRAC-
21 TICES.—

22 (1) REVIEW.—During fiscal year 2007, the
23 Under Secretary of Defense for Acquisition, Tech-
24 nology, and Logistics and the Director of Oper-
25 ational Test and Evaluation shall review Department

1 of Defense policies and practices on test and evalua-
2 tion in order to—

3 (A) reaffirm the test and evaluation prin-
4 ciples that should guide traditional acquisition
5 programs; and

6 (B) determine how best to apply appro-
7 priate test and evaluation principles to emerg-
8 ing acquisition approaches.

9 (2) REVISED GUIDANCE.—If the Under Sec-
10 retary determines as a result of the review under
11 paragraph (1) that a revision of the policies and
12 practices referred to in that paragraph is necessary,
13 the Under Secretary and the Director shall jointly
14 issue new or revised guidance for the Department of
15 Defense on test and evaluation to address that de-
16 termination.

17 (c) ISSUES TO BE ADDRESSED.—In carrying out sub-
18 section (b), the Under Secretary shall address policies and
19 practices on test and evaluation in order to—

20 (1) ensure the performance of test and evalua-
21 tion activities with regard to—

22 (A) items that are acquired pursuant to
23 the authority for rapid acquisition and deploy-
24 ment of items in section 806 of the Bob Stump

1 National Defense Authorization Act for Fiscal
2 Year 2003 (10 U.S.C. 2302 note);

3 (B) programs that are conducted pursuant
4 to the authority for spiral development in sec-
5 tion 803 of the Bob Stump National Defense
6 Authorization Act for Fiscal Year 2003 (Public
7 Law 107-314; 116 Stat. 2603; 10 U.S.C. 2430
8 note), or other authority for the conduct of in-
9 cremental acquisition programs;

10 (C) systems that are acquired pursuant to
11 other emerging acquisition approaches, as ap-
12 proved by the Under Secretary; and

13 (D) equipment that is not subject to the
14 operational test and evaluation requirements in
15 sections 2366 and 2399 of title 10, United
16 States Code, but that may require limited oper-
17 ational test and evaluation for the purpose of
18 ensuring the safety and survivability of such
19 equipment and personnel using such equipment;
20 and

21 (2) ensure the appropriate use, if any, of oper-
22 ational test and evaluation resources to assess tech-
23 nology readiness levels for the purpose of section
24 2366a of title 10, United States Code, and other ap-
25 plicable technology readiness requirements.

1 (d) INCLUSION OF TESTING NEEDS IN STRATEGIC
2 PLAN.—The Director, Test Resource Management Cen-
3 ter, shall ensure that the strategic plan for Department
4 of Defense test and evaluation resources developed pursu-
5 ant to section 196 of title 10, United States Code—

6 (1) reflects any testing needs of the Depart-
7 ment of Defense that are identified as a result of ac-
8 tivities under subsection (b); and

9 (2) includes an assessment of the test and eval-
10 uation facilities, resources, and budgets that will be
11 required to meet such needs.

12 (e) REPORT TO CONGRESS.—Not later than nine
13 months after the date of the enactment of this Act, the
14 Under Secretary and the Director of Operational Test and
15 Evaluation shall submit to the congressional defense com-
16 mittees a report on the review conducted under paragraph
17 (1) of subsection (b), including any new or revised guid-
18 ance issued pursuant to paragraph (2) of that subsection.

19 (f) CLARIFICATION OF DUTIES WITH RESPECT TO
20 FORCE PROTECTION EQUIPMENT.—Section 139(b) of
21 title 10, United States Code, is amended—

22 (1) by redesignating paragraphs (3) through
23 (6) as paragraphs (4) through (7), respectively; and

24 (2) by inserting after paragraph (2) the fol-
25 lowing:

1 “(3) provide guidance to and consult with the
2 officials described in paragraph (2) with respect to
3 operational test and evaluation or survivability test-
4 ing (or both) within the Department of Defense of
5 force protection equipment (including non-lethal
6 weapons), which, in such a case—

7 “(A) shall be guidance and consultation for
8 the purposes of—

9 “(i) expediting suitable operational
10 test and evaluation;

11 “(ii) providing objective subject-mat-
12 ter expertise;

13 “(iii) encouraging data sharing be-
14 tween Department of Defense components;
15 and

16 “(iv) where appropriate, facilitating
17 the use of common test standards; and

18 “(B) does not authorize the Director—

19 “(i) to approve test and evaluation
20 plans for such equipment; or

21 “(ii) to in any manner delay deploy-
22 ment of such equipment;”.

1 **SEC. 232. EXTENSION OF REQUIREMENT FOR GLOBAL RE-**
2 **SEARCH WATCH PROGRAM.**

3 Section 2365(f) of title 10, United States Code, is
4 amended by striking “September 30, 2006” and inserting
5 “September 30, 2011”.

6 **SEC. 233. SENSE OF CONGRESS ON TECHNOLOGY SHARING**
7 **OF JOINT STRIKE FIGHTER TECHNOLOGY.**

8 It is the sense of Congress that the Secretary of De-
9 fense should share technology with regard to the Joint
10 Strike Fighter between the United States Government and
11 the Government of the United Kingdom consistent with
12 the national security interests of both nations.

13 **SEC. 234. REPORT ON VEHICLE-BASED ACTIVE PROTEC-**
14 **TION SYSTEMS FOR CERTAIN BATTLEFIELD**
15 **THREATS.**

16 (a) INDEPENDENT ASSESSMENT.—The Secretary of
17 Defense shall enter into a contract with an appropriate
18 entity independent of the United States Government to
19 conduct an assessment of various foreign and domestic
20 technological approaches to vehicle-based active protection
21 systems for defense against both chemical energy and ki-
22 netic energy top-attack and direct fire threats, including
23 anti-tank missiles and rocket propelled grenades, mortars,
24 and other similar battlefield threats.

25 (b) REPORT.—

1 (1) REPORT REQUIRED.—The contract required
2 by subsection (a) shall require the entity entering
3 into such contract to submit to the Secretary of De-
4 fense, and to the congressional defense committees,
5 not later than 180 days after the date of the enact-
6 ment of this Act, a report on the assessment re-
7 quired by that subsection.

8 (2) ELEMENTS.—The report required under
9 paragraph (1) shall include—

10 (A) a detailed comparative analysis and as-
11 essment of the technical approaches covered by
12 the assessment under subsection (a), including
13 the feasibility, military utility, cost, and poten-
14 tial short-term and long-term development and
15 deployment schedule of such approaches; and

16 (B) any other elements specified by the
17 Secretary in the contract under subsection (a).

18 **TITLE III—OPERATION AND** 19 **MAINTENANCE**

Subtitle A—Authorization of Appropriations

- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.
- Sec. 303. Other Department of Defense programs.

Subtitle B—Environmental Provisions

- Sec. 311. Revision of requirement for unexploded ordnance program manager.
- Sec. 312. Funding of cooperative agreements under environmental restoration program.
- Sec. 313. Response plan for remediation of unexploded ordnance, discarded military munitions, and munitions constituents.
- Sec. 314. Research on effects of ocean disposal of munitions.

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- Sec. 315. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
- Sec. 316. Transfer of Government-furnished uranium stored at Sequoyah Fuels Corporation, Gore, Oklahoma.
- Sec. 317. Extension of authority to grant exemptions to certain requirements.
- Sec. 318. National Academy of Sciences study on human exposure to contaminated drinking water at Camp Lejeune, North Carolina.

Subtitle C—Program Requirements, Restrictions, and Limitations

- Sec. 321. Limitation on financial management improvement and audit initiatives within the Department of Defense.
- Sec. 322. Funds for exhibits for the national museums of the Armed Forces.
- Sec. 323. Prioritization of funds for equipment readiness and strategic capability.
- Sec. 324. Limitation on deployment of Marine Corps Total Force System to Navy.

Subtitle D—Workplace and Depot Issues

- Sec. 331. Permanent exclusion of certain contract expenditures from percentage limitation on the performance of depot-level maintenance.
- Sec. 332. Minimum capital investment for certain depots.
- Sec. 333. Extension of temporary authority for contractor performance of security guard functions.

Subtitle E—Reports

- Sec. 341. Report on Navy Fleet Response Plan.
- Sec. 342. Report on Navy surface ship rotational crew programs.
- Sec. 343. Report on Army live-fire ranges in Hawaii.
- Sec. 344. Comptroller General report on joint standards and protocols for access control systems at Department of Defense installations.
- Sec. 345. Comptroller General report on readiness of Army and Marine Corps ground forces.
- Sec. 346. Report on Air Force safety requirements for Air Force flight training operations at Pueblo Memorial Airport, Colorado.
- Sec. 347. Annual report on Personnel Security Investigations for Industry and National Industrial Security Program.
- Sec. 348. Five-year extension of annual report on training range sustainment plan and training range inventory.
- Sec. 349. Reports on withdrawal or diversion of equipment from reserve units for support of reserve units being mobilized and other units.

Subtitle F—Other Matters

- Sec. 351. Department of Defense strategic policy on prepositioning of materiel and equipment.
- Sec. 352. Authority to make Department of Defense horses available for adoption.
- Sec. 353. Sale and use of proceeds of recyclable munitions materials.
- Sec. 354. Recovery and transfer to Corporation for the Promotion of Rifle Practice and Firearms Safety of certain firearms, ammunition, and parts granted to foreign countries.
- Sec. 355. Extension of Department of Defense telecommunications benefit program.

- Sec. 356. Extension of availability of funds for commemoration of success of the Armed Forces in Operation Enduring Freedom and Operation Iraqi Freedom.
- Sec. 357. Capital security cost sharing.
- Sec. 358. Utilization of fuel cells as back-up power systems in Department of Defense operations.
- Sec. 359. Improving Department of Defense support for civil authorities.
- Sec. 360. Energy efficiency in weapons platforms.
- Sec. 361. Prioritization of funds within Navy mission operations, ship maintenance, combat support forces, and weapons system support.
- Sec. 362. Provision of adequate storage space to secure personal property outside of assigned military family housing unit.
- Sec. 363. Expansion of payment of replacement value of personal property damaged during transport at Government expense.

1 **Subtitle A—Authorization of**
2 **Appropriations**

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

4 Funds are hereby authorized to be appropriated for
5 fiscal year 2007 for the use of the Armed Forces and other
6 activities and agencies of the Department of Defense for
7 expenses, not otherwise provided for, for operation and
8 maintenance, in amounts as follows:

9 (1) For the Army, \$24,416,352,000.

10 (2) For the Navy, \$31,157,639,000.

11 (3) For the Marine Corps, \$3,863,462,000.

12 (4) For the Air Force, \$31,081,257,000.

13 (5) For Defense-wide activities,
14 \$20,093,876,000.

15 (6) For the Army Reserve, \$2,260,802,000.

16 (7) For the Naval Reserve, \$1,275,764,000.

17 (8) For the Marine Corps Reserve,
18 \$211,311,000.

19 (9) For the Air Force Reserve, \$2,698,400,000.

1 (10) For the Army National Guard,
2 \$4,776,421,000.

3 (11) For the Air National Guard,
4 \$5,292,517,000.

5 (12) For the United States Court of Appeals
6 for the Armed Forces, \$11,721,000.

7 (13) For Environmental Restoration, Army,
8 \$413,794,000.

9 (14) For Environmental Restoration, Navy,
10 \$304,409,000.

11 (15) For Environmental Restoration, Air Force,
12 \$423,871,000.

13 (16) For Environmental Restoration, Defense-
14 wide, \$18,431,000.

15 (17) For Environmental Restoration, Formerly
16 Used Defense Sites, \$282,790,000.

17 (18) For Former Soviet Union Threat Reduc-
18 tion programs, \$372,128,000.

19 (19) For Overseas Humanitarian Disaster and
20 Civic Aid, \$63,204,000.

21 **SEC. 302. WORKING CAPITAL FUNDS.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2007 for the use of the Armed Forces and other
24 activities and agencies of the Department of Defense for

1 providing capital for working capital and revolving funds
2 in amounts as follows:

3 (1) For the Defense Working Capital Funds,
4 \$161,998,000.

5 (2) For the National Defense Sealift Fund,
6 \$1,071,932,000.

7 (3) For the Defense Working Capital Fund,
8 Defense Commissary, \$1,184,000,000.

9 (4) For the Pentagon Reservation Maintenance
10 Revolving Fund, \$18,500,000.

11 **SEC. 303. OTHER DEPARTMENT OF DEFENSE PROGRAMS.**

12 (a) DEFENSE HEALTH PROGRAM.—Funds are here-
13 by authorized to be appropriated for the Department of
14 Defense for fiscal year 2007 for expenses, not otherwise
15 provided for, for the Defense Health Program,
16 \$21,426,621,000, of which—

17 (1) \$20,894,663,000 is for Operation and
18 Maintenance;

19 (2) \$135,603,000 is for Research, Development,
20 Test, and Evaluation; and

21 (3) \$396,355,000 is for Procurement.

22 (b) CHEMICAL AGENTS AND MUNITIONS DESTRUC-
23 TION, DEFENSE.—(1) Funds are hereby authorized to be
24 appropriated for the Department of Defense for fiscal year
25 2007 for expenses, not otherwise provided for, for Chem-

1 ical Agents and Munitions Destruction, Defense,
2 \$1,277,304,000, of which—

3 (A) \$1,046,290,000 is for Operation and
4 Maintenance; and

5 (B) \$231,014,000 is for Research, Devel-
6 opment, Test, and Evaluation.

7 (2) Amounts authorized to be appropriated under
8 paragraph (1) are authorized for—

9 (A) the destruction of lethal chemical agents
10 and munitions in accordance with section 1412 of
11 the Department of Defense Authorization Act for
12 Fiscal Year 1986 (50 U.S.C. 1521); and

13 (B) the destruction of chemical warfare mate-
14 rial of the United States that is not covered by sec-
15 tion 1412 of such Act.

16 (c) DRUG INTERDICTION AND COUNTER-DRUG AC-
17 TIVITIES, DEFENSE-WIDE.—Funds are hereby authorized
18 to be appropriated for the Department of Defense for fis-
19 cal year 2006 for expenses, not otherwise provided for, for
20 Drug Interdiction and Counter-Drug Activities, Defense-
21 wide, \$926,890,000.

22 (d) DEFENSE INSPECTOR GENERAL.—Funds are
23 hereby authorized to be appropriated for the Department
24 of Defense for fiscal year 2006 for expenses, not otherwise

1 provided for, for the Office of the Inspector General of
2 the Department of Defense, \$216,297,000, of which—

3 (1) \$214,897,000 is for Operation and Mainte-
4 nance; and

5 (2) \$1,400,000 is for Procurement.

6 **Subtitle B—Environmental** 7 **Provisions**

8 **SEC. 311. REVISION OF REQUIREMENT FOR UNEXPLODED** 9 **ORDNANCE PROGRAM MANAGER.**

10 Section 2701(k) of title 10, United States Code, is
11 amended—

12 (1) in paragraph (1)—

13 (A) by striking “establish” and inserting
14 “designate”; and

15 (B) by inserting “research,” after “charac-
16 terization,”;

17 (2) by striking paragraph (2) and redesignating
18 paragraph (3) as paragraph (4); and

19 (3) by inserting after paragraph (1) the fol-
20 lowing new paragraphs:

21 “(2) The position of program manager shall be filled
22 by—

23 “(A) an employee in a position that is equiva-
24 lent to pay grade O-6 or above; or

1 (1) To complete, by not later than September
2 30, 2007, preliminary assessments of unexploded
3 ordnance, discarded military munitions, and muni-
4 tions constituents at all active installations and for-
5 merly used defense sites (other than operational
6 ranges).

7 (2) To complete, by not later than September
8 30, 2010, site inspections of unexploded ordnance,
9 discarded military munitions, and munitions con-
10 stituents at all active installations and formerly used
11 defense sites (other than operational ranges).

12 (3) To achieve, by not later than September 30,
13 2009, a remedy in place or response complete for
14 unexploded ordnance, discarded military munitions,
15 and munitions constituents at all military installa-
16 tions closed or realigned as part of a round of de-
17 fense base closure and realignment occurring prior
18 to the 2005 round.

19 (4) To achieve, by a date certain established by
20 the Secretary of Defense, a remedy in place or re-
21 sponse complete for unexploded ordnance, discarded
22 military munitions, and munitions constituents at all
23 active installations and formerly used defense sites
24 (other than operational ranges) and all military in-

1 stallations realigned or closed under the 2005 round
2 of defense base closure and realignment.

3 (b) RESPONSE PLAN REQUIRED.—

4 (1) IN GENERAL.—Not later than March 1,
5 2007, the Secretary of Defense shall submit to the
6 congressional defense committees a comprehensive
7 plan for addressing the remediation of unexploded
8 ordnance, discarded military munitions, and muni-
9 tions constituents at current and former defense
10 sites (other than operational ranges).

11 (2) CONTENT.—The plan required by para-
12 graph (1) shall include—

13 (A) a schedule, including interim goals, for
14 achieving the goals described in paragraphs (1)
15 through (3) of subsection (a), based upon the
16 Munitions Response Site Prioritization Protocol
17 established by the Department of Defense;

18 (B) such interim goals as the Secretary de-
19 termines feasible for efficiently achieving the
20 goal required under paragraph (4) of such sub-
21 section; and

22 (C) an estimate of the funding required to
23 achieve the goals established pursuant to such
24 subsection and the interim goals established
25 pursuant to subparagraphs (A) and (B).

1 (3) UPDATES.—Not later than March 15 of
2 2008, 2009, and 2010, the Secretary shall submit to
3 the congressional defense committees an update of
4 the plan required under paragraph (1). The Sec-
5 retary may include the update in the report on envi-
6 ronmental restoration activities that is submitted to
7 Congress under section 2706(a) of title 10, United
8 States Code, in the year in which that update is re-
9 quired and may include in the update any adjust-
10 ment to the remediation goals established under sub-
11 section (a) that the Secretary determines necessary
12 to respond to unforeseen circumstances.

13 (c) REPORT ON REUSE STANDARDS AND PRIN-
14 CIPLES.—Not later than March 1, 2007, the Secretary of
15 Defense shall submit to the congressional defense commit-
16 tees a report on the status of the efforts of the Depart-
17 ment of Defense to achieve agreement with relevant regu-
18 latory agencies on appropriate reuse standards or prin-
19 ciples, including—

20 (1) a description of any standards or principles
21 that have been agreed upon; and

22 (2) a discussion of any issues that remain in
23 disagreement, including the impact that any such
24 disagreement is likely to have on the ability of the

1 Department of Defense to carry out the response
2 plan required by subsection (b).

3 (d) DEFINITIONS.—In this section:

4 (1) The terms “unexploded ordnance” and
5 “operational range” have the meanings given such
6 terms in section 101(e) of title 10, United States
7 Code.

8 (2) The terms “discarded military munitions”,
9 “munitions constituents”, and “defense site” have
10 the meanings given such terms in section 2710(e) of
11 such title.

12 (e) CONFORMING REPEAL.—Section 313 of the Na-
13 tional Defense Authorization Act for Fiscal Year 2002
14 (Public Law 107–107; 115 Stat. 1051; 10 U.S.C. 2706
15 note) is repealed.

16 **SEC. 314. RESEARCH ON EFFECTS OF OCEAN DISPOSAL OF**
17 **MUNITIONS.**

18 (a) IDENTIFICATION OF DISPOSAL SITES.—

19 (1) HISTORICAL REVIEW.—The Secretary of
20 Defense shall conduct a historical review of available
21 records to determine the number, size, and probable
22 locations of sites where the Armed Forces disposed
23 of military munitions in coastal waters. The histor-
24 ical review shall, to the extent possible, identify the
25 types of munitions at individual sites.

1 (2) COOPERATION.—The Secretary shall re-
2 quest the assistance of the Coast Guard, the Na-
3 tional Oceanic and Atmospheric Administration, and
4 other relevant Federal agencies in conducting the re-
5 view required by this subsection.

6 (3) INTERIM REPORTS.—The Secretary shall
7 periodically, but no less often than annually, release
8 any new information obtained during the historical
9 review conducted under paragraph (1). The Sec-
10 retary may withhold from public release the exact
11 nature and locations of munitions the potential un-
12 authorized retrieval of which could pose a significant
13 threat to the national defense or public safety.

14 (4) INCLUSION OF INFORMATION IN ANNUAL
15 REPORT ON ENVIRONMENTAL RESTORATION ACTIVI-
16 TIES.—The Secretary shall include the information
17 obtained pursuant to the review conducted under
18 paragraph (1) in the annual report on environmental
19 restoration activities submitted to Congress under
20 section 2706 of title 10, United States Code.

21 (5) FINAL REPORT.—The Secretary shall com-
22 plete the historical review required under paragraph
23 (1) and submit a final report on the findings of such
24 review in the annual report on environmental res-

1 toration activities submitted to Congress for fiscal
2 year 2009.

3 (b) IDENTIFICATION OF NAVIGATIONAL AND SAFETY
4 HAZARDS.—

5 (1) IDENTIFICATION OF HAZARDS.—The Sec-
6 retary of Defense shall provide available information
7 to the Secretary of Commerce to assist the National
8 Oceanic and Atmospheric Administration in pre-
9 paring nautical charts and other navigational mate-
10 rials for coastal waters that identify known or poten-
11 tial hazards posed by disposed military munitions to
12 private activities, including commercial shipping and
13 fishing operations.

14 (2) CONTINUATION OF INFORMATION ACTIVI-
15 TIES.—The Secretary of Defense shall continue ac-
16 tivities to inform potentially affected users of the
17 ocean environment, particularly fishing operations,
18 of the possible hazards from contact with disposed
19 military munitions and the proper methods to miti-
20 gate such hazards.

21 (c) RESEARCH.—

22 (1) IN GENERAL.—The Secretary of Defense
23 shall continue to conduct research on the effects on
24 the ocean environment and those who use it of mili-
25 tary munitions disposed of in coastal waters.

1 (2) SCOPE.—Research under paragraph (1)
2 shall include—

3 (A) the sampling and analysis of ocean wa-
4 ters and sea beds at or adjacent to military mu-
5 nitions disposal sites selected pursuant to para-
6 graph (3) to determine whether the disposed
7 military munitions have caused or are causing
8 contamination of such waters or sea beds;

9 (B) investigation into the long-term effects
10 of seawater exposure on disposed military muni-
11 tions, particularly effects on chemical muni-
12 tions;

13 (C) investigation into the impacts any such
14 contamination may have on the ocean environ-
15 ment and those who use it, including public
16 health risks;

17 (D) investigation into the feasibility of re-
18 moving or otherwise remediating the military
19 munitions; and

20 (E) the development of effective safety
21 measures for dealing with such military muni-
22 tions.

23 (3) RESEARCH CRITERIA.—In conducting the
24 research required by this subsection, the Secretary
25 shall ensure that the sampling, analysis, and inves-

1 tigungen are conducted at representative sites, tak-
2 ing into account factors such as depth, water tem-
3 perature, nature of the military munitions present,
4 and relative proximity to onshore populations. In
5 conducting such research, the Secretary shall select
6 at least two representative sites each in the areas of
7 the Atlantic coast, the Pacific coast (including Alas-
8 ka), and the Hawaiian Islands.

9 (4) AUTHORITY TO MAKE GRANTS AND ENTER
10 INTO COOPERATIVE AGREEMENTS.—In conducting
11 research under this subsection, the Secretary may
12 make grants to, and enter into cooperative agree-
13 ments with, qualified research entities.

14 (d) MONITORING.—If the historical review required
15 by subsection (a) or the research required by subsection
16 (c) indicates that contamination is being released into the
17 ocean waters from disposed military munitions at a par-
18 ticular site or that the site poses a significant public health
19 or safety risk, the Secretary of Defense shall institute ap-
20 propriate monitoring mechanisms at that site and report
21 to the congressional defense committees on any additional
22 measures that may be necessary to address the release or
23 risk, as applicable.

24 (e) DEFINITIONS.—In this section:

1 (1) The term “coastal waters” means that part
2 of the ocean extending from the coast line of the
3 United States to the outer boundary of the outer
4 Continental Shelf.

5 (2) The term “coast line” has the meaning
6 given that term in section 2(c) of the Submerged
7 Lands Act (43 U.S.C. 1301(e)).

8 (3) The term “military munitions” has the
9 meaning given that term in section 101(e) of title
10 10, United States Code.

11 (4) The term “outer Continental Shelf” has the
12 meaning given that term in section 2(a) of the Outer
13 Continental Shelf Lands Act (43 U.S.C. 1331(a)).

14 **SEC. 315. REIMBURSEMENT OF ENVIRONMENTAL PROTEC-**
15 **TION AGENCY FOR CERTAIN COSTS IN CON-**
16 **NECTION WITH MOSES LAKE WELLFIELD**
17 **SUPERFUND SITE, MOSES LAKE, WASH-**
18 **INGTON.**

19 (a) **AUTHORITY TO REIMBURSE.—**

20 (1) **TRANSFER AMOUNT.—**Using funds de-
21 scribed in subsection (b), the Secretary of Defense
22 may transfer not more than \$111,114.03 to the
23 Moses Lake Wellfield Superfund Site 10–6J Special
24 Account.

1 (2) PURPOSE OF REIMBURSEMENT.—The pay-
2 ment under paragraph (1) is to reimburse the Envi-
3 ronmental Protection Agency for its costs incurred
4 in overseeing a remedial investigation/feasibility
5 study performed by the Department of the Army
6 under the Defense Environmental Restoration Pro-
7 gram at the former Larson Air Force Base, Moses
8 Lake Superfund Site, Moses Lake, Washington.

9 (3) INTERAGENCY AGREEMENT.—The reim-
10 bursement described in paragraph (2) is provided for
11 in the interagency agreement entered into by the
12 Department of the Army and the Environmental
13 Protection Agency for the Moses Lake Wellfield
14 Superfund Site in March 1999.

15 (b) SOURCE OF FUNDS.—Any payment under sub-
16 section (a) shall be made using funds authorized to be ap-
17 propriated by section 301(17) for operation and mainte-
18 nance for Environmental Restoration, Formerly Used De-
19 fense Sites.

20 (c) USE OF FUNDS.—The Environmental Protection
21 Agency shall use the amount transferred under subsection
22 (a) to pay costs incurred by the Agency at the Moses Lake
23 Wellfield Superfund Site.

1 **SEC. 316. TRANSFER OF GOVERNMENT-FURNISHED URA-**
2 **NIUM STORED AT SEQUOYAH FUELS COR-**
3 **PORATION, GORE, OKLAHOMA.**

4 (a) **TRANSPORT AND DISPOSAL.**—Subject to sub-
5 section (c), the Secretary of the Army shall transport to
6 an authorized disposal facility for appropriate disposal all
7 of the Government-furnished uranium in the chemical and
8 physical form in which it is stored at the Sequoyah Fuels
9 Corporation site in Gore, Oklahoma.

10 (b) **SOURCE OF FUNDS.**—Funds authorized to be ap-
11 propriated pursuant to section 301(1) for operation and
12 maintenance for the Army may be used for the transport
13 and disposal required under subsection (a).

14 (c) **LIABILITY.**—The Secretary may only transport
15 uranium under subsection (a) after receiving from
16 Sequoyah Fuels Corporation a written agreement satisfac-
17 tory to the Secretary that provides that—

18 (1) the United States assumes no liability, legal
19 or otherwise, of Sequoyah Fuels Corporation by
20 transporting the uranium; and

21 (2) the Sequoyah Fuels Corporation waives any
22 and all claims it may have against the United States
23 related to the transported uranium.

24 (d) **COMPLETION OF TRANSPORT.**—The Secretary
25 shall complete the transport of uranium under subsection
26 (a) not later than March 31, 2007.

1 **SEC. 317. EXTENSION OF AUTHORITY TO GRANT EXEMP-**
2 **TIONS TO CERTAIN REQUIREMENTS.**

3 (a) AMENDMENT TO TOXIC SUBSTANCES CONTROL
4 ACT.—Section 6(e)(3) of the Toxic Substances Control
5 Act (15 U.S.C. 2605(e)(3)) is amended—

6 (1) in subparagraph (A), by striking “subpara-
7 graphs (B) and (C)” and inserting “subparagraphs
8 (B), (C), and (D)”;

9 (2) in subparagraph (B), by striking “but not
10 more than one year from the date it is granted” and
11 inserting “but not more than 1 year from the date
12 it is granted, except as provided in subparagraph
13 (D)”;

14 (3) by adding at the end the following new sub-
15 paragraph:

16 “(D) The Administrator may extend an exemption
17 granted pursuant to subparagraph (B) that has not yet
18 expired for a period not to exceed 60 days for the purpose
19 of authorizing the Secretary of Defense and the Secre-
20 taries of the military departments to provide for the trans-
21 portation into the customs territory of the United States
22 of polychlorinated biphenyls generated by or under the
23 control of the Department of Defense for purposes of their
24 disposal, treatment, or storage in the customs territory of
25 the United States if those polychlorinated biphenyls are
26 already in transit from their storage locations but the Ad-

1 administrator determines, in the sole discretion of the Ad-
2 ministrator, they would not otherwise arrive in the cus-
3 toms territory of the United States within the period of
4 the original exemption. The Administrator shall promptly
5 publish notice of such extension in the Federal Register.”.

6 (b) SUNSET DATE.—The amendments made by sub-
7 section (a) shall cease to have effect on September 30,
8 2012. The termination of the authority to grant exemp-
9 tions pursuant to such amendments shall not effect the
10 validity of any exemption granted prior to such date.

11 (c) REPORT.—Not later than March 1, 2011, the
12 Secretary of Defense shall submit to the Committee on
13 Armed Services and the Committee on Environment and
14 Public Works of the Senate and the Committee on Armed
15 Services and the Committee on Energy and Commerce of
16 the House of Representatives a report on the status of
17 foreign-manufactured polychlorinated biphenyls under the
18 control of the Department of Defense outside the United
19 States. The report shall address, at a minimum—

20 (1) the remaining volume of such foreign-manu-
21 factured polychlorinated biphenyls that may require
22 transportation into the customs territory of the
23 United States for disposal, treatment, or storage;
24 and

1 (2) the efforts that have been made by the De-
2 partment of Defense and other Federal agencies to
3 reduce such volume by—

4 (A) reducing the volume of foreign-manu-
5 factured polychlorinated biphenyls under the
6 control of the Department of Defense outside
7 the United States; or

8 (B) developing alternative options for the
9 disposal, treatment, or storage of such foreign-
10 manufactured polychlorinated biphenyls.

11 **SEC. 318. NATIONAL ACADEMY OF SCIENCES STUDY ON**
12 **HUMAN EXPOSURE TO CONTAMINATED**
13 **DRINKING WATER AT CAMP LEJEUNE, NORTH**
14 **CAROLINA.**

15 (a) STUDY REQUIRED.—

16 (1) IN GENERAL.—Not later than 60 days after
17 the date of the enactment of this Act, the Secretary
18 of the Navy shall enter into an agreement with the
19 National Academy of Sciences to conduct a com-
20 prehensive review and evaluation of the available sci-
21 entific and medical evidence regarding associations
22 between pre-natal, child, and adult exposure to
23 drinking water contaminated with trichloroethylene
24 (TCE) and tetrachloroethylene (PCE) at Camp
25 Lejeune, North Carolina, as well as other pre-natal,

1 child, and adult exposures to levels of trichloro-
2 ethylene and tetrachloroethylene similar to those ex-
3 perienceed at Camp Lejeune, and birth defects or dis-
4 eases and any other adverse health effects.

5 (2) ELEMENTS.—In conducting the review and
6 evaluation, the Academy shall review and summarize
7 the scientific and medical evidence and assess the
8 strength of that evidence in establishing a link or as-
9 sociation between exposure to trichloroethylene and
10 tetrachloroethylene and each birth defect or disease
11 suspected to be associated with such exposure. For
12 each birth defect or disease reviewed, the Academy
13 shall determine, to the extent practicable with avail-
14 able scientific and medical data, whether—

15 (A) a statistical association with such con-
16 taminant exposures exists; and

17 (B) there exist plausible biological mecha-
18 nisms or other evidence of a causal relationship
19 between contaminant exposures and the birth
20 defect or disease.

21 (3) SCOPE OF REVIEW.—In conducting the re-
22 view and evaluation, the Academy shall include a re-
23 view and evaluation of—

24 (A) the toxicologic and epidemiologic lit-
25 erature on adverse health effects of trichloro-

1 ethylene and tetrachloroethylene, including epi-
2 demologic and risk assessment reports from
3 government agencies;

4 (B) recent literature reviews by the Na-
5 tional Research Council, Institute of Medicine,
6 and other groups;

7 (C) the completed and on-going Agency for
8 Toxic Substances Disease Registry (ATSDR)
9 studies on potential trichloroethylene and
10 tetrachloroethylene exposure at Camp Lejeune;
11 and

12 (D) published meta-analyses.

13 (4) PEER REVIEW.—The Academy shall obtain
14 the peer review of the report prepared as a result of
15 the review and evaluation under applicable Academy
16 procedures.

17 (5) SUBMITTAL.—The Academy shall submit
18 the report prepared as a result of the review and
19 evaluation to the Secretary and Congress not later
20 than 18 months after entering into the agreement
21 for the review and evaluation under paragraph (1).

22 (b) NOTICE ON EXPOSURE.—

23 (1) NOTICE REQUIRED.—Upon completion of
24 the current epidemiological study by the Agency for
25 Toxic Substances Disease Registry, known as the

1 Exposure to Volatile Organic Compounds in Drink-
2 ing Water and Specific Birth Defects and Childhood
3 Cancers, United States Marine Corps Base Camp
4 Lejeune, North Carolina, the Commandant of the
5 Marine Corps shall take appropriate actions, includ-
6 ing the use of national media such as newspapers,
7 television, and the Internet, to notify former Camp
8 Lejeune residents and employees who may have been
9 exposed to drinking water impacted by trichloro-
10 ethylene and tetrachloroethylene of the results of the
11 study.

12 (2) ELEMENTS.—The information provided by
13 the Commandant of the Marine Corps under para-
14 graph (1) shall be prepared in conjunction with the
15 Agency for Toxic Substances Disease Registry and
16 shall include a description of sources of additional
17 information relating to such exposure, including, but
18 not be limited to, the following:

19 (A) A description of the events resulting in
20 exposure to contaminated drinking water at
21 Camp Lejeune.

22 (B) A description of the duration and ex-
23 tent of the contamination of drinking water at
24 Camp Lejeune.

1 (C) The known and suspected health ef-
2 fects of exposure to the drinking water im-
3 pacted by trichloroethylene and
4 tetrachloroethylene at Camp Lejeune.

5 **Subtitle C—Program Require-**
6 **ments, Restrictions, and Limita-**
7 **tions**

8 **SEC. 321. LIMITATION ON FINANCIAL MANAGEMENT IM-**
9 **PROVEMENT AND AUDIT INITIATIVES WITHIN**
10 **THE DEPARTMENT OF DEFENSE.**

11 (a) LIMITATION.—The Secretary of Defense may not
12 obligate or expend any funds for the purpose of any finan-
13 cial management improvement activity relating to the
14 preparation, processing, or auditing of financial state-
15 ments until the Secretary submits to the congressional de-
16 fense committees a written determination that each activ-
17 ity proposed to be funded is—

18 (1) consistent with the financial management
19 improvement plan of the Department of Defense re-
20 quired by section 376(a)(1) of the National Defense
21 Authorization Act for Fiscal Year 2006 (Public Law
22 190–163; 119 Stat. 3213); and

23 (2) likely to improve internal controls or other-
24 wise result in sustained improvements in the ability

1 of the Department to produce timely, reliable, and
2 complete financial management information.

3 (b) EXCEPTION.—The limitation in subsection (a)
4 shall not apply to an activity directed exclusively at assess-
5 ing the adequacy of internal controls and remediating any
6 inadequacy identified pursuant to such assessment.

7 **SEC. 322. FUNDS FOR EXHIBITS FOR THE NATIONAL MUSE-**
8 **UMS OF THE ARMED FORCES.**

9 (a) NATIONAL MUSEUM OF THE UNITED STATES
10 ARMY.—Of the amounts authorized to be appropriated by
11 section 301(1) for operation and maintenance for the
12 Army, not less than \$3,000,000 may be available to the
13 Secretary of the Army for the acquisition, installation, and
14 maintenance of exhibits at the facility designated by the
15 Secretary as the National Museum of the United States
16 Army. The Secretary may enter into a contract with the
17 Army Historical Foundation for the purpose of performing
18 such acquisition, installation, and maintenance.

19 (b) NATIONAL MUSEUM OF THE UNITED STATES
20 NAVY.—Of the amounts authorized to be appropriated by
21 section 301(2) for operation and maintenance for the
22 Navy, not less than \$3,000,000 may be available to the
23 Secretary of the Navy for the acquisition, installation, and
24 maintenance of exhibits at the facility designated by the
25 Secretary as the National Museum of the United States

1 Navy. The Secretary may enter into a contract with the
2 Naval Historical Foundation for the purpose of per-
3 forming such acquisition, installation, and maintenance.

4 (c) NATIONAL MUSEUM OF THE MARINE CORPS AND
5 HERITAGE CENTER.—Of the amounts authorized to be
6 appropriated by section 301(3) for operation and mainte-
7 nance for the Marine Corps, not less than \$3,000,000 may
8 be available to the Secretary of the Navy for the acquisi-
9 tion, installation, and maintenance of exhibits at the Na-
10 tional Museum of the Marine Corps and Heritage Center.
11 The Secretary may enter into a contract with the United
12 States Marine Corps Heritage Foundation for the purpose
13 of performing such acquisition, installation, and mainte-
14 nance.

15 (d) NATIONAL MUSEUM OF THE UNITED STATES
16 AIR FORCE.—Of the amounts authorized to be appro-
17 priated by section 301(4) for operation and maintenance
18 for the Air Force, not less than \$3,000,000 may be avail-
19 able to the Secretary of the Air Force for the acquisition,
20 installation, and maintenance of exhibits at the facility
21 designated by the Secretary as the National Museum of
22 the United States Air Force. The Secretary may enter into
23 a contract with the Air Force Museum Foundation for the
24 purpose of performing such acquisition, installation, and
25 maintenance.

1 (e) REIMBURSEMENT.—

2 (1) AUTHORITY TO ACCEPT REIMBURSE-
3 MENT.—After September 30, 2006, the Secretary of
4 a military department may accept funds from any
5 non-profit entity authorized to support the national
6 museum of the applicable Armed Force to reimburse
7 the Secretary for amounts obligated and expended
8 by the Secretary from amounts made available to
9 the Secretary under this section.

10 (2) TREATMENT.—Amounts accepted as reim-
11 bursement under paragraph (1) shall be credited to
12 the account that was used to cover the costs for
13 which the reimbursement was provided. Amounts so
14 credited shall be merged with amounts in that ac-
15 count, and shall be available for the same purposes,
16 and subject to the same conditions and limitations,
17 as other amounts in that account.

18 **SEC. 323. PRIORITIZATION OF FUNDS FOR EQUIPMENT**

19 **READINESS AND STRATEGIC CAPABILITY.**

20 (a) PRIORITIZATION OF FUNDS.—The Secretary of
21 Defense shall take such steps as may be necessary through
22 the planning, programming, budgeting, and execution sys-
23 tems of the Department of Defense to ensure that finan-
24 cial resources are provided for each fiscal year as nec-
25 essary to enable—

1 (1) the Secretary of each military department
2 to meet the requirements of that military depart-
3 ment for that fiscal year for the repair, recapitaliza-
4 tion, and replacement of equipment used in the glob-
5 al war on terrorism; and

6 (2) the Secretary of the Army to meet the re-
7 quirements of the Army for that fiscal year, in addi-
8 tion to the requirements under paragraph (1), for—

9 (A) the fulfillment of the equipment re-
10 quirements of units transforming to modularity
11 in accordance with the Modular Force Initiative
12 report submitted to Congress in March 2006;
13 and

14 (B) the reconstitution of equipment and
15 materiel in prepositioned stocks in accordance
16 with requirements under the Army
17 Prepositioned Stocks Strategy 2012 or a subse-
18 quent strategy implemented under the guide-
19 lines in section 2229 of title 10, United States
20 Code.

21 (b) SUBMISSION OF BUDGET INFORMATION.—

22 (1) SUBMISSION OF INFORMATION.—As part of
23 the budget justification materials submitted to Con-
24 gress in support of the President’s budget for a fis-
25 cal year or a request for supplemental appropria-

1 tions, the Secretary of Defense shall include the fol-
2 lowing:

3 (A) The information described in para-
4 graph (2) for the fiscal year for which the
5 budget justification materials are submitted, the
6 fiscal year during which the materials are sub-
7 mitted, and the preceding fiscal year.

8 (B) The information described in para-
9 graph (2) for each of the fiscal years covered by
10 the future-years defense program for the fiscal
11 year in which the report is submitted based on
12 estimates of any amounts required to meet each
13 of the requirements under subsection (a) that
14 are not met for that fiscal year and are de-
15 ferred to the future-years defense program.

16 (C) A consolidated budget justification
17 summary of the information submitted under
18 subparagraphs (A) and (B).

19 (2) INFORMATION DESCRIBED.—The informa-
20 tion described in this paragraph is information that
21 clearly and separately identifies, by appropriations
22 account, budget activity, activity group, sub-activity
23 group, and program element or line item, the
24 amounts requested for the programs, projects, and
25 activities of—

1 (A) each of the military departments for
2 the repair, recapitalization, or replacement of
3 equipment used in the global war on terrorism;
4 and

5 (B) the Army for—

6 (i) the fulfillment of the equipment re-
7 quirements of units transforming to
8 modularity; and

9 (ii) the reconstitution of equipment
10 and materiel in prepositioned stocks.

11 (3) ADDITIONAL INFORMATION IN FIRST RE-
12 PORT.—As part of the budget justification materials
13 submitted to Congress in support of the President’s
14 budget for fiscal year 2008, the Secretary of De-
15 fense shall also include the information described in
16 paragraph (2) for fiscal years 2003, 2004, and
17 2005.

18 (c) ANNUAL REPORT ON ARMY PROGRESS.—On the
19 date on which the President submits to Congress the
20 budget for a fiscal year under section 1105 of title 31,
21 United States Code, the Secretary of the Army shall sub-
22 mit to the congressional defense committees a report set-
23 ting forth the progress of the Army in meeting the require-
24 ments of subsection (a). Any information required to be
25 included in the report concerning funding priorities under

1 paragraph (1) or (2) of subsection (a) shall be itemized
2 by active duty component and reserve component. Each
3 such report shall include the following:

4 (1) A complete itemization of the requirements
5 for the funding priorities in subsection (a), including
6 an itemization for all types of modular brigades and
7 an itemization for the replacement of equipment
8 withdrawn or diverted from the reserve component
9 for use in the global war on terrorism.

10 (2) A list of any shortfalls that exist between
11 available funding, equipment, supplies, and indus-
12 trial capacity and required funding, equipment, sup-
13 plies, and industrial capacity in accordance with the
14 funding priorities in subsection (a).

15 (3) A list of the requirements for the funding
16 priorities in subsection (a) that the Army has in-
17 cluded in the budget for that fiscal year, including
18 a detailed listing of the type, quantity, and cost of
19 the equipment the Army plans to repair, recapitalize,
20 or procure, set forth by appropriations account and
21 Army component.

22 (4) An assessment of the progress made during
23 that fiscal year toward meeting the overall require-
24 ments of the funding priorities in subsection (a).

1 (5) A schedule for meeting the requirements of
2 subsection (a).

3 (6) A description of how the Army defines costs
4 associated with modularity versus the costs associ-
5 ated with modernizing equipment platforms and the
6 reset (repair, recapitalization, or replacement) of
7 equipment used during the global war on terrorism,
8 including the funding expended on, and the future
9 funding required for, such reset requirements.

10 (7) A complete itemization of the amount of
11 funds expended to date on the modular brigades.

12 (8) The results of Army assessments of mod-
13 ular force capabilities, including lessons learned from
14 existing modular units and any modifications that
15 have been made to modularity.

16 (9) The comments of the Chief of the National
17 Guard Bureau and the Chief of the Army Reserve
18 on each of the items described in paragraphs (1)
19 through (8).

20 (d) ANNUAL COMPTROLLER GENERAL REPORT ON
21 ARMY PROGRESS.—Not later than 45 days after the date
22 on which the President submits to Congress the budget
23 for a fiscal year under section 1105 of title 31, United
24 States Code, the Comptroller General shall submit to the

1 congressional defense committees a report containing the
2 assessment of the Comptroller General on the following:

3 (1) The progress of the Army in meeting the
4 requirements of subsection (a), including progress in
5 equipping and manning modular units in the regular
6 components and reserve components of the Armed
7 Forces.

8 (2) The use of funds by the Army for meeting
9 the requirements of subsection (a).

10 (3) The progress of the Army in conducting
11 further testing and evaluations of designs under the
12 modularity initiative.

13 (e) **TERMINATION OF REPORT REQUIREMENTS.**—
14 The requirement for the submission of a report under sub-
15 section (c) or (d) shall terminate on the date of the sub-
16 mission of the report required to be submitted under that
17 subsection to accompany or follow the President's budget
18 submission for fiscal year 2012.

19 **SEC. 324. LIMITATION ON DEPLOYMENT OF MARINE CORPS**
20 **TOTAL FORCE SYSTEM TO NAVY.**

21 (a) **LIMITATION.**—The Secretary of the Navy may
22 not deploy the Marine Corps Total Force System
23 (MCTFS) (or any derivative system of the MCTFS) to
24 the Navy until the date on which the congressional defense
25 committees and the Secretary of the Navy receive the writ-

1 ten determination of the Chairman of the Defense Busi-
2 ness Systems Management Committee submitted under
3 subsection (d) that the deployment of the MCTFS to the
4 Navy is in the best interests of the Department of De-
5 fense.

6 (b) REPORT REQUIRED.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of the Navy shall submit to the congressional defense com-
9 mittees and the Comptroller General a report on the Ma-
10 rine Corps Total Force System (MCTFS). The report
11 shall include the following:

12 (1) An analysis of alternatives to the MCTFS,
13 including a detailed comparison between the cost of
14 deploying and operating the MCTFS within the
15 Navy and the cost of including the Navy in the De-
16 fense Integrated Military Human Resources System.

17 (2) A business case analysis, including an anal-
18 ysis of the costs and benefits to both the Depart-
19 ment of Navy and the Department of Defense of the
20 alternatives to the MCTFS considered under the
21 analysis required by paragraph (1).

22 (3) An analysis of the compatibility of the
23 MCTFS with the enterprise architecture of the De-
24 partment of Defense, including a detailed estimate
25 of all interface costs with current or planned De-

1 partment-wide military manpower, personnel, and
2 pay information technology systems.

3 (c) COMPTROLLER GENERAL ASSESSMENT.—Not
4 later than 90 days after the date on which the Comptroller
5 General receives the report submitted under subsection
6 (b), the Comptroller General shall submit to the congres-
7 sional defense committees and to the Chairman of the De-
8 fense Business Systems Management Committee a written
9 assessment of the report.

10 (d) DETERMINATION OF CHAIRMAN OF DEFENSE
11 BUSINESS SYSTEMS MANAGEMENT COMMITTEE.—Not
12 sooner than 120 days after the date on which the Comp-
13 troller General receives the report submitted under sub-
14 section (b), the Chairman of the Defense Business Sys-
15 tems Management Committee shall review the analysis in-
16 cluded in the report, together with any other relevant in-
17 formation available to the Chairman, and submit to the
18 congressional defense committees and the Secretary of the
19 Navy the written determination of the Chairman of wheth-
20 er the deployment of the MCTFS to the Navy is in the
21 best interests of the Department of Defense.

1 **Subtitle D—Workplace and Depot**
2 **Issues**

3 **SEC. 331. PERMANENT EXCLUSION OF CERTAIN CONTRACT**
4 **EXPENDITURES FROM PERCENTAGE LIMITA-**
5 **TION ON THE PERFORMANCE OF DEPOT-**
6 **LEVEL MAINTENANCE.**

7 (a) **PERMANENT EXCLUSION.**—Section 2474(f) of
8 title 10, United States Code, is amended—

9 (1) by striking “(1) Amounts” and inserting
10 “Amounts”;

11 (2) by striking “entered into during fiscal years
12 2003 through 2009”; and

13 (3) by striking paragraph (2).

14 (b) **INCLUSION OF CERTAIN ITEMS IN ANNUAL RE-**
15 **PORT.**—

16 (1) **INCLUSION OF CERTAIN ITEMS.**—Paragraph
17 (2) of section 2466(d) of such title is amended to
18 read as follows:

19 “(2) Each report required under paragraph (1) shall
20 include as a separate item any expenditure covered by sec-
21 tion 2474(f) of this title that was made during the fiscal
22 year covered by the report and shall specify the amount
23 and nature of each such expenditure.”.

1 (2) CONFORMING AMENDMENT.—The heading
2 for subsection (d) of section 2466 of such title is
3 amended to read as follows: “ANNUAL REPORT.—”.

4 **SEC. 332. MINIMUM CAPITAL INVESTMENT FOR CERTAIN**
5 **DEPOTS.**

6 (a) MINIMUM INVESTMENT LEVELS.—Chapter 146
7 of title 10, United States Code, is amended by adding at
8 the end the following new section:

9 **“§ 2476. Minimum capital investment for certain de-**
10 **pots**

11 “(a) MINIMUM INVESTMENT.—Each fiscal year, the
12 Secretary of a military department shall invest in the cap-
13 ital budgets of the covered depots of that military depart-
14 ment a total amount equal to not less than six percent
15 of the average total combined workload funded at all the
16 depots of that military department for the preceding three
17 fiscal years.

18 “(b) CAPITAL BUDGET.—For purposes of this sec-
19 tion, the capital budget of a depot includes investment
20 funds spent on depot infrastructure, equipment, and proc-
21 ess improvement in direct support of depot operations.

22 “(c) WAIVER.—The Secretary of Defense may waive
23 the requirement under subsection (a) with respect to a
24 military department for a fiscal year if the Secretary de-
25 termines that the waiver is necessary for reasons of na-

1 tional security. Whenever the Secretary makes such a
2 waiver, the Secretary shall notify the congressional de-
3 fense committees of the waiver and the reasons for the
4 waiver.

5 “(d) ANNUAL REPORT.—(1) Not later than 45 days
6 after the date on which the President submits to Congress
7 the budget for a fiscal year under section 1105 of title
8 31, the Secretary of Defense shall submit to the congres-
9 sional defense committees a report containing budget jus-
10 tification documents summarizing the level of capital in-
11 vestment for each military department as of the end of
12 the preceding fiscal year.

13 “(2) Each report submitted under paragraph (1)
14 shall include the following:

15 “(A) A specification of any statutory, regu-
16 latory, or operational impediments to achieving the
17 requirement under subsection (a) with respect to
18 each military department.

19 “(B) A description of the benchmarks for cap-
20 ital investment established for each covered depot
21 and military department and the relationship of the
22 benchmarks to applicable performance measurement
23 methods used in the private sector.

24 “(C) If the requirement under subsection (a) is
25 not met for a military department for the fiscal year

1 covered by the report, a statement of the reasons
2 why the requirement was not met and a plan of ac-
3 tions for meeting the requirement for the fiscal year
4 beginning in the year in which such report is sub-
5 mitted.

6 “(e) COVERED DEPOT.—In this section, the term
7 ‘covered depot’ means any of the following:

8 “(1) With respect to the Department of the
9 Army:

10 “(A) Anniston Army Depot, Alabama.

11 “(B) Letterkenny Army Depot, Pennsyl-
12 vania.

13 “(C) Tobyhanna Army Depot, Pennsyl-
14 vania.

15 “(D) Corpus Christi Army Depot, Texas.

16 “(E) Red River Army Depot, Texas.

17 “(2) With respect to the Department of the
18 Navy:

19 “(A) Fleet Readiness Center East Site,
20 Cherry Point, North Carolina.

21 “(B) Fleet Readiness Center Southwest
22 Site, North Island, California.

23 “(C) Fleet Readiness Center Southeast
24 Site, Jacksonville, Florida.

25 “(D) Portsmouth Naval Shipyard, Maine.

1 “(E) Pearl Harbor Naval Shipyard, Ha-
2 waii.

3 “(F) Puget Sound Naval Shipyard, Wash-
4 ington.

5 “(G) Norfolk Naval Shipyard, Virginia.

6 “(H) Marine Corps Logistics Base, Al-
7 bany, Georgia.

8 “(I) Marine Corps Logistics Base, Bar-
9 stow, California.

10 “(3) With respect to the Department of the Air
11 Force:

12 “(A) Warner-Robins Air Logistics Center,
13 Georgia.

14 “(B) Ogden Air Logistics Center, Utah.

15 “(C) Oklahoma City Air Logistics Center,
16 Oklahoma.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by adding
19 at the end the following new item:

 “2476. Minimum capital investment for certain depots.”.

20 (c) EFFECTIVE DATE.—Section 2476 of title 10,
21 United States Code, as added by subsection (a), shall take
22 effect on October 1, 2006.

23 (d) TWO YEAR PHASE-IN FOR DEPARTMENTS OF
24 THE ARMY AND THE NAVY.—

1 (1) REDUCED PERCENTAGE OF REQUIRED IN-
2 VESTMENT FOR FISCAL YEARS 2007 AND 2008.—The
3 Secretary of the Army shall apply subsection (a) of
4 section 2476 of title 10, United States Code, as
5 added by subsection (a), to the covered depots of the
6 Army, and the Secretary of the Navy shall apply
7 such subsection to the covered depots of the Depart-
8 ment of the Navy—

9 (A) for fiscal year 2007, by substituting
10 “four percent” for “six percent”; and

11 (B) for fiscal year 2008, by substituting
12 “five percent” for “six percent”.

13 (2) COVERED DEPOTS.—In this subsection, the
14 term “covered depot” has the meaning given that
15 term in subsection (e) of section 2476 of title 10,
16 United States Code, as added by subsection (a).

17 **SEC. 333. EXTENSION OF TEMPORARY AUTHORITY FOR**
18 **CONTRACTOR PERFORMANCE OF SECURITY**
19 **GUARD FUNCTIONS.**

20 (a) EXTENSION AND LIMITATION ON TOTAL NUM-
21 BER OF CONTRACTORS.—Section 332(c) of the Bob
22 Stump National Defense Authorization Act for Fiscal
23 Year 2003 (Public Law 107-314) is amended—

1 (1) by striking “September 30, 2007” both
2 places it appears and inserting “September 30,
3 2009”;

4 (2) by redesignating subsection (d) as sub-
5 section (e); and

6 (3) by inserting after subsection (c) the fol-
7 lowing new subsection (d):

8 “(d) LIMITATION.—The total number of personnel
9 employed to perform security guard functions under all
10 contracts entered into pursuant to this section shall not
11 exceed—

12 “(1) for fiscal year 2007, the total number of
13 such personnel employed under such contracts on
14 October 1, 2006;

15 “(2) for fiscal year 2008, the number equal to
16 90 percent of the total number of such personnel
17 employed under such contracts on October 1, 2006;
18 and

19 “(3) for fiscal year 2009, the number equal to
20 80 percent of the total number of such personnel
21 employed under such contracts on October 1,
22 2006.”.

23 (b) REPORT ON CONTRACTOR PERFORMANCE OF SE-
24 CURITY-GUARD FUNCTIONS.—Not later than February 1,
25 2007, the Secretary of Defense shall submit to the Com-

1 mittee on Armed Services of the Senate and the Com-
2 mittee on Armed Services of the House of Representatives
3 a report on contractor performance of security guard func-
4 tions under section 332 of the Bob Stump National De-
5 fense Authorization Act for Fiscal Year 2003 (Public Law
6 107-314). The report shall include the following:

7 (1) An explanation of progress made toward im-
8 plementing each of the seven recommendations in
9 the Comptroller General report entitled “Contract
10 Security Guards: Army’s Guard Program Requires
11 Greater Oversight and Reassessment of Acquisition
12 Approach” (GAO-06-284).

13 (2) An assessment, taking into considerations
14 the observations made by the Comptroller General
15 on the report of the Department of Defense of No-
16 vember 2005 that is entitled “Department of De-
17 fense Installation Security Guard Requirement As-
18 sessment and Plan”, of the following:

19 (A) The cost-effectiveness of using contrac-
20 tors rather than Department of Defense em-
21 ployees to perform security-guard functions.

22 (B) The performance of contractors em-
23 ployed as security guards compared with the
24 performance of military personnel who have
25 served as security guards.

1 (C) Specific results of on-site visits made
2 by officials designated by the Secretary of De-
3 fense to military installations using contractors
4 to perform security-guard functions.

5 (e) CONTRACT LIMITATION.—No contract may be en-
6 tered into under section 332 of the Bob Stump National
7 Defense Authorization Act for Fiscal Year 2003 (Public
8 Law 107-314) after September 30, 2007, until the report
9 required under subsection (b) is submitted.

10 **Subtitle E—Reports**

11 **SEC. 341. REPORT ON NAVY FLEET RESPONSE PLAN.**

12 (a) REPORT REQUIRED.—Not later than December
13 1, 2006, the Secretary of the Navy shall submit to the
14 Committee on Armed Services of the Senate and the Com-
15 mittee on Armed Services of the House of Representatives
16 a report on the program of the Navy referred to as the
17 Fleet Response Plan. The report shall include the fol-
18 lowing:

19 (1) A directive that provides guidance for the
20 conduct of the Plan and standardizes terms and
21 definitions.

22 (2) Performance measures for evaluation of the
23 Plan.

1 (3) Costs and resources needed to achieve ob-
2 jectives of the Plan, including any incremental effect
3 on the Navy Operation and Maintenance budget.

4 (4) Operational tests, exercises, war games, ex-
5 periments, and deployments used to test perform-
6 ance.

7 (5) A collection and synthesis of lessons learned
8 from the implementation of the Plan as of the date
9 on which the report is submitted.

10 (6) Evaluation of each of the following with re-
11 spect to each ship participating in the Plan:

12 (A) Combat readiness, including training
13 requirements.

14 (B) Ship material condition, including
15 trending data for mission degrading casualty
16 reports rated as C3 or C4.

17 (C) Professional development training re-
18 quirements accomplished during a deployment
19 and at home station.

20 (D) Crew retention statistics.

21 (7) Any proposed changes to the Surface Force
22 Training Manual.

23 (8) The amount of funding required to effec-
24 tively implement the operation and maintenance re-
25 quirements of the Plan by ship class.

1 (9) Any recommendations of the Secretary of
2 the Navy with respect to expanding the Plan to in-
3 clude Expeditionary Strike Groups.

4 (b) COMPTROLLER GENERAL REPORT.—Not later
5 than 120 days after the date on which the Secretary of
6 the Navy submits the report required under subsection
7 (a), the Comptroller General shall submit to the congres-
8 sional defense committees a report containing a review of
9 the report required under that subsection. The Comp-
10 troller General's report shall include the following:

11 (1) An examination of the management ap-
12 proaches of the Navy in implementing the Fleet Re-
13 sponse Plan.

14 (2) An assessment of the adequacy of Navy di-
15 rectives and guidance with respect to maintenance
16 and training requirements and procedures.

17 (3) An analysis and assessment of the adequacy
18 of the Navy's evaluation criteria for the Plan.

19 (4) An evaluation of Navy data on aircraft car-
20 riers, destroyers, and cruisers that participated in
21 the Plan with respect to readiness, response time,
22 and availability for routine or unforeseen deploy-
23 ments.

24 (5) An assessment of the Navy's progress in
25 identifying the amount of funding required to effec-

1 tively implement the operations and maintenance re-
2 quirements of the Plan and the effect of providing
3 funding in an amount less than that amount.

4 (6) Any recommendations of the Comptroller
5 General with respect to expanding the Plan to in-
6 clude Expeditionary Strike Groups.

7 (c) POSTPONEMENT OF EXPANSION.—The Secretary
8 of the Navy may not expand the implementation of the
9 Fleet Response Plan beyond the Carrier Strike Groups
10 until the date that is six months after the date on which
11 the Secretary of the Navy submits the report required
12 under subsection (a).

13 **SEC. 342. REPORT ON NAVY SURFACE SHIP ROTATIONAL**
14 **CREW PROGRAMS.**

15 (a) REPORT REQUIRED.—Not later than April 1,
16 2007, the Secretary of the Navy shall submit to the Com-
17 mittee on Armed Services of the Senate and the Com-
18 mittee on Armed Services of the House of Representatives
19 a report on the ship rotational crew experiment referred
20 to in subsection (c)(1). The report shall include the fol-
21 lowing:

22 (1) A comparison between the three destroyers
23 participating in that experiment and destroyers not
24 participating in the experiment that takes into con-
25 sideration each of the following:

1 (A) Cost-effectiveness, including a com-
2 parison of travel and per diem expenses, main-
3 tenance costs, and other costs.

4 (B) Maintenance procedures, impacts, and
5 deficiencies, including the number and charac-
6 terization of maintenance deficiencies, the ex-
7 tent of voyage repairs, post-deployment assess-
8 ments of the material condition of the ships,
9 and the extent to which work levels were main-
10 tained.

11 (C) Mission training requirements.

12 (D) Professional development requirements
13 and opportunities.

14 (E) Liberty port of call opportunities.

15 (F) Movement and transportation of crew.

16 (G) Inventory and property accountability.

17 (H) Policies and procedures for assigning
18 billets for rotating crews.

19 (I) Crew retention statistics.

20 (J) Readiness and mission capability data.

21 (2) Results from surveys administered or focus
22 groups held to obtain representative views from com-
23 manding officers, officers, and enlisted members on
24 the effects of rotational crew experiments on quality

1 of life, training, professional development, mainte-
2 nance, mission effectiveness, and other issues.

3 (3) The extent to which standard policies and
4 procedures were developed and used for participating
5 ships.

6 (4) Lessons learned from the experiment.

7 (5) An assessment from the combatant com-
8 manders on the crew mission performance when de-
9 ployed.

10 (6) An assessment from the commander of the
11 Fleet Forces Command on the material condition,
12 maintenance, and crew training of each participating
13 ship.

14 (7) Any recommendations of the Secretary of
15 the Navy with respect to the extension of the ship
16 rotational crew experiment or the implementation of
17 the experiment for other surface vessels.

18 (b) POSTPONEMENT OF IMPLEMENTATION.—The
19 Secretary of the Navy may not begin implementation of
20 any new surface ship rotational crew experiment or pro-
21 gram during the period beginning on the date of the enact-
22 ment of this Act and ending on October 1, 2009.

23 (c) TREATMENT OF EXISTING EXPERIMENTS.—

24 (1) DESTROYER EXPERIMENT.—Not later than
25 January 1, 2007, the Secretary of the Navy shall

1 terminate the existing ship rotational crew experi-
2 ment involving the U.S.S. Gonzalez (DDG-66), the
3 U.S.S. Stout (DDG-55), and the U.S.S. Laboon
4 (DDG-58) that is known as the “sea swap”.

5 (2) PATROL COASTAL CLASS SHIP EXPERI-
6 MENT.—The Secretary of the Navy may continue
7 the existing ship rotational crew program that is
8 currently in use by overseas-based Patrol Coastal
9 class ships.

10 (3) MINE COUNTERMEASURES SHIPS.—The
11 Secretary of the Navy may continue the existing
12 ship rotational crew program that is currently in use
13 by MCM and MHC ships.

14 (4) LITTORAL COMBAT SHIPS.—The Secretary
15 of the Navy may employ a two crew for one ship
16 (commonly referred to as Blue-Gold) rotational crew
17 program for the first two ships of each Littoral com-
18 bat ship design (LCS 1-4).

19 (d) COMPTROLLER GENERAL REPORT.—Not later
20 than July 15, 2007, the Comptroller General shall submit
21 to the Committee on Armed Services of the Senate and
22 the Committee on Armed Services of the House of Rep-
23 resentatives a report on the ship rotational crew experi-
24 ment referred to in subsection (c)(1). The report shall in-
25 clude the following:

1 (1) A review of the report submitted by the
2 Secretary of the Navy under subsection (a) and an
3 assessment of the extent to which the Secretary fully
4 addressed costs, quality of life, training, mainte-
5 nance, and mission effectiveness, and other relevant
6 issues in that report.

7 (2) An assessment of the extent to which the
8 Secretary established and applied a comprehensive
9 framework for assessing the use of ship rotational
10 crew experiments, including formal objectives,
11 metrics, and methodology for assessing the cost-ef-
12 fectiveness of such experiments.

13 (3) An assessment of the extent to which the
14 Secretary established effective guidance for the use
15 of ship rotational crew experiments.

16 (4) Lessons learned from recent ship rotational
17 crew experiments and an assessment of the extent to
18 which the Navy systematically collects and shares
19 lessons learned.

20 (e) CONGRESSIONAL BUDGET OFFICE REPORT.—
21 Not later than July 15, 2007, the Director of the Congres-
22 sional Budget Office shall submit to the Committee on
23 Armed Services of the Senate and the Committee on
24 Armed Services of the House of Representatives a report
25 on the long-term implications of the use of crew rotation

1 on Navy ships on the degree of forward presence provided
2 by Navy ships. The report shall include the following:

3 (1) An analysis of different approaches to crew
4 rotation and the degree of forward presence each ap-
5 proach would provide.

6 (2) A comparison of the degree of forward pres-
7 ence provided by the fleet under the long-term ship-
8 building plan of the Navy with and without the
9 widespread use of crew rotation.

10 (3) The long-term benefits and costs of using
11 crew rotation on Navy ships.

12 **SEC. 343. REPORT ON ARMY LIVE-FIRE RANGES IN HAWAII.**

13 Not later than March 1, 2007, the Secretary of the
14 Army shall submit to Congress a report on the adequacy
15 of the live-fire ranges of the Army in the State of Hawaii
16 with respect to current and future training requirements.
17 The report shall include the following:

18 (1) An evaluation of the capacity of the existing
19 live-fire ranges to meet the training requirements of
20 the Army, including the training requirements of
21 Stryker Brigade Combat Teams.

22 (2) A description of any existing plan to modify
23 or expand any range in Hawaii for the purpose of
24 meeting anticipated live-fire training requirements.

1 (3) A description of the current live-fire restric-
2 tions at the Makua Valley range and the effect of
3 these restrictions on unit readiness.

4 (4) Cost and schedule estimates for the con-
5 struction of new ranges or the modification of exist-
6 ing ranges that are necessary to support future
7 training requirements if existing restrictions on
8 training at the Makua Valley range remain in place.

9 **SEC. 344. COMPTROLLER GENERAL REPORT ON JOINT**
10 **STANDARDS AND PROTOCOLS FOR ACCESS**
11 **CONTROL SYSTEMS AT DEPARTMENT OF DE-**
12 **FENSE INSTALLATIONS.**

13 (a) REPORT REQUIRED.—Not later than one year
14 after the date of the enactment of this Act, the Comp-
15 troller General shall submit to the Committee on Armed
16 Services of the Senate and the Committee on Armed Serv-
17 ices of the House of Representatives a report containing
18 the assessment of the Comptroller General of—

19 (1) the extent to which consistency exists in
20 standards, protocols, and procedures for access con-
21 trol across installations of the Department of De-
22 fense; and

23 (2) whether the establishment of joint stand-
24 ards and protocols for access control at such instal-
25 lations would be likely to—

1 (A) address any need of the Department
2 identified by the Comptroller General; or

3 (B) improve access control across such in-
4 stallations by providing greater consistency and
5 improved force protection.

6 (b) ISSUES TO BE ASSESSED.—In conducting the as-
7 sessment required by subsection (a), the Comptroller Gen-
8 eral shall assess the extent to which each installation of
9 the Department of Defense has or would benefit from hav-
10 ing an access control system with the ability to—

11 (1) electronically check any identification card
12 issued by any Federal agency or any State or local
13 government within the United States, including any
14 identification card of a visitor to the installation who
15 is a citizen or legal resident of the United States;

16 (2) verify that an identification card used to ob-
17 tain access to the installation was legitimately issued
18 and has not been reported lost or stolen;

19 (3) check on a real-time basis all relevant watch
20 lists maintained by the Government, including ter-
21 rorist watch lists and lists of persons wanted by
22 Federal, State, or local law enforcement authorities;

23 (4) maintain a log of individuals seeking access
24 to the installation and of individuals who are denied
25 access to the installation; and

1 (5) exchange information with any installation
2 with a system that complies with the joint standards
3 and protocols.

4 **SEC. 345. COMPTROLLER GENERAL REPORT ON READINESS**
5 **OF ARMY AND MARINE CORPS GROUND**
6 **FORCES.**

7 (a) REPORT REQUIRED.—

8 (1) IN GENERAL.—Not later than June 1,
9 2007, the Comptroller General shall submit to the
10 Committee on Armed Services of the Senate and the
11 Committee on Armed Services of the House of Rep-
12 resentatives a report on the readiness of the active
13 component and reserve component ground forces of
14 the Army and the Marine Corps.

15 (2) ONE OR MORE REPORTS.—In complying
16 with the requirements of this section, the Comp-
17 troller General may submit a single report address-
18 ing all the elements specified in subsection (b) or
19 two or more reports addressing any combination of
20 such elements. If the Comptroller General submits
21 more than one report under this section, all such re-
22 ports shall be submitted not later than the date
23 specified in paragraph (1).

24 (b) ELEMENTS.—The elements specified in this sub-
25 section are the following:

1 (1) An analysis of the current readiness status
2 of each of the active component and reserve compo-
3 nent ground forces of the Army and the Marine
4 Corps, including a description of any major defi-
5 ciency identified, an analysis of the trends in readi-
6 ness of such forces during not less than the ten-year
7 period preceding the date on which the report is sub-
8 mitted, and a comparison of the current readiness
9 indicators of such ground forces with historical pat-
10 terns.

11 (2) An assessment of the ability of the Army
12 and the Marine Corps to provide trained and ready
13 forces for ongoing operations as well as other com-
14 mitments assigned to the Army and the Marine
15 Corps in defense planning documents.

16 (3) An analysis of the availability of equipment
17 for training by units of the Army and the Marine
18 Corps in the United States in configurations com-
19 parable to the equipment being used by units of the
20 Army and the Marine Corps, as applicable, in ongo-
21 ing operations.

22 (4) An analysis of the current and projected re-
23 quirements for repair or replacement of equipment
24 of the Army and the Marine Corps due to ongoing
25 operations and the effect of such required repair or

1 replacement of equipment on the availability of
2 equipment for training.

3 (5) An assessment of the current personnel
4 tempo of Army and Marine Corps forces, includ-
5 ing—

6 (A) a comparison of such tempos to histor-
7 ical trends;

8 (B) an identification of particular occupa-
9 tional specialties that are experiencing unusu-
10 ally high or low deployment rates; and

11 (C) an analysis of retention rates in the oc-
12 cupational specialties identified under subpara-
13 graph (B).

14 (6) An assessment of the efforts of the Army
15 and the Marine Corps to mitigate the impact of high
16 operational tempos, including cross-leveling of per-
17 sonnel and equipment or cross training of personnel
18 or units for new or additional mission requirements.

19 (7) A description of the current policy of the
20 Army and the Marine Corps with respect to the mo-
21 bilization of reserve component personnel, together
22 with an analysis of the number of reserve component
23 personnel in each of the Army and the Marine Corps
24 that are projected to be available for deployment
25 under such policy.

1 (c) FORM OF REPORT.—Any report submitted under
2 subsection (a) shall be submitted in both classified and
3 unclassified form.

4 **SEC. 346. REPORT ON AIR FORCE SAFETY REQUIREMENTS**
5 **FOR AIR FORCE FLIGHT TRAINING OPER-**
6 **ATIONS AT PUEBLO MEMORIAL AIRPORT,**
7 **COLORADO.**

8 (a) REPORT REQUIRED.—Not later than February
9 15, 2007, the Secretary of the Air Force shall submit to
10 the congressional defense committees a report on Air
11 Force safety requirements for Air Force flight training op-
12 erations at Pueblo Memorial Airport, Colorado.

13 (b) ELEMENTS.—The report required under sub-
14 section (a) shall include each of the following:

15 (1) A description of the Air Force flying oper-
16 ations at Pueblo Memorial Airport, including the
17 Initial Flight Screening program.

18 (2) An assessment of the impact of Air Force
19 operations at Pueblo Memorial Airport on non-Air
20 Force activities at the airport.

21 (3) A description of the requirements necessary
22 at Pueblo Memorial Airport to ensure safe Air Force
23 flying operations, including the continuous avail-
24 ability of fire protection, crash rescue, and other
25 emergency response capabilities.

1 (4) An assessment of the necessity of providing
2 for a continuous fire-fighting capability at Pueblo
3 Memorial Airport.

4 (5) A description and analysis of any alter-
5 natives for Air Force flying operations at Pueblo
6 Memorial Airport, including the cost and availability
7 of any such alternatives.

8 (6) A description of Air Force funding of fire-
9 fighting and crash rescue support at Pueblo Memo-
10 rial Airport through the services contract for the Ini-
11 tial Flight Screening program.

12 (7) An assessment of whether Air Force fund-
13 ing is required to assist the City of Pueblo, Colo-
14 rado, in meeting Air Force requirements for safe Air
15 Force flight operations at Pueblo Memorial Airport,
16 and if such funding is required, the plan of the Sec-
17 retary of the Air Force to provide such funding to
18 the city.

19 **SEC. 347. ANNUAL REPORT ON PERSONNEL SECURITY IN-**
20 **VESTIGATIONS FOR INDUSTRY AND NA-**
21 **TIONAL INDUSTRIAL SECURITY PROGRAM.**

22 (a) ANNUAL REPORT REQUIRED.—The Secretary of
23 Defense shall include in the budget justification docu-
24 ments submitted to Congress in support of the President's
25 budget for the Department of Defense for each fiscal year,

1 a report on the future requirements of the Department
2 of Defense with respect to the Personnel Security Inves-
3 tigations for Industry and the National Industrial Security
4 Program of the Defense Security Service.

5 (b) CONTENTS OF REPORT.—Each report required to
6 be submitted under subsection (a) shall include the fol-
7 lowing:

8 (1) The funding requirements of the personnel
9 security clearance investigation program and ability
10 of the Secretary of Defense to fund the program.

11 (2) The size of the personnel security clearance
12 investigation process backlog.

13 (3) The length of the average delay for an indi-
14 vidual case pending in the personnel security clear-
15 ance investigation process.

16 (4) Any progress made by the Secretary of De-
17 fense during the 12 months preceding the date on
18 which the report is submitted toward implementing
19 planned changes in the personnel security clearance
20 investigation process.

21 (5) A determination certified by the Secretary
22 of Defense of whether the personnel security clear-
23 ance investigation process has improved during the
24 12 months preceding the date on which the report
25 is submitted.

1 (c) COMPTROLLER GENERAL REPORT.—Not later
2 than 180 days after the Secretary of Defense submits the
3 first report required under subsection (a), the Comptroller
4 General shall submit to Congress a report that contains
5 a review of such report. The Comptroller General's report
6 shall include the following:

7 (1) The number of personnel security clearance
8 investigations conducted during the period beginning
9 on October 1, 1999, and ending on September 30,
10 2006.

11 (2) The number of each type of security clear-
12 ance granted during that period.

13 (3) The unit cost to the Department of Defense
14 of each security clearance granted during that pe-
15 riod.

16 (4) The amount of any fee or surcharge paid to
17 the Office of Personnel Management as a result of
18 conducting a personnel security clearance investiga-
19 tion.

20 (5) A description of the procedures used by the
21 Secretary of Defense to estimate the number of per-
22 sonnel security clearance investigations to be con-
23 ducted during a fiscal year.

24 (6) A description of any plan developed by the
25 Secretary of Defense to reduce delays and backlogs

1 in the personnel security clearance investigation
2 process.

3 (7) A description of any plan developed by the
4 Secretary of Defense to adequately fund the per-
5 sonnel security clearance investigation process.

6 (8) A description of any plan developed by the
7 Secretary of Defense to establish a more stable and
8 effective Personnel Security Investigations Program.

9 **SEC. 348. FIVE-YEAR EXTENSION OF ANNUAL REPORT ON**
10 **TRAINING RANGE SUSTAINMENT PLAN AND**
11 **TRAINING RANGE INVENTORY.**

12 Section 366 of the Bob Stump National Defense Au-
13 thorization Act for Fiscal Year 2003 (Public Law 107-
14 314; 116 Stat. 2522; 10 U.S.C. 113 note) is amended—

15 (1) in subsections (a)(5) and (c)(2), by striking
16 “fiscal years 2005 through 2008” and inserting “fis-
17 cal years 2005 through 2013”; and

18 (2) in subsection (d), by striking “within 60
19 days of receiving a report” and inserting “within 90
20 days of receiving a report”.

1 **SEC. 349. REPORTS ON WITHDRAWAL OR DIVERSION OF**
2 **EQUIPMENT FROM RESERVE UNITS FOR SUP-**
3 **PORT OF RESERVE UNITS BEING MOBILIZED**
4 **AND OTHER UNITS.**

5 (a) REPORT REQUIRED ON WITHDRAWAL OR DIVER-
6 SION OF EQUIPMENT.—Not later than 90 days after the
7 date on which the Secretary concerned (as that term is
8 defined in section 101(a)(9) of title 10, United States
9 Code) withdraws or diverts equipment from any reserve
10 component unit for the purpose of transferring such
11 equipment to a reserve component unit that is ordered to
12 active duty under section 12301, 12302, or 12304 of title
13 10, United States Code, or to an active component unit
14 for the purpose of discharging the mission of the unit to
15 which the equipment is diverted, the Secretary concerned
16 shall submit to the Secretary of Defense a status report
17 on such withdrawal or diversion of equipment.

18 (b) ELEMENTS OF STATUS REPORT.—Each status
19 report under subsection (a) shall include the following:

20 (1) A plan to repair, recapitalize, or replace the
21 equipment withdrawn or diverted within the unit
22 from which it is being withdrawn or diverted.

23 (2) In the case of equipment that is to remain
24 in a theater of operations while the unit from which
25 the equipment is withdrawn or diverted leaves the
26 theater of operations, a plan to provide that unit

1 with equipment appropriate to ensure the continu-
2 ation of the readiness training of the unit.

3 (3) A signed memorandum of understanding be-
4 tween the active or reserve component to which the
5 equipment is diverted and the reserve component
6 from which the equipment is withdrawn or diverted
7 that specifies—

8 (A) how the equipment will be accounted
9 for; and

10 (B) when the equipment will be returned
11 to the component from which it was withdrawn
12 or diverted.

13 (c) REPORTS TO CONGRESS.—Not later than 90 days
14 after the date of the enactment of this Act and every 90
15 days thereafter, the Secretary of Defense shall submit to
16 Congress all status reports submitted under subsection (a)
17 during the 90-day period preceding the date on which the
18 Secretary of Defense submits such reports.

19 (d) TERMINATION.—This section shall terminate on
20 the date that is five years after the date of the enactment
21 of this Act.

1 **Subtitle F—Other Matters**
2 **SEC. 351. DEPARTMENT OF DEFENSE STRATEGIC POLICY**
3 **ON PREPOSITIONING OF MATERIEL AND**
4 **EQUIPMENT.**

5 (a) STRATEGIC POLICY REQUIRED.—Chapter 131 of
6 title 10, United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 2229. Strategic policy on prepositioning of materiel**
9 **and equipment**

10 “(a) POLICY REQUIRED.—The Secretary of Defense
11 shall maintain a strategic policy on the programs of the
12 Department of Defense for the prepositioning of materiel
13 and equipment. Such policy shall take into account na-
14 tional security threats, strategic mobility, service require-
15 ments, and the requirements of the combatant commands.

16 “(b) LIMITATION OF DIVERSION OF PREPOSITIONED
17 MATERIEL.—The Secretary of a military department may
18 not divert materiel or equipment from prepositioned stocks
19 except—

20 “(1) in accordance with a change made by the
21 Secretary of Defense to the policy maintained under
22 subsection (a); or

23 “(2) for the purpose of directly supporting a
24 contingency operation or providing humanitarian as-
25 sistance under chapter 20 of this title.

1 “(c) CONGRESSIONAL NOTIFICATION.—The Sec-
2 retary of Defense may not implement or change the policy
3 required under subsection (a) until the Secretary submits
4 to the congressional defense committees a report describ-
5 ing the policy or change to the policy.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by adding
8 at the end the following new item:

“2229. Strategic policy on prepositioning of materiel and equipment.”.

9 (c) DEADLINE FOR ESTABLISHMENT OF POLICY.—
10 (1) DEADLINE.—Not later than six months
11 after the date of the enactment of this Act, the Sec-
12 retary of Defense shall establish the strategic policy
13 on the programs of the Department of Defense for
14 the prepositioning of materiel and equipment re-
15 quired under section 2229 of title 10, United States
16 Code, as added by subsection (a).

17 (2) LIMITATION ON DIVERSION OF
18 PREPOSITIONED MATERIEL.—During the period be-
19 ginning on the date of the enactment of this Act and
20 ending on the date on which the Secretary of De-
21 fense submits the report required under section
22 2229(c) of title 10, United States Code, on the pol-
23 icy referred to in paragraph (1), the Secretary of a
24 military department may not divert materiel or
25 equipment from prepositioned stocks except for the

1 purpose of directly supporting a contingency oper-
2 ation or providing humanitarian assistance under
3 chapter 20 of that title.

4 **SEC. 352. AUTHORITY TO MAKE DEPARTMENT OF DEFENSE**

5 **HORSES AVAILABLE FOR ADOPTION.**

6 (a) INCLUSION OF DEPARTMENT OF DEFENSE
7 HORSES IN EXISTING AUTHORITY.—Section 2583 of title
8 10, United States Code, is amended—

9 (1) in the section heading, by striking “**work-**
10 **ing dogs**” and inserting “**animals**”;

11 (2) by striking “working” each place it appears;

12 (3) by striking “dog” and “dogs” each place
13 they appear and inserting “animal” and “animals”,
14 respectively;

15 (4) by striking “dog’s” in paragraphs (1) and
16 (2) of subsection (a) and inserting “animal’s”;

17 (5) by striking “a dog’s adoptability” in sub-
18 section (b) and inserting “the adoptability of the
19 animal”; and

20 (6) by adding at the end the following new sub-
21 section:

22 “(g) **MILITARY ANIMAL DEFINED.**—In this section,
23 the term ‘military animal’ means the following:

24 “(1) A military working dog.

1 munition demilitarization from funds made available for
2 the procurement of ammunition, to be available only for
3 reclamation, recycling, and reuse of conventional military
4 munitions (including research and development and equip-
5 ment purchased for such purpose).

6 “(2) Amounts credited under this subsection shall be
7 available for obligation for the fiscal year during which
8 the funds are so credited and for three subsequent fiscal
9 years.

10 “(d) REGULATIONS.—The Secretary shall prescribe
11 regulations to carry out the program established under
12 this section. Such regulations shall be consistent and in
13 compliance with the Solid Waste Disposal Act (42 U.S.C.
14 6901 et seq.) and the regulations implementing that Act.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of such chapter is amended by adding
17 at the end the following new item:

“4690. Recyclable munitions materials: sale; use of proceeds.”.

18 **SEC. 354. RECOVERY AND TRANSFER TO CORPORATION**
19 **FOR THE PROMOTION OF RIFLE PRACTICE**
20 **AND FIREARMS SAFETY OF CERTAIN FIRE-**
21 **ARMS, AMMUNITION, AND PARTS GRANTED**
22 **TO FOREIGN COUNTRIES.**

23 (a) AUTHORITY TO RECOVER; TRANSFER TO COR-
24 PORATION.—Subchapter II of chapter 407 of title 36,

1 United States Code, is amended by inserting after section
2 40728 the following new section:

3 **“§ 40728A. Recovery of excess firearms, ammunition,**
4 **and parts granted to foreign countries**
5 **and transfer to corporation**

6 “(a) **AUTHORITY TO RECOVER.**—The Secretary of
7 the Army may recover from any country to which rifles,
8 ammunition, repair parts, or other supplies described in
9 section 40731(a) of this title are furnished on a grant
10 basis under the conditions imposed by section 505 of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2314) any
12 such rifles, ammunition, repair parts, or supplies that be-
13 come excess to the needs of such country.

14 “(b) **COST OF RECOVERY.**—(1) Except as provided
15 in paragraph (2), the cost of recovery of any rifles, ammu-
16 nition, repair parts, or supplies under subsection (a) shall
17 be treated as incremental direct costs incurred in pro-
18 viding logistical support to the corporation for which reim-
19 bursement shall be required as provided in section
20 40727(a) of this title.

21 “(2) The Secretary may require the corporation to
22 pay costs of recovery described in paragraph (1) in ad-
23 vance of incurring such costs. Amounts so paid shall not
24 be subject to the provisions of section 3302 of title 31,

1 but shall be administered in accordance with the last sen-
2 tence of section 40727(a) of this title.

3 “(c) AVAILABILITY FOR TRANSFER TO CORPORA-
4 TION.—Any rifles, ammunition, repair parts, or supplies
5 recovered under subsection (a) shall be available for trans-
6 fer to the corporation in accordance with section 40728
7 of this title under such additional terms and conditions
8 as the Secretary shall prescribe for purposes of this sec-
9 tion.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting
12 after the item relating to section 40728 the following new
13 item:

“40728A. Recovery of excess firearms, ammunition, and parts granted to for-
ign countries and transfer to corporation.”.

14 **SEC. 355. EXTENSION OF DEPARTMENT OF DEFENSE TELE-**
15 **COMMUNICATIONS BENEFIT PROGRAM.**

16 (a) TERMINATION AT END OF CONTINGENCY OPER-
17 ATION.—Subsection (c) of section 344 of the National De-
18 fense Authorization Act for Fiscal Year 2004 (Public Law
19 108-136) is amended to read as follows:

20 “(c) TERMINATION OF BENEFIT.—The authority to
21 provide a benefit under subsection (a)(1) to a member di-
22 rectly supporting a contingency operation shall terminate
23 on the date that is 60 days after the date on which the

1 Secretary determines that the contingency operation has
2 ended.”.

3 (b) APPLICATION TO OTHER CONTINGENCY OPER-
4 ATIONS.—Such section is further amended—

5 (1) in subsection (a), by striking “Operation
6 Iraqi Freedom and Operation Enduring Freedom”
7 and inserting “a contingency operation”; and

8 (2) by adding at the end the following new sub-
9 section:

10 “(g) CONTINGENCY OPERATION DEFINED.—In this
11 section, the term ‘contingency operation’ has the meaning
12 given that term in section 101(a)(13) of title 10, United
13 States Code. The term includes Operation Iraqi Freedom
14 and Operation Enduring Freedom.”.

15 (c) EXTENSION TO HOSPITALIZED MEMBERS.—Sub-
16 section (a) of such section is further amended—

17 (1) by striking “As soon as possible after the
18 date of the enactment of this Act, the” and inserting
19 “(1) The”; and

20 (2) by adding at the end the following new
21 paragraph:

22 “(2) As soon as possible after the date of the enact-
23 ment of the John Warner National Defense Authorization
24 Act for Fiscal Year 2007, the Secretary shall provide,
25 wherever practicable, prepaid phone cards, packet based

1 telephony service, or an equivalent telecommunications
2 benefit which includes access to telephone service to mem-
3 bers of the Armed Forces who, although are no longer di-
4 rectly supporting a contingency operation, are hospitalized
5 as a result of wounds or other injuries incurred while serv-
6 ing in direct support of a contingency operation.”.

7 (d) REPORT ON IMPLEMENTATION OF MODIFIED
8 BENEFITS.—Not later than 90 days after the date of the
9 enactment of this Act, the Secretary of Defense shall sub-
10 mit to the Committee on Armed Services of the Senate
11 and the Committee on Armed Services of the House of
12 Representatives a report describing the status of the ef-
13 forts of the Department of Defense to implement the
14 modifications of the Department of Defense telecommuni-
15 cations benefit required by section 344 of the National De-
16 fense Authorization Act for Fiscal Year 2004 that result
17 from the amendments made by this section.

18 **SEC. 356. EXTENSION OF AVAILABILITY OF FUNDS FOR**
19 **COMMEMORATION OF SUCCESS OF THE**
20 **ARMED FORCES IN OPERATION ENDURING**
21 **FREEDOM AND OPERATION IRAQI FREEDOM.**

22 Section 378(b)(2) of the National Defense Authoriza-
23 tion Act for Fiscal Year 2006 (Public Law 109-163; 119
24 Stat. 3214) is amended by striking “fiscal year 2006” and
25 inserting “fiscal years 2006 and 2007”.

1 **SEC. 357. CAPITAL SECURITY COST SHARING.**

2 (a) RECONCILIATION REQUIRED.—For each fiscal
3 year, the Secretary of Defense shall reconcile (1) the esti-
4 mate of overseas presence of the Secretary of Defense
5 under subsection (b) for that fiscal year, with (2) the de-
6 termination of the Secretary of State under section
7 604(e)(1) of the Secure Embassy Construction and
8 Counterterrorism Act of 1999 (22 U.S.C. 4865 note) of
9 the total overseas presence of the Department of Defense
10 for that fiscal year.

11 (b) ANNUAL ESTIMATE OF OVERSEAS PRESENCE.—
12 Not later than February 1 of each year, the Secretary of
13 Defense shall submit to the congressional defense commit-
14 tees an estimate of the total number of Department of
15 Defense overseas personnel subject to chief of mission au-
16 thority pursuant to section 207 of the Foreign Service Act
17 of 1980 (22 U.S.C. 3927) during the fiscal year that be-
18 gins on October 1 of that year.

19 **SEC. 358. UTILIZATION OF FUEL CELLS AS BACK-UP POWER**
20 **SYSTEMS IN DEPARTMENT OF DEFENSE OP-**
21 **ERATIONS.**

22 The Secretary of Defense shall consider the utiliza-
23 tion of fuel cells as replacements for current back-up
24 power systems in a variety of Department of Defense oper-
25 ations and activities, including in telecommunications net-
26 works, perimeter security, individual equipment items, and

1 remote facilities, in order to increase the operational lon-
2 gevity of back-up power systems and stand-by power sys-
3 tems in such operations and activities.

4 **SEC. 359. IMPROVING DEPARTMENT OF DEFENSE SUPPORT**
5 **FOR CIVIL AUTHORITIES.**

6 (a) CONSULTATION.—In the development of concept
7 plans for the Department of Defense for providing support
8 to civil authorities, the Secretary of Defense may consult
9 with the Secretary of Homeland Security and State gov-
10 ernments.

11 (b) PREPOSITIONING OF DEPARTMENT OF DEFENSE
12 ASSETS.—The Secretary of Defense may provide for the
13 prepositioning of prepackaged or preidentified basic re-
14 sponse assets, such as medical supplies, food and water,
15 and communications equipment, in order to improve the
16 ability of the Department of Defense to rapidly provide
17 support to civil authorities. The prepositioning of basic re-
18 sponse assets shall be carried out in a manner consistent
19 with Department of Defense concept plans for providing
20 support to civil authorities and section 2229 of title 10,
21 United States Code, as added by section 351.

22 (c) REIMBURSEMENT.—To the extent required by
23 section 1535 of title 31, United States Code, or other ap-
24 plicable law, the Secretary of Defense shall require that
25 the Department of Defense be reimbursed for costs in-

1 curred by the Department in the prepositioning of basic
2 response assets under subsection (b).

3 (d) **MILITARY READINESS.**—The Secretary of De-
4 fense shall ensure that the prepositioning of basic response
5 assets under subsection (b) does not adversely affect the
6 military preparedness of the United States.

7 (e) **PROCEDURES AND GUIDELINES.**—The Secretary
8 may develop procedures and guidelines applicable to the
9 prepositioning of basic response assets under subsection
10 (b).

11 **SEC. 360. ENERGY EFFICIENCY IN WEAPONS PLATFORMS.**

12 (a) **POLICY.**—It shall be the policy of the Department
13 of Defense to improve the fuel efficiency of weapons plat-
14 forms, consistent with mission requirements, in order to—

15 (1) enhance platform performance;

16 (2) reduce the size of the fuel logistics systems;

17 (3) reduce the burden high fuel consumption
18 places on agility;

19 (4) reduce operating costs; and

20 (5) dampen the financial impact of volatile oil
21 prices.

22 (b) **REPORT REQUIRED.**—

23 (1) **IN GENERAL.**—Not later than one year
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 on the progress of the
2 Department of Defense in implementing the policy
3 established by subsection (a).

4 (2) ELEMENTS.—The report shall include the
5 following:

6 (A) An assessment of the feasibility of des-
7 ignating a senior Department of Defense offi-
8 cial to be responsible for implementing the pol-
9 icy established by subsection (a).

10 (B) A summary of the recommendations
11 made as of the time of the report by—

12 (i) the Energy Security Integrated
13 Product Team established by the Secretary
14 of Defense in April 2006;

15 (ii) the Defense Science Board Task
16 Force on Department of Defense Energy
17 Strategy established by the Under Sec-
18 retary of Defense for Acquisition, Tech-
19 nology and Logistics on May 2, 2006; and

20 (iii) the January 2001 Defense
21 Science Board Task Force report on Im-
22 proving Fuel Efficiency of Weapons Plat-
23 forms.

24 (C) For each recommendation summarized
25 under subparagraph (B)—

1 (i) the steps that the Department has
2 taken to implement such recommendation;

3 (ii) any additional steps the Depart-
4 ment plans to take to implement such rec-
5 ommendation; and

6 (iii) for any recommendation that the
7 Department does not plan to implement,
8 the reasons for the decision not to imple-
9 ment such recommendation.

10 (D) An assessment of the extent to which
11 the research, development, acquisition, and lo-
12 gistics guidance and directives of the Depart-
13 ment for weapons platforms are appropriately
14 designed to address the policy established by
15 subsection (a).

16 (E) An assessment of the extent to which
17 such guidance and directives are being carried
18 out in the research, development, acquisition,
19 and logistics programs of the Department.

20 (F) A description of any additional actions
21 that, in the view of the Secretary, may be need-
22 ed to implement the policy established by sub-
23 section (a).

1 **SEC. 361. PRIORITIZATION OF FUNDS WITHIN NAVY MIS-**
2 **SION OPERATIONS, SHIP MAINTENANCE,**
3 **COMBAT SUPPORT FORCES, AND WEAPONS**
4 **SYSTEM SUPPORT.**

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

7 (1) the President's budget for fiscal year 2007
8 failed to fund the required number of ship steaming
9 days per quarter for Navy ship operations as well as
10 deferring projected depot maintenance for Navy
11 ships and aircraft; and

12 (2) the Secretary of Defense should ensure that
13 sufficient financial resources are provided for each
14 fiscal year to support the critical training and depot
15 maintenance accounts of the Navy in order to enable
16 the Navy to maintain the current readiness levels re-
17 quired to support the national military strategy
18 without putting future readiness at risk by under-
19 funding investment in modernization, including ship
20 construction programs.

21 (b) CERTIFICATION.—The Secretary of Defense shall
22 submit to the congressional defense committees a written
23 certification, at the same time the President submits the
24 budget for each of fiscal years 2008, 2009, and 2010, that
25 the Navy has budgeted and programmed funding to fully

1 meet the requirements for that fiscal year for each of the
2 following:

3 (1) Ship steaming days per quarter for deployed
4 and non-deployed ship operations.

5 (2) Projected depot maintenance requirements
6 for ships and aircraft.

7 (c) LIMITATION.—Of the funds available for Oper-
8 ation and Maintenance, Defense-Wide, for the Office of
9 the Secretary of Defense for each of fiscal years 2008,
10 2009, and 2010, no more than 80 percent may be obli-
11 gated in that fiscal year until after the submission of the
12 certification required by subsection (b) for the annual
13 budget submitted in February of that year for the fol-
14 lowing fiscal year.

15 (d) ANNUAL REPORT.—Beginning with the fiscal
16 year 2008 budget of the President, the Secretary of the
17 Navy shall submit to the congressional defense committees
18 an annual report (to be submitted when the budget is sub-
19 mitted) setting forth the progress toward funding the re-
20 quirements of subsection (a). The annual reporting re-
21 quirement shall terminate after the fiscal year 2010 budg-
22 et submission. Each such report shall include the fol-
23 lowing:

24 (1) An assessment of the deployed and non-de-
25 ployed quarterly ship steaming day requirements,

1 itemized by active-duty component and reserve com-
2 ponent.

3 (2) An assessment of the associated budget re-
4 quest for each of the following:

5 (A) Deployed and non-deployed ship
6 steaming days per quarter.

7 (B) Chief of Naval Operations ship depot
8 maintenance availabilities, shown by type of
9 maintenance availability and by location.

10 (C) Air depot maintenance workload,
11 shown by type of airframe and by location.

12 (e) REPORT ON RIVERINE SQUADRONS.—

13 (1) REPORT REQUIRED.—The Secretary of
14 Navy shall submit to the congressional defense com-
15 mittees a report on the Riverine Squadrons of the
16 Navy. The report shall be submitted with the Presi-
17 dent's budget for fiscal year 2008 and shall include
18 the following:

19 (A) The total amount funded for fiscal
20 year 2006 and projected funding for fiscal year
21 2007 and fiscal year 2008 for those squadrons.

22 (B) The operational requirement of the
23 commander of the United States Central Com-
24 mand for those squadrons and the cor-
25 responding Department of Navy concept of op-

1 erations for deployments of those squadrons to
2 support Operation Iraqi Freedom or Operation
3 Enduring Freedom.

4 (C) The military table of organization and
5 equipment for those squadrons.

6 (D) A summary of existing Department of
7 Navy equipment that has been assigned in fis-
8 cal year 2006 or will be provided in fiscal year
9 2007 and fiscal year 2008 for those squadrons.

10 (E) The Department of Navy directive for
11 the mission assigned to those squadrons.

12 (2) LIMITATION.—Of the amount made avail-
13 able for fiscal year 2007 to the Department of Navy
14 for operation and maintenance for the Office of the
15 Secretary of the Navy, not more than 80 percent
16 may be obligated before the date on which the report
17 required under paragraph (1) is submitted.

18 **SEC. 362. PROVISION OF ADEQUATE STORAGE SPACE TO**
19 **SECURE PERSONAL PROPERTY OUTSIDE OF**
20 **ASSIGNED MILITARY FAMILY HOUSING UNIT.**

21 The Secretary of a military department shall ensure
22 that a member of the Armed Forces under the jurisdiction
23 of the Secretary who occupies a unit of military family
24 housing is provided with adequate storage space to secure

1 personal property that the member is unable to secure
2 within the unit whenever—

3 (1) the member is assigned to duty in an area
4 for which special pay under section 310 of title 37,
5 United States Code, is available and the assignment
6 is pursuant to orders specifying an assignment of
7 180 days or more; and

8 (2) the dependents of the member who other-
9 wise occupy the unit of military family housing are
10 absent from the unit for more than 30 consecutive
11 days during the period of the assignment of the
12 member.

13 **SEC. 363. EXPANSION OF PAYMENT OF REPLACEMENT**
14 **VALUE OF PERSONAL PROPERTY DAMAGED**
15 **DURING TRANSPORT AT GOVERNMENT EX-**
16 **PENSE.**

17 (a) COVERAGE OF PROPERTY OF CIVILIAN EMPLOY-
18 EES OF DEPARTMENT OF DEFENSE.—Subsection (a) of
19 section 2636a of title 10, United States Code, is amended
20 by striking “of baggage and household effects for members
21 of the armed forces at Government expense” and inserting
22 “at Government expense of baggage and household effects
23 for members of the armed forces or civilian employees of
24 the Department of Defense (or both)”.

1 (b) REQUIREMENT FOR PAYMENT AND DEDUCTION
2 UPON FAILURE OF CARRIER TO SETTLE.—Effective
3 March 1, 2008, such section is further amended—

4 (1) in subsection (a), by striking “may include”
5 and inserting “shall include”; and

6 (2) in subsection (b), by striking “may be de-
7 ducted” and inserting “shall be deducted”.

8 (c) CERTIFICATION ON FAMILIES FIRST PROGRAM.—
9 The Secretary of Defense shall submit to the congressional
10 defense committees a report containing the certifications
11 of the Secretary with respect to the program of the De-
12 partment of Defense known as “Families First” on the
13 following matters:

14 (1) Whether there is an alternative to the sys-
15 tem under the program that would provide equal or
16 greater capability at a lower cost.

17 (2) Whether the estimates on costs, and the an-
18 ticipated schedule and performance parameters, for
19 the program and system are reasonable.

20 (3) Whether the management structure for the
21 program is adequate to manage and control program
22 costs.

23 (d) COMPTROLLER GENERAL REPORTS ON FAMILIES
24 FIRST PROGRAM.—

1 (1) REVIEW AND ASSESSMENT REQUIRED.—
2 The Comptroller General of the United States shall
3 conduct a review and assessment of the progress of
4 the Department of Defense in implementing the pro-
5 gram of the Department of Defense known as
6 “Families First”.

7 (2) ELEMENTS OF REVIEW AND ASSESS-
8 MENT.—In conducting the review and assessment re-
9 quired by paragraph (1), the Comptroller General
10 shall—

11 (A) assess the progress of the Department
12 in achieving the goals of the Families First pro-
13 gram, including progress in the development
14 and deployment of the Defense Personal Prop-
15 erty System;

16 (B) assess the organization, staffing, re-
17 sources, and capabilities of the Defense Per-
18 sonal Property System Project Management Of-
19 fice established on April 7, 2006;

20 (C) evaluate the growth in cost of the pro-
21 gram since the previous assessment of the pro-
22 gram by the Comptroller General, and estimate
23 the current annual cost of the Defense Personal
24 Property System and each component of that
25 system; and

1 (D) assess the feasibility of implementing
2 processes and procedures, pending the satisfac-
3 tory development of the Defense Personal Prop-
4 erty System, which would achieve the goals of
5 the program of providing improved personal
6 property management services to members of
7 the Armed Forces.

8 (3) REPORTS.—The Comptroller General shall
9 submit to the Committee on Armed Services of the
10 Senate and the Committee on Armed Services of the
11 House of Representatives reports as follows:

12 (A) An interim report on the review and
13 assessment required by paragraph (1) by not
14 later than December 1, 2006.

15 (B) A final report on such review and as-
16 sessment by not later than June 1, 2007.

17 **TITLE IV—MILITARY**
18 **PERSONNEL AUTHORIZATIONS**

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Revision in permanent active duty end strength minimum levels.
- Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2007 limitation on number of non-dual status technicians.
- Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

Sec. 422. Armed Forces Retirement Home.

1 **Subtitle A—Active Forces**

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

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for active duty personnel as of September 30,
5 2007, as follows:

6 (1) The Army, 512,400.

7 (2) The Navy, 340,700.

8 (3) The Marine Corps, 180,000.

9 (4) The Air Force, 334,200.

10 (b) LIMITATION.—

11 (1) ARMY.—The authorized strength for the
12 Army provided in paragraph (1) of subsection (a)
13 for active duty personnel for fiscal year 2007 is sub-
14 ject to the condition that costs of active duty per-
15 sonnel of the Army for that fiscal year in excess of
16 482,400 shall be paid out of funds authorized to be
17 appropriated for that fiscal year for a contingent
18 emergency reserve fund or as an emergency supple-
19 mental appropriation.

20 (2) MARINE CORPS.—The authorized strength
21 for the Marine Corps provided in paragraph (3) of
22 subsection (a) for active duty personnel for fiscal
23 year 2007 is subject to the condition that costs of
24 active duty personnel of the Marine Corps for that

1 fiscal year in excess of 175,000 shall be paid out of
2 funds authorized to be appropriated for that fiscal
3 year for a contingent emergency reserve fund or as
4 an emergency supplemental appropriation.

5 **SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END**
6 **STRENGTH MINIMUM LEVELS.**

7 Section 691(b) of title 10, United States Code, is
8 amended by striking paragraphs (1) through (4) and in-
9 serting the following:

10 “(1) For the Army, 502,400.

11 “(2) For the Navy, 340,700.

12 “(3) For the Marine Corps, 180,000.

13 “(4) For the Air Force, 334,200.”.

14 **SEC. 403. ADDITIONAL AUTHORITY FOR INCREASES OF**
15 **ARMY AND MARINE CORPS ACTIVE DUTY END**
16 **STRENGTHS FOR FISCAL YEARS 2008 AND**
17 **2009.**

18 Effective October 1, 2007, the text of section 403 of
19 the Ronald W. Reagan National Defense Authorization
20 Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
21 1863) is amended to read as follows:

22 “(a) AUTHORITY.—

23 “(1) ARMY.—For each of fiscal years 2008 and
24 2009, the Secretary of Defense may, as the Sec-
25 retary determines necessary for the purposes speci-

1 fied in paragraph (3), establish the active-duty end
2 strength for the Army at a number greater than the
3 number otherwise authorized by law up to the num-
4 ber equal to the fiscal-year 2007 baseline plus
5 20,000.

6 “(2) MARINE CORPS.—For each of fiscal years
7 2008 and 2009, the Secretary of Defense may, as
8 the Secretary determines necessary for the purposes
9 specified in paragraph (3), establish the active-duty
10 end strength for the Marine Corps at a number
11 greater than the number otherwise authorized by law
12 up to the number equal to the fiscal-year 2007 base-
13 line plus 4,000.

14 “(3) PURPOSE OF INCREASES.—The purposes
15 for which increases may be made in Army and Ma-
16 rine Corps active duty end strengths under para-
17 graphs (1) and (2) are—

18 “(A) to support operational missions; and

19 “(B) to achieve transformational reorga-
20 nization objectives, including objectives for in-
21 creased numbers of combat brigades and battal-
22 ions, increased unit manning, force stabilization
23 and shaping, and rebalancing of the active and
24 reserve component forces.

1 “(4) FISCAL-YEAR 2007 BASELINE.—In this
2 subsection, the term ‘fiscal-year 2007 baseline’, with
3 respect to the Army and Marine Corps, means the
4 active-duty end strength authorized for those serv-
5 ices in section 401 of the John Warner National De-
6 fense Authorization Act for Fiscal Year 2007.

7 “(5) ACTIVE-DUTY END STRENGTH.—In this
8 subsection, the term ‘active-duty end strength’
9 means the strength for active-duty personnel of one
10 of the Armed Forces as of the last day of a fiscal
11 year.

12 “(b) RELATIONSHIP TO PRESIDENTIAL WAIVER AU-
13 THORITY.—Nothing in this section shall be construed to
14 limit the President’s authority under section 123a of title
15 10, United States Code, to waive any statutory end
16 strength in a time of war or national emergency.

17 “(c) RELATIONSHIP TO OTHER VARIANCE AUTHOR-
18 ITY.—The authority under subsection (a) is in addition
19 to the authority to vary authorized end strengths that is
20 provided in subsections (e) and (f) of section 115 of title
21 10, United States Code.

22 “(d) BUDGET TREATMENT.—

23 “(1) FISCAL YEAR 2008 BUDGET.—The budget
24 for the Department of Defense for fiscal year 2008
25 as submitted to Congress shall comply, with respect

1 to funding, with subsections (c) and (d) of section
2 691 of title 10, United States Code.

3 “(2) OTHER INCREASES.—If the Secretary of
4 Defense plans to increase the Army or Marine Corps
5 active duty end strength for a fiscal year under sub-
6 section (a), then the budget for the Department of
7 Defense for that fiscal year as submitted to Con-
8 gress shall include the amounts necessary for fund-
9 ing that active duty end strength in excess of the fis-
10 cal year 2007 active duty end strength authorized
11 for that service under section 401 of the John War-
12 ner National Defense Authorization Act for Fiscal
13 Year 2007.”.

14 **Subtitle B—Reserve Forces**

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

16 (a) IN GENERAL.—The Armed Forces are authorized
17 strengths for Selected Reserve personnel of the reserve
18 components as of September 30, 2007, as follows:

19 (1) The Army National Guard of the United
20 States, 350,000.

21 (2) The Army Reserve, 200,000.

22 (3) The Navy Reserve, 71,300.

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

24 (5) The Air National Guard of the United
25 States, 107,000.

1 (6) The Air Force Reserve, 74,900.

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

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

6 (1) the total authorized strength of units orga-
7 nized to serve as units of the Selected Reserve of
8 such component which are on active duty (other
9 than for training) at the end of the fiscal year; and

10 (2) the total number of individual members not
11 in units organized to serve as units of the Selected
12 Reserve of such component who are on active duty
13 (other than for training or for unsatisfactory partici-
14 pation in training) without their consent at the end
15 of the fiscal year.

16 Whenever such units or such individual members are re-
17 leased from active duty during any fiscal year, the end
18 strength prescribed for such fiscal year for the Selected
19 Reserve of such reserve component shall be increased pro-
20 portionately by the total authorized strengths of such
21 units and by the total number of such individual members.

22 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
23 **DUTY IN SUPPORT OF THE RESERVES.**

24 Within the end strengths prescribed in section
25 411(a), the reserve components of the Armed Forces are

1 authorized, as of September 30, 2007, the following num-
2 ber of Reserves to be serving on full-time active duty or
3 full-time duty, in the case of members of the National
4 Guard, for the purpose of organizing, administering, re-
5 cruiting, instructing, or training the reserve components:

6 (1) The Army National Guard of the United
7 States, 27,441.

8 (2) The Army Reserve, 15,416.

9 (3) The Navy Reserve, 12,564.

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

11 (5) The Air National Guard of the United
12 States, 13,291.

13 (6) The Air Force Reserve, 2,707.

14 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
15 **(DUAL STATUS).**

16 The minimum number of military technicians (dual
17 status) as of the last day of fiscal year 2007 for the re-
18 serve components of the Army and the Air Force (notwith-
19 standing section 129 of title 10, United States Code) shall
20 be the following:

21 (1) For the Army Reserve, 7,912.

22 (2) For the Army National Guard of the United
23 States, 26,050.

24 (3) For the Air Force Reserve, 10,124.

1 (4) For the Air National Guard of the United
2 States, 23,255.

3 **SEC. 414. FISCAL YEAR 2007 LIMITATION ON NUMBER OF**
4 **NON-DUAL STATUS TECHNICIANS.**

5 (a) LIMITATIONS.—

6 (1) NATIONAL GUARD.—Within the limitation
7 provided in section 10217(c)(2) of title 10, United
8 States Code, the number of non-dual status techni-
9 cians employed by the National Guard as of Sep-
10 tember 30, 2007, may not exceed the following:

11 (A) For the Army National Guard of the
12 United States, 1,600

13 (B) For the Air National Guard of the
14 United States, 350.

15 (2) ARMY RESERVE.—The number of non-dual
16 status technicians employed by the Army Reserve as
17 of September 30, 2007, may not exceed 595.

18 (3) AIR FORCE RESERVE.—The number of non-
19 dual status technicians employed by the Air Force
20 Reserve as of September 30, 2007, may not exceed
21 90.

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

1 **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
2 **THORIZED TO BE ON ACTIVE DUTY FOR**
3 **OPERATIONAL SUPPORT.**

4 During fiscal year 2007, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

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

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

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

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

14 (5) The Air National Guard of the United
15 States, 16,000.

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

17 **Subtitle C—Authorization of**
18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 There is hereby authorized to be appropriated to the
21 Department of Defense for military personnel for fiscal
22 year 2007 a total of \$110,098,628,000. The authorization
23 in the preceding sentence supersedes any other authoriza-
24 tion of appropriations (definite or indefinite) for such pur-
25 pose for fiscal year 2007.

1 **SEC. 422. ARMED FORCES RETIREMENT HOME.**

2 There is hereby authorized to be appropriated for fis-
3 cal year 2007 from the Armed Forces Retirement Home
4 Trust Fund the sum of \$54,846,000 for the operation of
5 the Armed Forces Retirement Home.

6 **TITLE V—MILITARY PERSONNEL**
7 **POLICY**

Subtitle A—Officer Personnel Policy

PART I—OFFICER PERSONNEL POLICY GENERALLY

- Sec. 501. Military status of officers serving in certain intelligence community positions.
- Sec. 502. Extension of age for mandatory retirement for active-duty general and flag officers.
- Sec. 503. Increased mandatory retirement ages for reserve officers.
- Sec. 504. Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army.
- Sec. 505. Management of chief warrant officers.
- Sec. 506. Extension of temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty list officers in grades of first lieutenant and lieutenant (junior grade).
- Sec. 507. Grade and exclusion from active-duty general and flag officer distribution and strength limitations of officer serving as Attending Physician to the Congress.
- Sec. 508. Modification of qualifications for leadership of the Naval Postgraduate School.

PART II—OFFICER PROMOTION POLICY

- Sec. 511. Revisions to authorities relating to authorized delays of officer promotions.
- Sec. 512. Consideration of adverse information by selection boards in recommendations on officers to be promoted.
- Sec. 513. Expanded authority for removal from reports of selection boards of officers recommended for promotion to grades below general and flag grades.
- Sec. 514. Special selection board authorities.
- Sec. 515. Removal from promotion list of officers not promoted within 18 months of approval of list by the President.

PART III—JOINT OFFICER MANAGEMENT REQUIREMENTS

- Sec. 516. Modification and enhancement of general authorities on management of officers who are joint qualified.
- Sec. 517. Modification of promotion policy objectives for joint officers.
- Sec. 518. Applicability of joint duty assignment requirements limited to graduates of National Defense University schools.

Sec. 519. Modification of certain definitions relating to jointness.

Subtitle B—Reserve Component Matters

PART I—RESERVE COMPONENT MANAGEMENT

Sec. 521. Recognition of former Representative G. V. ‘Sonny’ Montgomery for his 30 years of service in the House of Representatives.

Sec. 522. Revisions to reserve call-up authority.

Sec. 523. Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001.

PART II—AUTHORITIES RELATING TO GUARD AND RESERVE DUTY

Sec. 524. Title 10 definition of Active Guard and Reserve duty.

Sec. 525. Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel.

Sec. 526. Governor’s authority to order members to Active Guard and Reserve duty.

Sec. 527. Expansion of operations of civil support teams.

Sec. 528. Modification of authorities relating to the Commission on the National Guard and Reserves.

Sec. 529. Additional matters to be reviewed by Commission on the National Guard and Reserves.

Subtitle C—Education and Training

PART I—SERVICE ACADEMIES

Sec. 531. Expansion of service academy exchange programs with foreign military academies.

Sec. 532. Revision and clarification of requirements with respect to surveys and reports concerning sexual harassment and sexual violence at the service academies.

Sec. 533. Department of Defense policy on service academy and ROTC graduates seeking to participate in professional sports before completion of their active-duty service obligations.

PART II—SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAMS

Sec. 535. Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty.

Sec. 536. Detail of commissioned officers as students at medical schools.

Sec. 537. Increase in maximum amount of repayment under education loan repayment for officers in specified health professions.

Sec. 538. Health Professions Scholarship and Financial Assistance Program for Active Service.

PART III—JUNIOR ROTC PROGRAM

Sec. 539. Junior Reserve Officers’ Training Corps instructor qualifications.

Sec. 540. Expansion of members eligible to be employed to provide Junior Reserve Officers’ Training Corps instruction.

Sec. 541. Expansion of Junior Reserve Officers’ Training Corps program.

Sec. 542. Review of legal status of Junior ROTC program.

PART IV—OTHER EDUCATION AND TRAINING PROGRAMS

Sec. 543. Expanded eligibility for enlisted members for instruction at Naval Postgraduate School.

Subtitle D—General Service Authorities

Sec. 546. Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT).

Sec. 547. Clarification of nondisclosure requirements applicable to certain selection board proceedings.

Sec. 548. Report on extent of provision of timely notice of long-term deployments.

Subtitle E—Military Justice Matters

Sec. 551. Applicability of Uniform Code of Military Justice to members of the Armed Forces ordered to duty overseas in inactive duty for training status.

Sec. 552. Clarification of application of Uniform Code of Military Justice during a time of war.

Subtitle F—Decorations and Awards

Sec. 555. Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients.

Sec. 556. Review of eligibility of prisoners of war for award of the Purple Heart.

Sec. 557. Report on Department of Defense process for awarding decorations.

Subtitle G—Matters Relating to Casualties

Sec. 561. Authority for retention after separation from service of assistive technology and devices provided while on active duty.

Sec. 562. Transportation of remains of casualties dying in a theater of combat operations.

Sec. 563. Annual budget display of funds for POW/MIA activities of Department of Defense.

Sec. 564. Military Severely Injured Center.

Sec. 565. Comprehensive review on procedures of the Department of Defense on mortuary affairs.

Sec. 566. Additional elements of policy on casualty assistance to survivors of military decedents.

Sec. 567. Requirement for deploying military medical personnel to be trained in preservation of remains under combat or combat-related conditions.

Subtitle H—Impact Aid and Defense Dependents Education System

Sec. 571. Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe.

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- Sec. 572. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
- Sec. 573. Impact aid for children with severe disabilities.
- Sec. 574. Plan and authority to assist local educational agencies experiencing growth in enrollment due to force structure changes, relocation of military units, or base closures and realignments.
- Sec. 575. Pilot program on parent education to promote early childhood education for dependent children affected by military deployment or relocation of military units.

Subtitle I—Armed Forces Retirement Home

- Sec. 578. Report on leadership and management of the Armed Forces Retirement Home.
- Sec. 579. Report on Local Boards of Trustees of the Armed Forces Retirement Home.

Subtitle J—Reports

- Sec. 581. Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets.
- Sec. 582. Report on feasibility of establishment of Military Entrance Processing Command station on Guam.
- Sec. 583. Inclusion in annual Department of Defense report on sexual assaults of information on results of disciplinary actions.
- Sec. 584. Report on provision of electronic copy of military records on discharge or release of members from the Armed Forces.
- Sec. 585. Report on omission of social security account numbers from military identification cards.
- Sec. 586. Report on maintenance and protection of data held by the Secretary of Defense as part of the Department of Defense Joint Advertising, Market Research and Studies (JAMRS) program.
- Sec. 587. Comptroller General report on military conscientious objectors.

Subtitle K—Other Matters

- Sec. 591. Modification in Department of Defense contributions to Military Retirement Fund.
- Sec. 592. Revision in Government contributions to Medicare-Eligible Retiree Health Care Fund.
- Sec. 593. Dental Corps of the Navy Bureau of Medicine and Surgery.
- Sec. 594. Permanent authority for presentation of recognition items for recruitment and retention purposes.
- Sec. 595. Persons authorized to administer enlistment and appointment oaths.
- Sec. 596. Military voting matters.
- Sec. 597. Physical evaluation boards.
- Sec. 598. Military ID cards for retiree dependents who are permanently disabled.
- Sec. 599. United States Marine Band and United States Marine Drum and Bugle Corps.

1 **Subtitle A—Officer Personnel**
2 **Policy**

3 **PART I—OFFICER PERSONNEL POLICY**

4 **GENERALLY**

5 **SEC. 501. MILITARY STATUS OF OFFICERS SERVING IN CER-**
6 **TAIN INTELLIGENCE COMMUNITY POSITIONS.**

7 (a) CLARIFICATION OF MILITARY STATUS.—Section
8 528 of title 10, United States Code, is amended—

9 (1) by striking subsections (a) and (b) and in-
10 serting the following:

11 “(a) MILITARY STATUS.—An officer of the armed
12 forces, while serving in a position covered by this section—

13 “(1) shall not be subject to supervision or con-
14 trol by the Secretary of Defense or any other officer
15 or employee of the Department of Defense, except as
16 directed by the Secretary of Defense concerning re-
17 assignment from such position; and

18 “(2) may not exercise, by reason of the officer’s
19 status as an officer, any supervision or control with
20 respect to any of the military or civilian personnel
21 of the Department of Defense except as otherwise
22 authorized by law.

23 “(b) DIRECTOR AND DEPUTY DIRECTOR OF CIA.—
24 When the position of Director or Deputy Director of the
25 Central Intelligence Agency is held by an officer of the

1 armed forces, the officer serving in that position, while so
2 serving, shall be excluded from the limitations in sections
3 525 and 526 of this title. However, if both such positions
4 are held by an officer of the armed forces, only one such
5 officer may be excluded from those limitation while so
6 serving.”; and

7 (2) by adding at the end the following new sub-
8 sections:

9 “(e) EFFECT OF APPOINTMENT.—Except as provided
10 in subsection (a), the appointment or assignment of an
11 officer of the armed forces to a position covered by this
12 section shall not affect—

13 “(1) the status, position, rank, or grade of such
14 officer in the armed forces; or

15 “(2) any emolument, perquisite, right, privilege,
16 or benefit incident to or arising out of such status,
17 position, rank, or grade.

18 “(f) MILITARY PAY AND ALLOWANCES.—(1) An offi-
19 cer of the armed forces on active duty who is appointed
20 or assigned to a position covered by this section shall,
21 while serving in such position and while remaining on ac-
22 tive duty, continue to receive military pay and allowances
23 and shall not receive the pay prescribed for such position.

1 “(2) Funds from which pay and allowances under
2 paragraph (1) are paid to an officer while so serving shall
3 be reimbursed as follows:

4 “(A) For an officer serving in a position within
5 the Central Intelligence Agency, such reimbursement
6 shall be made from funds available to the Director
7 of the Central Intelligence Agency.

8 “(B) For an officer serving in a position within
9 the Office of the Director of National Intelligence,
10 such reimbursement shall be made from funds avail-
11 able to the Director of National Intelligence.

12 “(g) COVERED POSITIONS.—The positions covered by
13 this section are the positions specified in subsections (b)
14 and (c) and the positions designated under subsection
15 (d).”.

16 (b) CLERICAL AMENDMENTS.—

17 (1) The heading of such section is amended to
18 read as follows:

19 “**§ 528. Officers serving in certain intelligence posi-**
20 **tions: military status; exclusion from dis-**
21 **tribution and strength limitations; pay**
22 **and allowances”.**

23 (2) The item relating to section 528 in the table
24 of sections at the beginning of chapter 32 of such
25 title is amended to read as follows:

“528. Officers serving in certain intelligence positions: military status; exclusion from distribution and strength limitations; pay and allowances.”.

1 **SEC. 502. EXTENSION OF AGE FOR MANDATORY RETIRE-**
2 **MENT FOR ACTIVE-DUTY GENERAL AND FLAG**
3 **OFFICERS.**

4 (a) REVISED AGE LIMITS FOR GENERAL AND FLAG
5 OFFICERS.—Chapter 63 of title 10, United States Code,
6 is amended by inserting after section 1252 the following
7 new section:

8 **“§ 1253. Age 64: regular commissioned officers in gen-**
9 **eral and flag officer grades; exception**

10 “(a) GENERAL RULE.—Unless retired or separated
11 earlier, each regular commissioned officer of the Army,
12 Navy, Air Force, or Marine Corps serving in a general
13 or flag officer grade shall be retired on the first day of
14 the month following the month in which the officer be-
15 comes 64 years of age.

16 “(b) EXCEPTION FOR OFFICERS SERVING IN O–9
17 AND O–10 POSITIONS.—In the case of an officer serving
18 in a position that carries a grade above major general or
19 rear admiral, the retirement under subsection (a) of that
20 officer may be deferred—

21 “(1) by the President, but such a deferment
22 may not extend beyond the first day of the month
23 following the month in which the officer becomes 68
24 years of age; or

1 “(2) by the Secretary of Defense, but such a
2 deferment may not extend beyond the first day of
3 the month following the month in which the officer
4 becomes 66 years of age.”.

5 (b) RESTATEMENT AND MODIFICATION OF CURRENT
6 AGE LIMITS FOR OTHER OFFICERS.—Section 1251 of
7 such title is amended to read as follows:

8 “§ 1251. **Age 62: regular commissioned officers in**
9 **grades below general and flag officer**
10 **grades; exceptions**

11 “(a) GENERAL RULE.—Unless retired or separated
12 earlier, each regular commissioned officer of the Army,
13 Navy, Air Force, or Marine Corps (other than an officer
14 covered by section 1252 of this title or a commissioned
15 warrant officer) serving in a grade below brigadier general
16 or rear admiral (lower half), in the case of an officer in
17 the Navy, shall be retired on the first day of the month
18 following the month in which the officer becomes 62 years
19 of age.

20 “(b) DEFERRED RETIREMENT OF HEALTH PROFES-
21 SIONS OFFICERS.—(1) The Secretary of the military de-
22 partment concerned may, subject to subsection (d), defer
23 the retirement under subsection (a) of a health professions
24 officer if during the period of the deferment the officer

1 will be performing duties consisting primarily of providing
2 patient care or performing other clinical duties.

3 “(2) For purposes of this subsection, a health profes-
4 sions officer is—

5 “(A) a medical officer;

6 “(B) a dental officer; or

7 “(C) an officer in the Army Nurse Corps, an
8 officer in the Navy Nurse Corps, or an officer in the
9 Air Force designated as a nurse.

10 “(c) DEFERRED RETIREMENT OF CHAPLAINS.—The
11 Secretary of the military department concerned may, sub-
12 ject to subsection (d), defer the retirement under sub-
13 section (a) of an officer who is appointed or designated
14 as a chaplain if the Secretary determines that such defer-
15 ral is in the best interest of the military department con-
16 cerned.

17 “(d) LIMITATION ON DEFERMENT OF RETIRE-
18 MENTS.—(1) Except as provided in paragraph (2), a
19 deferment under subsection (b) or (c) may not extend be-
20 yond the first day of the month following the month in
21 which the officer becomes 68 years of age.

22 “(2) The Secretary of the military department con-
23 cerned may extend a deferment under subsection (b) or
24 (c) beyond the day referred to in paragraph (1) if the Sec-
25 retary determines that extension of the deferment is nec-

1 essary for the needs of the military department concerned.
2 Such an extension shall be made on a case-by-case basis
3 and shall be for such period as the Secretary considers
4 appropriate.”.

5 (c) CLERICAL AMENDMENTS.—The table of sections
6 at the beginning of chapter 63 of such title is amended—

7 (1) by striking the item relating to section 1251
8 and inserting the following new item:

“1251. Age 62: regular commissioned officers in grades below general and flag
officer grades; exceptions.”; and

9 (2) by inserting after the item relating to sec-
10 tion 1252 the following new item:

“1253. Age 64: regular commissioned officers in general and flag officer grades;
exception.”.

11 (d) CONFORMING AMENDMENTS.—Chapter 71 of
12 such title is amended—

13 (1) in the table in section 1401(a), by inserting
14 at the bottom of the column under the heading “For
15 sections”, in the entry for Formula Number 5, the
16 following: “1253”; and

17 (2) in the table in section 1406(b)(1), by insert-
18 ing at the bottom of the first column the following:
19 “1253”.

20 **SEC. 503. INCREASED MANDATORY RETIREMENT AGES FOR**
21 **RESERVE OFFICERS.**

22 (a) MAJOR GENERALS AND REAR ADMIRALS.—

1 (1) INCREASED AGE.—Section 14511 of title
2 10, United States Code, is amended by striking “62
3 years” and inserting “64 years”.

4 (2) CONFORMING AMENDMENT.—The heading
5 of such section is amended to read as follows:

6 **“§ 14511. Separation at age 64: major generals and
7 rear admirals”.**

8 (b) BRIGADIER GENERALS AND REAR ADMIRALS
9 (LOWER HALF).—

10 (1) INCREASED AGE.—Section 14510 of such
11 title is amended by striking “60 years” and insert-
12 ing “62 years”.

13 (2) CONFORMING AMENDMENT.—The heading
14 of such section is amended to read as follows:

15 **“§ 14510. Separation at age 62: brigadier generals and
16 rear admirals (lower half)”.**

17 (c) Officers Below Brigadier General or Rear Admiral
18 (Lower Half)—

19 (1) INCREASED AGE.—Section 14509 of such
20 title is amended by striking “60 years” and insert-
21 ing “62 years”.

22 (2) CONFORMING AMENDMENT.—The heading
23 of such section is amended to read as follows:

1 **“§ 14509. Separation at age 62: reserve officers in**
2 **grades below brigadier general or rear**
3 **admiral (lower half)”.**

4 (d) CERTAIN OTHER OFFICERS.—

5 (1) INCREASED AGE.—Section 14512 of such
6 title is amended by striking “64 years” both places
7 it appears and inserting “66 years”.

8 (2) CONFORMING AMENDMENT.—The heading
9 of such section is amended to read as follows:

10 **“§ 14512. Separation at age 66: officers holding cer-**
11 **tain offices”.**

12 (e) CONFORMING AMENDMENTS.—Section 14508 of
13 such title is amended—

14 (1) in subsection (c), by striking “60 years”
15 and inserting “62 years”; and

16 (2) in subsection (d), by striking “62 years”
17 and inserting “64 years”.

18 (f) CLERICAL AMENDMENT.—The table of sections at
19 the beginning of chapter 1407 of such title is amended
20 by striking the items relating to sections 14509, 14510,
21 14511, and 14512 and inserting the following new items:

“14509. Separation at age 62: reserve officers in grades below brigadier general
or rear admiral (lower half).

“14510. Separation at age 62: brigadier generals and rear admirals (lower
half).

“14511. Separation at age 64: major generals and rear admirals.

“14512. Separation at age 66: officers holding certain offices.”.

1 **SEC. 504. STANDARDIZATION OF GRADE OF SENIOR DEN-**
2 **TAL OFFICER OF THE AIR FORCE WITH THAT**
3 **OF SENIOR DENTAL OFFICER OF THE ARMY.**

4 (a) AIR FORCE ASSISTANT SURGEON GENERAL FOR
5 DENTAL SERVICES.—Section 8081 of title 10, United
6 States Code, is amended by striking “brigadier general”
7 in the second sentence and inserting “major general”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) shall take effect on the date of the occur-
10 rence of the next vacancy in the position of Assistant Sur-
11 geon General for Dental Services in the Air Force that
12 occurs after the date of the enactment of this Act or, if
13 earlier, on the date of the appointment to the grade of
14 major general of the officer who is the incumbent in that
15 position on the date of the enactment of the Act.

16 **SEC. 505. MANAGEMENT OF CHIEF WARRANT OFFICERS.**

17 (a) RETENTION OF CHIEF WARRANT OFFICERS, W-
18 4, WHO HAVE TWICE FAILED OF SELECTION FOR PRO-
19 MOTION.—Paragraph (1) of section 580(e) of title 10,
20 United States Code, is amended by striking “continued
21 on active duty if” and all that follows and inserting “con-
22 tinued on active duty if—

23 “(A) in the case of a warrant officer in the
24 grade of chief warrant officer, W-2, or chief warrant
25 officer, W-3, the warrant officer is selected for con-

1 continuation on active duty by a selection board con-
2 vened under section 573(c) of this title; and

3 “(B) in the case of a warrant officer in the
4 grade of chief warrant officer, W-4, the warrant of-
5 ficer is selected for continuation on active duty by
6 the Secretary concerned under such procedures as
7 the Secretary may prescribe.”.

8 (b) ELIGIBILITY FOR CONSIDERATION FOR PRO-
9 MOTION OF WARRANT OFFICERS CONTINUED ON ACTIVE
10 DUTY.—Paragraph (2) of such section is amended—

11 (1) by inserting “(A)” after “(2)”; and

12 (2) by adding at the end the following new sub-
13 paragraph:

14 “(B) A warrant officer in the grade of chief warrant
15 officer, W-4, who is retained on active duty pursuant to
16 procedures prescribed under paragraph (1)(B) is eligible
17 for further consideration for promotion while remaining
18 on active duty.”.

19 (c) MANDATORY RETIREMENT FOR LENGTH OF
20 SERVICE.—Section 1305(a) of such title is amended—

21 (1) by striking “(1) Except as” and all the fol-
22 lows through “W-5)” and inserting “A regular war-
23 rant officer”;

24 (2) by inserting “as a warrant officer” after
25 “years of active service”;

1 (3) by inserting “the date on which” after “60
2 days after”; and

3 (4) by striking paragraph (2).

4 **SEC. 506. EXTENSION OF TEMPORARY REDUCTION OF**
5 **TIME-IN-GRADE REQUIREMENT FOR ELIGI-**
6 **BILITY FOR PROMOTION FOR CERTAIN AC-**
7 **TIVE-DUTY LIST OFFICERS IN GRADES OF**
8 **FIRST LIEUTENANT AND LIEUTENANT (JUN-**
9 **IOR GRADE).**

10 Section 619(a)(1)(B) of title 10, United States Code,
11 is amended by striking “October 1, 2005” and inserting
12 “October 1, 2008”.

13 **SEC. 507. GRADE AND EXCLUSION FROM ACTIVE-DUTY GEN-**
14 **ERAL AND FLAG OFFICER DISTRIBUTION**
15 **AND STRENGTH LIMITATIONS OF OFFICER**
16 **SERVING AS ATTENDING PHYSICIAN TO THE**
17 **CONGRESS.**

18 (a) GRADE.—

19 (1) REGULAR OFFICER.—(A) Chapter 41 of
20 title 10, United States Code, is amended by adding
21 at the end the following new section:

22 **“§ 722. Attending Physician to the Congress: grade**

23 “A general officer serving as Attending Physician to
24 the Congress, while so serving, holds the grade of major
25 general. A flag officer serving as Attending Physician to

1 the Congress, while so serving, holds the grade of rear ad-
2 miral.”.

3 (B) The table of sections at the beginning of
4 such chapter is amended by adding at the end the
5 following new item:

“722. Attending Physician to the Congress: grade.”.

6 (2) RESERVE OFFICER.—(A) Section 12210 of
7 such title is amended by striking “who holds” and
8 all that follows and inserting “holds the reserve
9 grade of major general or rear admiral, as appro-
10 priate.”.

11 (B) The heading of such section is amended to
12 read as follows:

13 **“§ 12210. Attending Physician to the Congress: re-**
14 **serve grade”.**

15 (C) The table of sections at the beginning of
16 chapter 1205 of such title is amended by striking
17 the item relating to section 12210 and inserting the
18 following new item:

“12210. Attending Physician to the Congress: reserve grade.”.

19 (b) DISTRIBUTION LIMITATIONS.—Section 525 of
20 such title is amended by adding at the end the following
21 new subsection:

22 “(f) An officer while serving as Attending Physician
23 to the Congress is in addition to the number that would
24 otherwise be permitted for that officer’s armed force for

1 officers serving on active duty in grades above brigadier
2 general or rear admiral (lower half) under subsection
3 (a).”.

4 (c) ACTIVE-DUTY STRENGTH LIMITATIONS.—Section
5 526 of such title is amended by adding at the end the
6 following new subsection:

7 “(f) EXCLUSION OF ATTENDING PHYSICIAN TO THE
8 CONGRESS.—The limitations of this section do not apply
9 to the general or flag officer who is serving as Attending
10 Physician to the Congress.”.

11 **SEC. 508. MODIFICATION OF QUALIFICATIONS FOR LEAD-**
12 **ERSHIP OF THE NAVAL POSTGRADUATE**
13 **SCHOOL.**

14 Subsection (a) of section 7042 of title 10, United
15 States Code, is amended to read as follows:

16 “(a)(1) The President of the Naval Postgraduate
17 School shall be one of the following:

18 “(A) An active-duty officer of the Navy or Ma-
19 rine Corps in a grade not below the grade of cap-
20 tain, or colonel, respectively, who is assigned or de-
21 tailed to such position.

22 “(B) A civilian individual, including an indi-
23 vidual who was retired from the Navy or Marine
24 Corps in a grade not below captain, or colonel, re-
25 spectively, who has the qualifications appropriate to

1 the position of President and is selected by the Sec-
2 retary of the Navy as the best qualified from among
3 candidates for the position in accordance with—

4 “(i) the criteria specified in paragraph (4);

5 “(ii) a process determined by the Sec-
6 retary; and

7 “(iii) other factors the Secretary considers
8 essential.

9 “(2) Before making an assignment, detail, or selec-
10 tion of an individual for the position of President of the
11 Naval Postgraduate School, the Secretary shall—

12 “(A) consult with the Board of Advisors for the
13 Naval Postgraduate School;

14 “(B) consider any recommendation of the lead-
15 ership and faculty of the Naval Postgraduate School
16 regarding the assignment or selection to that posi-
17 tion; and

18 “(C) consider the recommendations of the Chief
19 of Naval Operations and the Commandant of the
20 Marine Corps.

21 “(3) An individual selected for the position of Presi-
22 dent of the Naval Postgraduate School under paragraph
23 (1)(B) shall serve in that position for a term of not more
24 than five years and may be continued in that position for
25 an additional term of up to five years.

1 “(4) The qualifications appropriate for selection of an
2 individual for detail or assignment to the position of Presi-
3 dent of the Naval Postgraduate School include the fol-
4 lowing:

5 “(A) An academic degree that is either—

6 “(i) a doctorate degree in a field of study
7 relevant to the mission and function of the
8 Naval Postgraduate School; or

9 “(ii) a master’s degree in a field of study
10 relevant to the mission and function of the
11 Naval Postgraduate School, but only if—

12 “(I) the individual is an active-duty or
13 retired officer of the Navy or Marine Corps
14 in a grade not below the grade of captain
15 or colonel, respectively; and

16 “(II) at the time of the selection of
17 that individual as President, the individual
18 permanently appointed to the position of
19 Provost and Academic Dean has a doc-
20 torate degree in such a field of study.

21 “(B) A comprehensive understanding of the De-
22 partment of the Navy, the Department of Defense,
23 and joint and combined operations.

24 “(C) Leadership experience at the senior level
25 in a large and diverse organization.

1 “(D) Demonstrated ability to foster and en-
2 courage a program of research in order to sustain
3 academic excellence.

4 “(E) Other qualifications, as determined by the
5 Secretary of the Navy.”.

6 **PART II—OFFICER PROMOTION POLICY**

7 **SEC. 511. REVISIONS TO AUTHORITIES RELATING TO AU-**
8 **THORIZED DELAYS OF OFFICER PRO-**
9 **MOTIONS.**

10 (a) OFFICERS ON ACTIVE-DUTY LIST.—

11 (1) SECRETARY OF DEFENSE REGULATIONS
12 FOR DELAYS OF APPOINTMENT UPON PROMOTION.—
13 Paragraphs (1) and (2) of subsection (d) of section
14 624 of title 10, United States Code, are amended by
15 striking “prescribed by the Secretary concerned” in
16 and inserting “prescribed by the Secretary of De-
17 fense”.

18 (2) ADDITIONAL BASIS FOR DELAY OF AP-
19 POINTMENT BY REASON OF INVESTIGATIONS AND
20 PROCEEDINGS.—Subsection (d)(1) of such section is
21 further amended—

22 (A) by striking “or” at the end of subpara-
23 graph (C);

24 (B) by striking the period at the end of
25 subparagraph (D) and inserting “; or”;

1 (C) by inserting after subparagraph (D)
2 the following new subparagraph:

3 “(E) substantiated adverse information about
4 the officer that is material to the decision to appoint
5 the officer is under review by the Secretary of De-
6 fense or the Secretary concerned.”; and

7 (D) in the flush matter following subpara-
8 graph (E), as inserted by subparagraph (C) of
9 this paragraph—

10 (i) by striking “or” after “chapter 60
11 of this title”; and

12 (ii) by inserting after “brought
13 against him,” the following: “or if, after a
14 review of substantiated adverse informa-
15 tion about the officer regarding the re-
16 quirement for exemplary conduct set forth
17 in section 3583, 5947, or 8583 of this
18 title, as applicable, the officer is deter-
19 mined to be among the officers best quali-
20 fied for promotion,”.

21 (3) ADDITIONAL BASIS FOR DELAY IN APPOINT-
22 MENT FOR LACK OF QUALIFICATIONS.—Subsection
23 (d)(2) of such section is further amended—

24 (A) in the first sentence, by inserting be-
25 fore “is mentally, physically,” the following:

1 “has not met the requirement for exemplary
2 conduct set forth in section 3583, 5947, or
3 8583 of this title, as applicable, or”; and

4 (B) in the second sentence, by striking “If
5 the Secretary concerned later determines that
6 the officer is qualified for promotion to such
7 grade” and inserting “If it is later determined
8 by a civilian official of the Department of De-
9 fense (not below the level of Secretary of a mili-
10 tary department) that the officer is qualified for
11 promotion to such grade and, after a review of
12 adverse information regarding the requirement
13 for exemplary conduct set forth in section 3583,
14 5947, or 8583 of this title, as applicable, the of-
15 ficer is determined to be among the officers
16 best qualified for promotion to such grade”.

17 (b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—

18 (1) SECRETARY OF DEFENSE REGULATIONS
19 FOR DELAYS OF APPOINTMENT UPON PROMOTION.—
20 Subsections (a)(1) and (b) of section 14311 of such
21 title are amended by striking “Secretary of the mili-
22 tary department concerned” and inserting “Sec-
23 retary of Defense”.

24 (2) ADDITIONAL BASIS FOR ORIGINAL DELAY
25 OF APPOINTMENT BY REASON OF INVESTIGATIONS

1 AND PROCEEDINGS.—Section 14311(a) of such title
2 is further amended—

3 (A) in paragraph (1), by adding at the end
4 the following new subparagraph:

5 “(E) Substantiated adverse information about
6 the officer that is material to the decision to appoint
7 the officer is under review by the Secretary of De-
8 fense or the Secretary concerned.”; and

9 (B) in paragraph (2)—

10 (i) by striking “or” after “show cause
11 for retention,”; and

12 (ii) by inserting after “of the
13 charges,” the following: “or if, after a re-
14 view of substantiated adverse information
15 about the officer regarding the require-
16 ment for exemplary conduct set forth in
17 section 3583, 5947, or 8583 of this title,
18 as applicable, the officer is determined to
19 be among the officers best qualified for
20 promotion,”.

21 (3) ADDITIONAL BASIS FOR DELAY IN APPOINT-
22 MENT FOR LACK OF QUALIFICATIONS.—Section
23 14311(b) of such section is further amended—

24 (A) in the first sentence, by inserting be-
25 fore “is mentally, physically,” the following:

1 “has not met the requirement for exemplary
2 conduct set forth in section 3583, 5947, or
3 8583 of this title, as applicable, or”; and

4 (B) in the second sentence, by striking “If
5 the Secretary concerned later determines that
6 the officer is qualified for promotion to the
7 higher grade” and inserting “If it is later deter-
8 mined by a civilian official of the Department
9 of Defense (not below the level of Secretary of
10 a military department) that the officer is quali-
11 fied for promotion to the higher grade and,
12 after a review of adverse information regarding
13 the requirement for exemplary conduct set forth
14 in section 3583, 5947, or 8583 of this title, as
15 applicable, the officer is determined to be
16 among the officers best qualified for promotion
17 to the higher grade”.

18 (c) DEADLINE FOR UNIFORM REGULATIONS ON
19 DELAY OF PROMOTIONS.—

20 (1) DEADLINE.—The Secretary of Defense shall
21 prescribe the regulations required by section 624(d)
22 of title 10, United States Code (as amended by sub-
23 section (a)(1) of this section), and the regulations
24 required by section 14311 of such title (as amended

1 by subsection (b)(1) of this section) not later than
2 March 1, 2008.

3 (2) SAVINGS CLAUSE FOR EXISTING REGULA-
4 TIONS.—Until the Secretary of Defense prescribes
5 regulations pursuant to paragraph (1), regulations
6 prescribed by the Secretaries of the military depart-
7 ments under the sections referred to in paragraph
8 (1) shall remain in effect.

9 (d) TECHNICAL AMENDMENTS TO CLARIFY DATE OF
10 ESTABLISHMENT OF PROMOTION LISTS.—

11 (1) PROMOTION LISTS FOR ACTIVE-DUTY LIST
12 OFFICERS.—Section 624(a)(1) of title 10, United
13 States Code, is amended by adding at the end the
14 following new sentence: “A promotion list is consid-
15 ered to be established under this section as of the
16 date of the approval of the report of the selection
17 board under the preceding sentence.”.

18 (2) PROMOTION LISTS FOR RESERVE ACTIVE-
19 STATUS LIST OFFICERS.—Section 14308(a) of title
20 10, United States Code, is amended by adding at
21 the end the following new sentence: “A promotion
22 list is considered to be established under this section
23 as of the date of the approval of the report of the
24 selection board under the preceding sentence.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act and shall apply with respect to officers on pro-
4 motion lists established on or after the date of the enact-
5 ment of this Act.

6 **SEC. 512. CONSIDERATION OF ADVERSE INFORMATION BY**
7 **SELECTION BOARDS IN RECOMMENDATIONS**
8 **ON OFFICERS TO BE PROMOTED.**

9 (a) OFFICERS ON ACTIVE-DUTY LIST.—Section
10 616(c) of title 10, United States Code, is amended—

11 (1) by striking “and” at the end of paragraph
12 (1);

13 (2) by striking the period at the end in para-
14 graph (2) and inserting “; and”; and

15 (3) by adding at the end the following new
16 paragraph:

17 “(3) a majority of the members of the board,
18 after consideration by all members of the board of
19 any adverse information about the officer that is
20 provided to the board under section 615 of this title,
21 finds that the officer is among the officers best
22 qualified for promotion to meet the needs of the
23 armed force concerned consistent with the require-
24 ment of exemplary conduct set forth in section 3583,
25 5947, or 8583 of this title, as applicable.”.

1 (b) OFFICERS ON RESERVE-ACTIVE STATUS LIST.—

2 Section 14108(b) of such title is amended—

3 (1) in the heading, by striking “MAJORITY RE-
4 QUIRED.—” and inserting “ACTIONS REQUIRED.—”;

5 (2) by striking “and” at the end of paragraph
6 (1);

7 (3) by striking the period at the end in para-
8 graph (2) and inserting “; and”; and

9 (4) by adding at the end the following new
10 paragraph:

11 “(3) a majority of the members of the board,
12 after consideration by all members of the board of
13 any adverse information about the officer that is
14 provided to the board under section 14107 of this
15 title, finds that the officer is among the officers best
16 qualified for promotion to meet the needs of the
17 armed force concerned consistent with the require-
18 ment of exemplary conduct set forth in section 3583,
19 5947, or 8583 of this title, as applicable.”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on the date of the enactment
22 of this Act and shall apply with respect to selection boards
23 convened on or after that date.

1 **SEC. 513. EXPANDED AUTHORITY FOR REMOVAL FROM RE-**
2 **PORTS OF SELECTION BOARDS OF OFFICERS**
3 **RECOMMENDED FOR PROMOTION TO**
4 **GRADES BELOW GENERAL AND FLAG**
5 **GRADES.**

6 (a) OFFICERS ON ACTIVE-DUTY LIST.—Section
7 618(d) of title 10, United States Code, is amended—

8 (1) by striking “The name” and inserting “(1)
9 Except as provided in paragraph (2), the name”;
10 and

11 (2) by adding at the end the following new
12 paragraph:

13 “(2) In the case of an officer recommended by a se-
14 lection board for promotion to a grade below brigadier
15 general or rear admiral (lower half), the name of the offi-
16 cer may also be removed from the report of the selection
17 board by the Secretary of Defense or the Deputy Secretary
18 of Defense.”.

19 (b) OFFICERS ON RESERVE-ACTIVE STATUS LIST.—
20 Section 14111(b) of such title is amended—

21 (1) by striking “The name” and inserting “(1)
22 Except as provided in paragraph (2), the name”;
23 and

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) In the case of an officer recommended by a se-
2 lection board for promotion to a grade below brigadier
3 general or rear admiral (lower half), the name of the offi-
4 cer may also be removed from the report of the selection
5 board by the Secretary of Defense or the Deputy Secretary
6 of Defense.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply with respect to selection boards
9 convened on or after the date of the enactment of this
10 Act.

11 **SEC. 514. SPECIAL SELECTION BOARD AUTHORITIES.**

12 (a) OFFICERS ON ACTIVE-DUTY LIST.—

13 (1) BOARDS FOR ADMINISTRATIVE ERROR
14 AVAILABLE ONLY TO OFFICERS IN OR ABOVE PRO-
15 MOTION ZONE.—Subsection (a)(1) of section 628 of
16 title 10, United States Code, is amended by insert-
17 ing “from in or above the promotion zone” after
18 “for selection for promotion”.

19 (2) ACTIONS TREATABLE AS MATERIAL UNFAIR-
20 NESS.—Subsection (b)(1)(A) of such section is
21 amended by inserting “in a matter material to the
22 decision of the board” after “contrary to law”.

23 (b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—
24 Section 14502(b)(1)(A) of such title is amended by insert-

1 ing “in a matter material to the decision of the board”
2 after “contrary to law”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on March 1, 2007, and shall
5 apply with respect to selection boards convened on or after
6 that date.

7 **SEC. 515. REMOVAL FROM PROMOTION LIST OF OFFICERS**
8 **NOT PROMOTED WITHIN 18 MONTHS OF AP-**
9 **PROVAL OF LIST BY THE PRESIDENT.**

10 (a) OFFICERS ON ACTIVE-DUTY LISTS.—

11 (1) CLARIFICATION OF REMOVAL DUE TO SEN-
12 ATE NOT GIVING ADVICE AND CONSENT.—Sub-
13 section (b) of section 629 of title 10, United States
14 Code, is amended—

15 (A) by inserting “REMOVAL DUE TO SEN-
16 ATE NOT GIVING ADVICE AND CONSENT.—”
17 after “(b)” ; and

18 (B) by inserting “to a grade for which ap-
19 pointment is required by section 624(c) of this
20 title to be made by and with the advice and
21 consent of the Senate” after “the President”.

22 (2) REMOVAL AFTER 18 MONTHS.—Such sec-
23 tion is further amended—

24 (A) by redesignating subsection (c) as sub-
25 section (d); and

1 (B) by inserting after subsection (b) the
2 following new subsection (c):

3 “(c) REMOVAL AFTER 18 MONTHS.—(1) If an officer
4 whose name is on a list of officers approved for promotion
5 under section 624(a) of this title to a grade for which ap-
6 pointment is required by section 624(c) of this title to be
7 made by and with the advice and consent of the Senate
8 is not appointed to that grade under such section during
9 the officer’s promotion eligibility period, the officer’s name
10 shall be removed from the list unless as of the end of such
11 period the Senate has given its advice and consent to the
12 appointment.

13 “(2) Before the end of the promotion eligibility period
14 with respect to an officer under paragraph (1), the Presi-
15 dent may extend that period for purposes of paragraph
16 (1) by an additional 12 months.

17 “(3) In this subsection, the term ‘promotion eligibility
18 period’ means, with respect to an officer whose name is
19 on a list of officers approved for promotion under section
20 624(a) of this title to a grade for which appointment is
21 required by section 624(c) of this title to be made by and
22 with the advice and consent of the Senate, the period be-
23 ginning on the date on which the list is so approved and
24 ending on the first day of the eighteenth month following
25 the month during which the list is so approved.”.

1 (3) CROSS-REFERENCE AMENDMENT.—Para-
2 graph (1) of subsection (d) of such section, as redes-
3 ignated by paragraph (2)(A) of this subsection, is
4 amended by striking “or (b)” and inserting “(b), or
5 (c)”.

6 (4) STYLISTIC AMENDMENTS.—Such section is
7 further amended—

8 (A) in subsection (a), by inserting “RE-
9 MOVAL BY PRESIDENT.—” after “(a)”; and

10 (B) in subsection (d) (as amended by para-
11 graph (3)), by inserting “CONTINUED ELIGI-
12 BILITY FOR PROMOTION.—” before “(1)”.

13 (b) OFFICERS ON RESERVE ACTIVE STATUS LIST.—

14 (1) REMOVAL FOLLOWING RETURN.—Section
15 14310 of such title is amended—

16 (A) by redesignating subsection (c) as sub-
17 section (d); and

18 (B) by inserting after subsection (b) the
19 following new subsection (c):

20 “(c) REMOVAL AFTER 18 MONTHS.—(1) If an officer
21 whose name is on a list of officers approved for promotion
22 under section 14308(a) of this title to a grade for which
23 appointment is required by section 12203(a) of this title
24 to be made by and with the advice and consent of the Sen-
25 ate is not appointed to that grade under such section dur-

1 ing the officer's promotion eligibility period, the officer's
2 name shall be removed from the list unless as of the end
3 of such period the Senate has given its advice and consent
4 to the appointment.

5 “(2) Before the end of the promotion eligibility period
6 with respect to an officer under paragraph (1), the Presi-
7 dent may extend that period for purposes of paragraph
8 (1) by an additional 12 months.

9 “(3) In this subsection, the term ‘promotion eligibility
10 period’ means, with respect to an officer whose name is
11 on a list of officers approved for promotion under section
12 14308(a) of this title to a grade for which appointment
13 is required by section 12203(a) of this title to be made
14 by and with the advice and consent of the Senate, the pe-
15 riod beginning on the date on which the list is so approved
16 and ending on the first day of the eighteenth month fol-
17 lowing the month during which the list is so approved.”.

18 (2) CROSS-REFERENCE AMENDMENT.—Para-
19 graph (1) of subsection (d) of such section, as redesi-
20 gnated by paragraph (1)(A) of this subsection, is
21 amended by striking “or (b)” and inserting “(b), or
22 (c)”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to any promotion list approved by
25 the President after January 1, 2007.

1 **PART III—JOINT OFFICER MANAGEMENT**

2 **REQUIREMENTS**

3 **SEC. 516. MODIFICATION AND ENHANCEMENT OF GENERAL**

4 **AUTHORITIES ON MANAGEMENT OF OFFI-**

5 **CERS WHO ARE JOINT QUALIFIED.**

6 (a) REDESIGNATION OF APPLICABILITY OF POLICIES
7 TOWARD JOINT QUALIFICATION.—Subsection (a) of sec-
8 tion 661 of title 10, United States Code, is amended by
9 striking the last sentence.

10 (b) REVISION TO GENERAL AUTHORITIES.—Sub-
11 sections (b), (c), and (d) of such section are amended to
12 read as follows:

13 “(b) LEVELS, DESIGNATION, AND NUMBERS.—
14 (1)(A) The Secretary of Defense shall establish different
15 levels of joint qualification, as well as the criteria for quali-
16 fication at each level. Such levels of joint qualification
17 shall be established by the Secretary with the advice of
18 the Chairman of the Joint Chiefs of Staff. Each level shall,
19 as a minimum, have both joint education criteria and joint
20 experience criteria. The purpose of establishing such quali-
21 fication levels is to ensure a systematic, progressive, ca-
22 reer-long development of officers in joint matters and to
23 ensure that officers serving as general and flag officers
24 have the requisite experience and education to be highly
25 proficient in joint matters.

1 “(B) The number of officers who are joint qualified
2 shall be determined by the Secretary of Defense, with the
3 advice of the Chairman of the Joint Chiefs of Staff. Such
4 number shall be large enough to meet the requirements
5 of subsection (d).

6 “(2) Certain officers shall be designated as joint
7 qualified by the Secretary of Defense with the advice of
8 the Chairman of the Joint Chiefs of Staff.

9 “(3) An officer may be designated as joint qualified
10 under paragraph (2) only if the officer—

11 “(A) meets the education and experience cri-
12 teria of subsection (c);

13 “(B) meets such additional criteria as pre-
14 scribed by the Secretary of Defense; and

15 “(C) holds the grade of captain or, in the case
16 of the Navy, lieutenant or a higher grade.

17 “(4) The authority of the Secretary of Defense under
18 paragraph (2) to designate officers as joint qualified may
19 be delegated only to the Deputy Secretary of Defense or
20 an Under Secretary of Defense.

21 “(c) EDUCATION AND EXPERIENCE REQUIRE-
22 MENTS.—(1) An officer may not be designated as joint
23 qualified until the officer—

24 “(A) successfully completes an appropriate pro-
25 gram of joint professional military education, as de-

1 scribed in subsections (b) and (c) of section 2155 of
2 this title, at a joint professional military education
3 school; and

4 “(B) successfully completes—

5 “(i) a full tour of duty in a joint assign-
6 ment, as described in section 664(f) of this
7 title; or

8 “(ii) such other assignments and experi-
9 ences in a manner that demonstrate the offi-
10 cer’s mastery of knowledge, skills, and abilities
11 in joint matters, as determined under such reg-
12 ulations and policy as the Secretary of Defense
13 may prescribe.

14 “(2) Subject to paragraphs (3) through (6), the Sec-
15 retary of Defense may waive the requirement under para-
16 graph (1)(A) that an officer have successfully completed
17 a program of education, as described in subsections (b)
18 and (c) of section 2155 of this title.

19 “(3) In the case of an officer in a grade below brigadier
20 general or rear admiral (lower half), a waiver under
21 paragraph (2) may be granted only if—

22 “(A) the officer has completed two full tours of
23 duty in a joint duty assignment, as described in sec-
24 tion 664(f) of this title, in such a manner as to dem-

1 onstrate the officer's mastery of knowledge, skills,
2 and abilities on joint matters; and

3 “(B) the Secretary of Defense determines that
4 the types of joint duty experiences completed by the
5 officer have been of sufficient breadth to prepare the
6 officer adequately for service as a general or flag of-
7 ficer in a joint duty assignment position.

8 “(4) In the case of a general or flag officer, a waiver
9 under paragraph (2) may be granted only—

10 “(A) under unusual circumstances justifying
11 the variation from the education requirement under
12 paragraph (1)(A); and

13 “(B) under circumstances in which the waiver
14 is necessary to meet a critical need of the armed
15 forces, as determined by the Chairman of the Joint
16 Chiefs of Staff.

17 “(5) In the case of officers in grades below brigadier
18 general or rear admiral (lower half), the total number of
19 waivers granted under paragraph (2) for officers in the
20 same pay grade during a fiscal year may not exceed 10
21 percent of the total number of officers in that pay grade
22 designated as joint qualified during that fiscal year.

23 “(6) There may not be more than 32 general and flag
24 officers on active duty at the same time who, while holding
25 a general or flag officer position, were designated joint

1 qualified (or were selected for the joint specialty before
2 October 1, 2007) and for whom a waiver was granted
3 under paragraph (2).

4 “(d) NUMBER OF JOINT DUTY ASSIGNMENTS.—(1)
5 The Secretary of Defense shall ensure that approximately
6 one-half of the joint duty assignment positions in grades
7 above major or, in the case of the Navy, lieutenant com-
8 mander are filled at any time by officers who have the
9 appropriate level of joint qualification.

10 “(2) The Secretary of Defense, with the advice of the
11 Chairman of the Joint Chiefs of Staff, shall designate an
12 appropriate number of joint duty assignment positions as
13 critical joint duty assignment positions. A position may
14 be designated as a critical joint duty assignment position
15 only if the duties and responsibilities of the position make
16 it important that the occupant be particularly trained in,
17 and oriented toward, joint matters.

18 “(3)(A) Subject to subparagraph (B), a position des-
19 igned under paragraph (2) may be held only by an offi-
20 cer who—

21 “(i) was designated as joint qualified in accord-
22 ance with this chapter; or

23 “(ii) was selected for the joint specialty before
24 October 1, 2007.

1 “(B) The Secretary of Defense may waive the re-
2 quirement in subparagraph (A) with respect to the assign-
3 ment of an officer to a position designated under para-
4 graph (2). Any such waiver shall be granted on a case-
5 by-case basis. The authority of the Secretary to grant such
6 a waiver may be delegated only to the Chairman of the
7 Joint Chiefs of Staff.

8 “(4) The Secretary of Defense shall ensure that, of
9 those joint duty assignment positions that are filled by
10 general or flag officers, a substantial portion are among
11 those positions that are designated under paragraph (2)
12 as critical joint duty assignment positions.”.

13 (c) CAREER GUIDELINES.—Subsection (e) of such
14 section is amended by striking “officers with the joint spe-
15 cialty” and inserting “officers to achieve joint qualification
16 and for officers who have been designated as joint quali-
17 fied”.

18 (d) TECHNICAL AMENDMENT REGARDING TREAT-
19 MENT OF CERTAIN SERVICE.—Subsection (f) of such sec-
20 tion is amended by striking “section 619(e)(1)” and in-
21 serting “section 619a”.

22 (e) CLERICAL AMENDMENTS.—

23 (1) SECTION HEADING.—The heading of such
24 section is amended to read as follows:

1 **“§ 661. Management policies for officers who are joint**
2 **qualified”.**

3 (2) TABLE OF SECTIONS.—The table of sections
4 at the beginning of chapter 38 of such title is
5 amended by striking the item relating to section 661
6 and inserting the following new item:

“661. Management policies for officers who are joint qualified.”.

7 (f) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on October 1, 2007.

9 (g) TREATMENT OF CURRENT JOINT SPECIALTY OF-
10 FICERS.—For the purposes of chapter 38 of title 10,
11 United States Code, and sections 154, 164, and 619a of
12 such title, an officer who, as of September 30, 2007, has
13 been selected for or has the joint specialty under section
14 661 of such title, as in effect on that date, shall be consid-
15 ered after that date to be an officer designated as joint
16 qualified by the Secretary of Defense under section
17 661(b)(2) of such title, as amended by this section.

18 (h) IMPLEMENTATION PLAN.—

19 (1) PLAN REQUIRED.—Not later than March
20 31, 2007, the Secretary of Defense shall submit to
21 the Committee on Armed Services of the Senate and
22 the Committee on Armed Services of the House of
23 Representatives a plan for the implementation of the
24 joint officer management system, which will take ef-
25 fect on October 1, 2007, as provided in subsection

1 (f), as a result of the amendments made by this sec-
2 tion and other provisions of this Act to provisions of
3 chapter 38 of title 10, United States Code.

4 (2) ELEMENTS OF PLAN.—In developing the
5 plan required by this subsection, the Secretary shall
6 pay particular attention to matters related to the
7 transition of officers from the joint specialty system
8 in effect before October 1, 2007, to the joint officer
9 management system in effect after that date. At a
10 minimum, the plan shall include the following:

11 (A) The policies and criteria to be used for
12 designating officers as joint qualified on the
13 basis of service performed by such officers be-
14 fore that date, had the amendments made by
15 this section and other provisions of this Act to
16 provisions of chapter 38 of title 10, United
17 States Code, taken effect before the date of the
18 enactment of this Act.

19 (B) The policies and criteria prescribed by
20 the Secretary of Defense to be used in making
21 determinations under section 661(c)(1)(B)(ii) of
22 such title, as amended by this section.

23 (C) The recommendations of the Secretary
24 for any legislative changes that may be nec-

1 essary to effectuate the joint officer manage-
2 ment system.

3 **SEC. 517. MODIFICATION OF PROMOTION POLICY OBJEC-**
4 **TIVES FOR JOINT OFFICERS.**

5 Section 662(a) of title 10, United States Code, is
6 amended—

7 (1) in paragraph (1), by inserting “and” after
8 the semicolon; and

9 (2) by striking paragraphs (2) and (3) and in-
10 serting the following new paragraph (2):

11 “(2) officers who are serving in or have served
12 in joint duty assignments are expected, as a group,
13 to be promoted to the next higher grade at a rate
14 not less than the rate for all officers of the same
15 armed force in the same grade and competitive cat-
16 egory.”.

17 **SEC. 518. APPLICABILITY OF JOINT DUTY ASSIGNMENT RE-**
18 **QUIREMENTS LIMITED TO GRADUATES OF**
19 **NATIONAL DEFENSE UNIVERSITY SCHOOLS.**

20 (a) **APPLICABILITY.**—Section 663 of title 10, United
21 States Code, is amended—

22 (1) in subsection (a), by striking “a joint pro-
23 fessional military education school” and inserting “a
24 school within the National Defense University speci-
25 fied in subsection (c)”;

1 (2) in subsection (b)—

2 (A) in paragraph (1), by striking “a joint
3 professional military education school” and in-
4 serting “a school within the National Defense
5 University specified in subsection (c)”; and

6 (B) in paragraph (2), by striking “a joint
7 professional military education school” and in-
8 serting “a school referred to in paragraph (1)”.

9 (b) COVERED SCHOOLS WITHIN NDU.—Such sec-
10 tion is further amended by adding at the end the following
11 new subsection:

12 “(c) COVERED SCHOOLS WITHIN THE NATIONAL
13 DEFENSE UNIVERSITY.—For purposes of this section, a
14 school within the National Defense University specified in
15 this subsection is one of the following:

16 “(1) The National War College.

17 “(2) The Industrial College of the Armed
18 Forces.

19 “(3) The Joint Forces Staff College.”.

20 **SEC. 519. MODIFICATION OF CERTAIN DEFINITIONS RELAT-**
21 **ING TO JOINTNESS.**

22 (a) DEFINITION OF JOINT MATTERS.—Subsection
23 (a) of section 668 of title 10, United States Code, is
24 amended to read as follows:

1 “(a) JOINT MATTERS.—(1) In this chapter, the term
2 ‘joint matters’ means matters related to the achievement
3 of unified action by multiple military forces in operations
4 conducted across domains such as land, sea, or air, in
5 space, or in the information environment, including mat-
6 ters relating to—

7 “(A) national military strategy;

8 “(B) strategic planning and contingency plan-
9 ning;

10 “(C) command and control of operations under
11 unified command;

12 “(D) national security planning with other de-
13 partments and agencies of the United States; and

14 “(E) combined operations with military forces
15 of allied nations.

16 “(2) In the context of joint matters, the term ‘mul-
17 tiple military forces’ refers to forces that involve partici-
18 pants from the armed forces and one or more of the fol-
19 lowing:

20 “(A) Other departments and agencies of the
21 United States.

22 “(B) The military forces or agencies of other
23 countries.

24 “(C) Non-governmental persons or entities.”.

1 (b) DEFINITION OF JOINT DUTY ASSIGNMENT.—
2 Paragraph (1) of subsection (b) of such section is amend-
3 ed by striking “That definition shall” and all that follows
4 and inserting the following: “That definition—

5 “(A) shall be limited to assignments in which
6 the officer gains significant experience in joint mat-
7 ters; and

8 “(B) shall exclude assignments for joint train-
9 ing and education, except an assignment as an in-
10 structor responsible for preparing and presenting
11 courses in areas of the curricula designated in sec-
12 tion 2155(c) of this title as part of a program des-
13 igned by the Secretary of Defense as joint profes-
14 sional military education Phase II.”.

15 (c) DEFINITION OF CRITICAL OCCUPATIONAL SPE-
16 CIALTY.—Such section is further amended by adding at
17 the end the following new subsection:

18 “(d) CRITICAL OCCUPATIONAL SPECIALTY.—(1) In
19 this chapter, the term ‘critical occupational specialty’
20 means a military occupational specialty involving combat
21 operations within the combat arms, in the case of the
22 Army, or the equivalent arms, in the case of the Navy,
23 Air Force, and Marine Corps, that the Secretary of De-
24 fense designates as critical.

1 “(2) At a minimum, the Secretary of Defense shall
2 designate as a critical occupational specialty under para-
3 graph (1) any military occupational specialty within a
4 combat arms (or the equivalent) that is experiencing a se-
5 vere shortage of trained officers in that specialty, as deter-
6 mined by the Secretary.”.

7 (d) CONFORMING AMENDMENTS.—

8 (1) INITIAL ASSIGNMENT OF OFFICERS WITH
9 CRITICAL OCCUPATIONAL SPECIALTIES.—Section
10 664(c) of such title is amended—

11 (A) in the matter before paragraph (1) by
12 striking “section 661(c)(2)” and inserting “sec-
13 tion 661(c)(1)(B)”;

14 (B) by striking paragraph (1);

15 (C) by redesignating paragraph (2) as
16 paragraph (1) and, in such paragraph, by strik-
17 ing “section 661(c)(2)” and inserting “section
18 668(d)”;

19 (D) by redesignating paragraph (3) as
20 paragraph (2).

21 (2) ANNUAL REPORT ON NUMBER OF OFFICERS
22 WITH CRITICAL OCCUPATIONAL SPECIALTIES.—Sec-
23 tion 667(3) of such title is amended by striking
24 “section 661(c)(2)” and inserting “section 668(d)”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 2007.

3 **Subtitle B—Reserve Component**
4 **Matters**

5 **PART I—RESERVE COMPONENT MANAGEMENT**

6 **SEC. 521. RECOGNITION OF FORMER REPRESENTATIVE G.**

7 **V. ‘SONNY’ MONTGOMERY FOR HIS 30 YEARS**
8 **OF SERVICE IN THE HOUSE OF REPRESENTA-**
9 **TIVES.**

10 (a) FINDINGS.—Congress makes the following find-
11 ings:

12 (1) G.V. “Sonny” Montgomery was elected to
13 the House of Representatives in 1967 and served the
14 people of east-central Mississippi for 30 years with
15 distinction, dedication, and conviction.

16 (2) Sonny Montgomery had a distinguished
17 military career both before and during his service in
18 Congress, serving in World War II and the Korean
19 War, and retired from the Mississippi National
20 Guard with the rank of Major General.

21 (3) As a Member of the House of Representa-
22 tives, Sonny Montgomery served on the Committee
23 on Armed Services and served with great distinction
24 as the Chairman of the Committee on Veterans’ Af-
25 fairs for 13 years from 1981 through 1994.

1 (4) Representative Montgomery's colleagues
2 knew him as a statesman of the institution and as
3 a tireless advocate for policies that would improve
4 the lives of persons who serve the United States.

5 (5) Representative Montgomery was deeply
6 committed to all members of the Armed Forces who
7 served in combat and traveled to Korea and South-
8 east Asia to recover remains and help determine the
9 fate of POW/MIAs from the Korean and Vietnam
10 Wars.

11 (6) Through his years of service on the Com-
12 mittee on Armed Services, Representative Mont-
13 gomery made great contributions to the capabilities
14 of the National Guard and Reserves, by improving
15 their training and equipment and by better inte-
16 grating them with the active force.

17 (7) Under the revised GI Bill that bears his
18 name and was signed into law in 1984, Representa-
19 tive Montgomery brought educational benefits to
20 millions of veterans, including those members who
21 had served in the National Guard and Reserves, and
22 strengthened the all-volunteer force.

23 (8) Representative Montgomery had received
24 many honors and commendations before his passing
25 on May 12, 2006, including most recently and nota-

1 bly the Presidential Medal of Freedom, the highest
2 civilian honor accorded by the United States.

3 (b) RECOGNITION.—Congress recognizes and com-
4 mends former Representative G.V. “Sonny” Montgomery
5 for his 30 years of service to benefit the people of Mis-
6 sissippi, members of the Armed Forces and their families,
7 veterans, and the United States.

8 **SEC. 522. REVISIONS TO RESERVE CALL-UP AUTHORITY.**

9 (a) MAXIMUM NUMBER OF DAYS.—Subsection (a) of
10 section 12304 of title 10, United States Code, is amended
11 by striking “270 days” and inserting “365 days.”

12 (b) FAIR TREATMENT.—Such section is further
13 amended—

14 (1) by redesignating subsection (i) as subsection
15 (j); and

16 (2) by inserting after subsection (h) the fol-
17 lowing new subsection (i):

18 “(i) CONSIDERATIONS FOR INVOLUNTARY ORDER TO
19 ACTIVE DUTY.—(1) In determining which members of the
20 Selected Reserve and Individual Ready Reserve will be or-
21 dered to duty without their consent under this section, ap-
22 propriate consideration shall be given to—

23 “(A) the length and nature of previous service,
24 to assure such sharing of exposure to hazards as the

1 national security and military requirements will rea-
2 sonably allow;

3 “(B) the frequency of assignments during serv-
4 ice career;

5 “(C) family responsibilities; and

6 “(D) employment necessary to maintain the na-
7 tional health, safety, or interest.

8 “(2) The Secretary of Defense shall prescribe such
9 policies and procedures as the Secretary considers nec-
10 essary to carry out this subsection.”.

11 **SEC. 523. MILITARY RETIREMENT CREDIT FOR CERTAIN**
12 **SERVICE BY NATIONAL GUARD MEMBERS**
13 **PERFORMED WHILE IN A STATE DUTY STA-**
14 **TUS IMMEDIATELY AFTER THE TERRORIST**
15 **ATTACKS OF SEPTEMBER 11, 2001.**

16 Subsection (c) of section 514 of the National Defense
17 Authorization Act for Fiscal Year 2006 (Public Law 109–
18 163; 119 Stat. 3232) is amended by adding at the end
19 the following new paragraph:

20 “(3) In the State of New Jersey: Bergen, Hud-
21 son, Union, and Middlesex.”.

1 **PART II—AUTHORITIES RELATING TO GUARD**

2 **AND RESERVE DUTY**

3 **SEC. 524. TITLE 10 DEFINITION OF ACTIVE GUARD AND RE-**

4 **SERVE DUTY.**

5 Section 101 of title 10, United States Code, is
6 amended—

7 (1) by adding at the end of subsection (b) the
8 following new paragraph:

9 “(16) The term ‘Active Guard and Reserve’
10 means a member of a reserve component who is on
11 active duty pursuant to section 12301(d) of this title
12 or, if a member of the Army National Guard or Air
13 National Guard, is on full-time National Guard duty
14 pursuant to section 502(f) of title 32, and who is
15 performing Active Guard and Reserve duty.”; and

16 (2) in paragraph (6)(A) of subsection (d)—

17 (A) by striking “or full-time National
18 Guard duty” after “means active duty”; and

19 (B) by striking “, pursuant to an order to
20 active duty or full-time National Guard duty”
21 and inserting “pursuant to an order to full-time
22 National Guard duty”.

1 **SEC. 525. AUTHORITY FOR ACTIVE GUARD AND RESERVE**
2 **DUTIES TO INCLUDE SUPPORT OF OPER-**
3 **ATIONAL MISSIONS ASSIGNED TO THE RE-**
4 **SERVE COMPONENTS AND INSTRUCTION AND**
5 **TRAINING OF ACTIVE-DUTY PERSONNEL.**

6 (a) AGR DUTY UNDER TITLE 10.—Subsections (a)
7 and (b) of section 12310 of title 10, United States Code,
8 are amended to read as follows:

9 “(a) **AUTHORITY.**—(1) The Secretary concerned may
10 order a member of a reserve component under the Sec-
11 retary’s jurisdiction to active duty pursuant to section
12 12301(d) of this title to perform Active Guard and Re-
13 serve duty organizing, administering, recruiting, instruct-
14 ing, or training the reserve components.

15 “(2) A Reserve ordered to active duty under para-
16 graph (1) shall be ordered in the Reserve’s reserve grade.
17 While so serving, the Reserve continues to be eligible for
18 promotion as a Reserve, if otherwise qualified.

19 “(b) **DUTIES.**—A Reserve on active duty under sub-
20 section (a) may perform the following additional duties to
21 the extent that the performance of those duties does not
22 interfere with the performance of the Reserve’s primary
23 Active Guard and Reserve duties described in subsection
24 (a)(1):

1 “(1) Supporting operations or missions as-
2 signed in whole or in part to the reserve compo-
3 nents.

4 “(2) Supporting operations or missions per-
5 formed or to be performed by—

6 “(A) a unit composed of elements from
7 more than one component of the same armed
8 force; or

9 “(B) a joint forces unit that includes—

10 “(i) one or more reserve component
11 units; or

12 “(ii) a member of a reserve compo-
13 nent whose reserve component assignment
14 is in a position in an element of the joint
15 forces unit.

16 “(3) Advising the Secretary of Defense, the
17 Secretaries of the military departments, the Joint
18 Chiefs of Staff, and the commanders of the combat-
19 ant commands regarding reserve component matters.

20 “(4) Instructing or training in the United
21 States or the Commonwealth of Puerto Rico or pos-
22 sessions of the United States of—

23 “(A) active-duty members of the armed
24 forces;

1 “(B) members of foreign military forces
2 (under the same authorities and restrictions ap-
3 plicable to active-duty members providing such
4 instruction or training);

5 “(C) Department of Defense contractor
6 personnel; or

7 “(D) Department of Defense civilian em-
8 ployees.”.

9 (b) MILITARY TECHNICIANS UNDER TITLE 10.—
10 Section 10216(a) of such title is amended—

11 (1) in paragraph (1)(C), by striking “adminis-
12 tration and” and inserting “organizing, admin-
13 istering, instructing, or”; and

14 (2) by adding at the end the following new
15 paragraph:

16 “(3) A military technician (dual status) who is em-
17 ployed under section 3101 of title 5 may perform the fol-
18 lowing additional duties to the extent that the performance
19 of those duties does not interfere with the performance
20 of the primary duties described in paragraph (1):

21 “(A) Supporting operations or missions as-
22 signed in whole or in part to the technician’s unit.

23 “(B) Supporting operations or missions per-
24 formed or to be performed by—

1 “(i) a unit composed of elements from
2 more than one component of the technician’s
3 armed force; or

4 “(ii) a joint forces unit that includes—

5 “(I) one or more units of the techni-
6 cian’s component; or

7 “(II) a member of the technician’s
8 component whose reserve component as-
9 signment is in a position in an element of
10 the joint forces unit.

11 “(C) Instructing or training in the United
12 States or the Commonwealth of Puerto Rico or pos-
13 sessions of the United States of—

14 “(i) active-duty members of the armed
15 forces;

16 “(ii) members of foreign military forces
17 (under the same authorities and restrictions ap-
18 plicable to active-duty members providing such
19 instruction or training);

20 “(iii) Department of Defense contractor
21 personnel; or

22 “(iv) Department of Defense civilian em-
23 ployees.”.

1 (c) NATIONAL GUARD TITLE 32 TRAINING DUTY.—
2 Section 502(f) of title 32, United States Code, title is
3 amended—

4 (1) by redesignating paragraphs (1) and (2) as
5 subparagraphs (A) and (B), respectively;

6 (2) by inserting “(1)” before “Under regula-
7 tions”; and

8 (3) by striking the last sentence and inserting
9 the following:

10 “(2) The training or duty ordered to be performed
11 under paragraph (1) may include the following:

12 “(A) Support of operations or missions under-
13 taken by the member’s unit at the request of the
14 President or Secretary of Defense.

15 “(B) Support of training operations and train-
16 ing missions assigned in whole or in part to the Na-
17 tional Guard by the Secretary concerned, but only to
18 the extent that such training missions and training
19 operations—

20 “(i) are performed in the United States or
21 the Commonwealth of Puerto Rico or posses-
22 sions of the United States; and

23 “(ii) are only to instruct active duty mili-
24 tary, foreign military (under the same authori-
25 ties and restrictions applicable to active duty

1 troops), Department of Defense contractor per-
2 sonnel, or Department of Defense civilian em-
3 ployees.

4 “(3) Duty without pay shall be considered for all pur-
5 poses as if it were duty with pay.”

6 (d) NATIONAL GUARD TECHNICIANS UNDER TITLE
7 32.—Section 709(a) of title 32, United States Code, is
8 amended—

9 (1) in paragraph (1)—

10 (A) by striking “administration and” and
11 inserting “organizing, administering, instruct-
12 ing, or”; and

13 (B) by striking “and” at the end of such
14 paragraph;

15 (2) by striking the period at the end of para-
16 graph (2) and inserting “; and”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(3) the performance of the following additional
20 duties to the extent that the performance of those
21 duties does not interfere with the performance of the
22 duties described by paragraphs (1) and (2):

23 “(A) Support of operations or missions un-
24 dertaken by the technician’s unit at the request
25 of the President or the Secretary of Defense.

1 “(B) Support of Federal training oper-
2 ations or Federal training missions assigned in
3 whole or in part to the technician’s unit.

4 “(C) Instructing or training in the United
5 States or the Commonwealth of Puerto Rico or
6 possessions of the United States of—

7 “(i) active-duty members of the armed
8 forces;

9 “(ii) members of foreign military
10 forces (under the same authorities and re-
11 strictions applicable to active-duty mem-
12 bers providing such instruction or train-
13 ing);

14 “(iii) Department of Defense con-
15 tractor personnel; or

16 “(iv) Department of Defense civilian
17 employees.”.

18 **SEC. 526. GOVERNOR’S AUTHORITY TO ORDER MEMBERS**

19 **TO ACTIVE GUARD AND RESERVE DUTY.**

20 (a) IN GENERAL.—Chapter 3 of title 32, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

1 **“§ 328. Active Guard and Reserve duty: Governor’s**
2 **authority**

3 “(a) **AUTHORITY.**—The Governor of a State or the
4 Commonwealth of Puerto Rico, Guam, or the Virgin Is-
5 lands, or the commanding general of the District of Co-
6 lumbia National Guard, as the case may be, with the con-
7 sent of the Secretary concerned, may order a member of
8 the National Guard to perform Active Guard and Reserve
9 duty, as defined by section 101(d)(6) of title 10, pursuant
10 to section 502(f) of this title.

11 “(b) **DUTIES.**—A member of the National Guard per-
12 forming duty under subsection (a) may perform the addi-
13 tional duties specified in section 502(f)(2) of this title to
14 the extent that the performance of those duties does not
15 interfere with the performance of the member’s primary
16 Active Guard and Reserve duties of organizing, admin-
17 istering, recruiting, instructing, and training the reserve
18 components.”.

19 (b) **CLERICAL AMENDMENT.**—The table of sections
20 at the beginning of such chapter is amended by adding
21 at the end the following new item:

“328. Active Guard and Reserve duty: Governor’s authority.”.

22 **SEC. 527. EXPANSION OF OPERATIONS OF CIVIL SUPPORT**
23 **TEAMS.**

24 (a) **IN GENERAL.**—Section 12310(c) of title 10,
25 United States Code, is amended—

1 (1) in paragraph (1)—

2 (A) by striking “involving—” and inserting
3 “involving any of the following:”; and

4 (B) by striking subparagraphs (A) and (B)
5 and inserting the following:

6 “(A) The use or threatened use of a weapon of
7 mass destruction (as defined in section 12304(i)(2)
8 of this title) in the United States.

9 “(B) A terrorist attack or threatened terrorist
10 attack in the United States that results, or could re-
11 sult, in catastrophic loss of life or property.

12 “(C) The intentional or unintentional release of
13 nuclear, biological, radiological, or toxic or poisonous
14 chemical materials in the United States that results,
15 or could result, in catastrophic loss of life or prop-
16 erty.

17 “(D) A natural or manmade disaster in the
18 United States that results in, or could result in, cat-
19 astrophic loss of life or property.”;

20 (2) by amending paragraph (3) to read as fol-
21 lows:

22 “(3) A Reserve may perform duty described in para-
23 graph (1) only while assigned to a reserve component
24 weapons of mass destruction civil support team.”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(7) In this subsection, the term ‘United States’ in-
4 cludes the Commonwealth of Puerto Rico, Guam, and the
5 Virgin Islands.”.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
7 Such section is further amended—

8 (1) by striking the subsection heading and in-
9 serting “OPERATIONS RELATING TO DEFENSE
10 AGAINST WEAPONS OF MASS DESTRUCTION AND
11 TERRORIST ATTACKS.—”;

12 (2) in paragraph (5), by striking “rapid assess-
13 ment element team” and inserting “weapons of mass
14 destruction civil support team”; and

15 (3) in paragraph (6)—

16 (A) in the matter preceding subparagraph
17 (A), by striking “paragraph (3)” and inserting
18 “paragraphs (1) and (3)”; and

19 (B) in subparagraph (B), by striking
20 “paragraph (3)(B)” and inserting “paragraph
21 (3)”.

1 **SEC. 528. MODIFICATION OF AUTHORITIES RELATING TO**
2 **THE COMMISSION ON THE NATIONAL GUARD**
3 **AND RESERVES.**

4 (a) ANNUITIES AND PAY OF MEMBERS ON FEDERAL
5 REEMPLOYMENT.—Subsection (e) of section 513 of the
6 Ronald W. Reagan National Defense Authorization Act
7 for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
8 1882), as amended by section 516 of the National Defense
9 Authorization Act for Fiscal Year 2006 (Public Law 109–
10 163; 119 Stat. 3237), is further amended by adding at
11 the end the following new paragraph:

12 “(3) If warranted by circumstances described in sub-
13 paragraph (A) or (B) of section 8344(i)(1) of title 5,
14 United States Code, or by circumstances described in sub-
15 paragraph (A) or (B) of section 8468(f)(1) of such title,
16 as applicable, the chairman of the Commission may exer-
17 cise, with respect to the members of the Commission, the
18 same waiver authority as would be available to the Direc-
19 tor of the Office of Personnel Management under such
20 section.”.

21 (b) FINAL REPORT.—Subsection (f)(2) of such sec-
22 tion 513 (118 Stat. 1882) is amended by striking “Not
23 later than one year after the first meeting of the Commis-
24 sion” and inserting “Not later than January 31, 2008”.

25 (c) EFFECTIVE DATE.—The amendments made by
26 this section shall take effect as of October 28, 2004, as

1 if included in the enactment of the Ronald W. Reagan Na-
2 tional Defense Authorization Act for Fiscal Year 2005.
3 The amendment made by subsection (a) shall apply to
4 members of the Commission on the National Guard and
5 Reserves appointed on or after that date.

6 **SEC. 529. ADDITIONAL MATTERS TO BE REVIEWED BY COM-**
7 **MISSION ON THE NATIONAL GUARD AND RE-**
8 **SERVES.**

9 (a) **ADDITIONAL MATTERS TO BE REVIEWED BY**
10 **COMMISSION.**—The Commission on the National Guard
11 and Reserves shall include among the matters it studies
12 (in addition to the matters specified in subsection (c) of
13 the commission charter) each of the following:

14 (1) **NATIONAL GUARD BUREAU ENHANCEMENT**
15 **PROPOSALS.**—The advisability and feasibility of im-
16 plementing the provisions of S. 2658 and H.R. 5200
17 of the 109th Congress, as introduced in the Senate
18 and the House of Representatives, respectively, on
19 April 26, 2006.

20 (2) **CHIEF OF NATIONAL GUARD BUREAU.**—As
21 an alternative to implementation of the provisions of
22 the bills specified in paragraph (1) that provide for
23 the Chief of the National Guard Bureau to be a
24 member of the Joint Chiefs of Staff and to hold the
25 grade of general, the advisability and feasibility of

1 providing for the Chief of the National Guard Bu-
2 reau to hold the grade of general in the performance
3 of the current duties of that office.

4 (3) NATIONAL GUARD OFFICERS AUTHORITY TO
5 COMMAND.—The advisability and feasibility of im-
6 plementing the provisions of section 544 of H.R.
7 5122 of the 109th Congress, as passed the House of
8 Representatives on May 11, 2006.

9 (4) NATIONAL GUARD EQUIPMENT AND FUND-
10 ING REQUIREMENTS.—The adequacy of the Depart-
11 ment of Defense processes for defining the equip-
12 ment and funding necessary for the National Guard
13 to conduct both its responsibilities under title 10,
14 United States Code, and its responsibilities under
15 title 32, United States Code, including homeland de-
16 fense and related homeland missions, including as
17 part of such study—

18 (A) consideration of the extent to which
19 those processes should be developed taking into
20 consideration the views of the Chief of the Na-
21 tional Guard Bureau, as well as the views of the
22 54 Adjutant Generals and the views of the
23 Chiefs of the Army National Guard and the Air
24 Guard; and

1 (B) whether there should be an improved
2 means by which National Guard equipment re-
3 quirements are validated by the Joint Chiefs of
4 Staff and are considered for funding by the
5 Secretaries of the Army and Air Force.

6 (b) PRIORITY REVIEW AND REPORT.—

7 (1) PRIORITY REVIEW.—The Commission on
8 the National Guard and Reserves shall carry out its
9 study of the matters specified in paragraphs (1),
10 (2), and (3) of subsection (a) on a priority basis,
11 with a higher priority for matters under those para-
12 graphs relating to the grade and functions of the
13 Chief of the National Guard Bureau.

14 (2) REPORT.—In addition to the reports re-
15 quired under subsection (f) of the commission char-
16 ter, the Commission 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 an interim report, not later than March 1, 2007,
20 specifically on the matters covered by paragraph (1).
21 In such report, the Commission shall set forth its
22 findings and any recommendations it considers ap-
23 propriate with respect to those matters.

24 (c) COMMISSION CHARTER DEFINED.—For purposes
25 of this section, the term “commission charter” means sec-

1 tion 513 of the Ronald W. Reagan National Defense Au-
2 thorization Act for Fiscal Year 2005 (Public Law 108-
3 375; 118 Stat. 1880).

4 **Subtitle C—Education and** 5 **Training**

6 **PART I—SERVICE ACADEMIES**

7 **SEC. 531. EXPANSION OF SERVICE ACADEMY EXCHANGE**

8 **PROGRAMS WITH FOREIGN MILITARY ACAD-** 9 **EMIES.**

10 (a) UNITED STATES MILITARY ACADEMY.—

11 (1) NUMBER OF PARTICIPANTS IN EXCHANGE
12 PROGRAM.—Subsection (b) of section 4345 of title
13 10, United States Code, is amended by striking
14 “24” and inserting “100”.

15 (2) COSTS AND EXPENSES.—Subsection (c) of
16 such section is amended—

17 (A) by striking “for the Academy” in para-
18 graph (3) and all that follows in that paragraph
19 and inserting “for the Academy and such addi-
20 tional funds as may be available to the Acad-
21 emy from a source other than appropriated
22 funds to support cultural immersion, regional
23 awareness, or foreign language training activi-
24 ties in connection with the exchange program.”;
25 and

1 (B) by adding at the end the following new
2 paragraph:

3 “(4) Expenditures in support of the exchange pro-
4 gram from funds appropriated for the Academy may not
5 exceed \$1,000,000 during any fiscal year.”.

6 (b) UNITED STATES NAVAL ACADEMY.—

7 (1) NUMBER OF PARTICIPANTS IN EXCHANGE
8 PROGRAM.—Subsection (b) of section 6957a of title
9 10, United States Code, is amended by striking
10 “24” and inserting “100”.

11 (2) COSTS AND EXPENSES.—Subsection (c) of
12 such section is amended—

13 (A) by striking “for the Academy” in para-
14 graph (3) and all that follows in that paragraph
15 and inserting “for the Academy and such addi-
16 tional funds as may be available to the Acad-
17 emy from a source other than appropriated
18 funds to support cultural immersion, regional
19 awareness, or foreign language training activi-
20 ties in connection with the exchange program.”;
21 and

22 (B) by adding at the end the following new
23 paragraph:

1 “(4) Expenditures in support of the exchange pro-
2 gram from funds appropriated for the Naval Academy
3 may not exceed \$1,000,000 during any fiscal year.”.

4 (c) UNITED STATES AIR FORCE ACADEMY.—

5 (1) NUMBER OF PARTICIPANTS IN EXCHANGE
6 PROGRAM.—Subsection (b) of section 9345 of title
7 10, United States Code, is amended by striking
8 “24” and inserting “100”.

9 (2) COSTS AND EXPENSES.—Subsection (c) of
10 such section is amended—

11 (A) by striking “for the Academy” in para-
12 graph (3) and all that follows in that paragraph
13 and inserting “for the Academy and such addi-
14 tional funds as may be available to the Acad-
15 emy from a source other than appropriated
16 funds to support cultural immersion, regional
17 awareness, or foreign language training activi-
18 ties in connection with the exchange program.”;
19 and

20 (B) by adding at the end the following new
21 paragraph:

22 “(4) Expenditures in support of the exchange pro-
23 gram from funds appropriated for the Academy may not
24 exceed \$1,000,000 during any fiscal year.”.

1 (d) EFFECTIVE DATES.—The amendments made by
2 subsection (a) shall take effect on the date of the enact-
3 ment of this Act. The amendments made by subsections
4 (b) and (c) shall take effect on October 1, 2008.

5 **SEC. 532. REVISION AND CLARIFICATION OF REQUIRE-**
6 **MENTS WITH RESPECT TO SURVEYS AND RE-**
7 **PORTS CONCERNING SEXUAL HARASSMENT**
8 **AND SEXUAL VIOLENCE AT THE SERVICE**
9 **ACADEMIES.**

10 (a) CODIFICATION AND REVISION TO EXISTING RE-
11 QUIREMENT FOR SERVICE ACADEMY POLICY ON SEXUAL
12 HARASSMENT AND SEXUAL VIOLENCE.—

13 (1) UNITED STATES MILITARY ACADEMY.—
14 Chapter 403 of title 10, United States Code, is
15 amended by adding at the end the following new sec-
16 tion:

17 **“§ 4361. Policy on sexual harassment and sexual vio-**
18 **lence**

19 “(a) REQUIRED POLICY.—Under guidance prescribed
20 by the Secretary of Defense, the Secretary of the Army
21 shall direct the Superintendent of the Academy to pre-
22 scribe a policy on sexual harassment and sexual violence
23 applicable to the cadets and other personnel of the Acad-
24 emy.

1 “(b) MATTERS TO BE SPECIFIED IN POLICY.—The
2 policy on sexual harassment and sexual violence prescribed
3 under this section shall include specification of the fol-
4 lowing:

5 “(1) Programs to promote awareness of the in-
6 cidence of rape, acquaintance rape, and other sexual
7 offenses of a criminal nature that involve cadets or
8 other Academy personnel.

9 “(2) Procedures that a cadet should follow in
10 the case of an occurrence of sexual harassment or
11 sexual violence, including—

12 “(A) if the cadet chooses to report an oc-
13 currence of sexual harassment or sexual vio-
14 lence, a specification of the person or persons to
15 whom the alleged offense should be reported
16 and the options for confidential reporting;

17 “(B) a specification of any other person
18 whom the victim should contact; and

19 “(C) procedures on the preservation of evi-
20 dence potentially necessary for proof of criminal
21 sexual assault.

22 “(3) Procedures for disciplinary action in cases
23 of alleged criminal sexual assault involving a cadet
24 or other Academy personnel.

1 “(4) Any other sanction authorized to be im-
2 posed in a substantiated case of sexual harassment
3 or sexual violence involving a cadet or other Acad-
4 emy personnel in rape, acquaintance rape, or any
5 other criminal sexual offense, whether forcible or
6 nonforcible.

7 “(5) Required training on the policy for all ca-
8 dets and other Academy personnel, including the
9 specific training required for personnel who process
10 allegations of sexual harassment or sexual violence
11 involving Academy personnel.

12 “(c) ANNUAL ASSESSMENT.—(1) The Secretary of
13 Defense, through the Secretary of the Army, shall direct
14 the Superintendent to conduct at the Academy during
15 each Academy program year an assessment, to be adminis-
16 tered by the Department of Defense, to determine the ef-
17 fectiveness of the policies, training, and procedures of the
18 Academy with respect to sexual harassment and sexual vi-
19 olence involving Academy personnel.

20 “(2) For the assessment at the Academy under para-
21 graph (1) with respect to an Academy program year that
22 begins in an odd-numbered calendar year, the Secretary
23 of the Army shall conduct a survey, to be administered
24 by the Department of Defense, of Academy personnel—

25 “(A) to measure—

1 “(i) the incidence, during that program
2 year, of sexual harassment and sexual violence
3 events, on or off the Academy reservation, that
4 have been reported to officials of the Academy;
5 and

6 “(ii) the incidence, during that program
7 year, of sexual harassment and sexual violence
8 events, on or off the Academy reservation, that
9 have not been reported to officials of the Acad-
10 emy; and

11 “(B) to assess the perceptions of Academy per-
12 sonnel of—

13 “(i) the policies, training, and procedures
14 on sexual harassment and sexual violence in-
15 volving Academy personnel;

16 “(ii) the enforcement of such policies;

17 “(iii) the incidence of sexual harassment
18 and sexual violence involving Academy per-
19 sonnel; and

20 “(iv) any other issues relating to sexual
21 harassment and sexual violence involving Acad-
22 emy personnel.

23 “(d) ANNUAL REPORT.—(1) The Secretary of the
24 Army shall direct the Superintendent of the Academy to
25 submit to the Secretary a report on sexual harassment and

1 sexual violence involving cadets or other personnel at the
2 Academy for each Academy program year.

3 “(2) Each report under paragraph (1) shall include,
4 for the Academy program year covered by the report, the
5 following:

6 “(A) The number of sexual assaults, rapes, and
7 other sexual offenses involving cadets or other Acad-
8 emy personnel that have been reported to Academy
9 officials during the program year and, of those re-
10 ported cases, the number that have been substan-
11 tiated.

12 “(B) The policies, procedures, and processes
13 implemented by the Secretary of the Army and the
14 leadership of the Academy in response to sexual har-
15 assment and sexual violence involving cadets or
16 other Academy personnel during the program year.

17 “(C) A plan for the actions that are to be taken
18 in the following Academy program year regarding
19 prevention of and response to sexual harassment and
20 sexual violence involving cadets or other Academy
21 personnel.

22 “(3) Each report under paragraph (1) for an Acad-
23 emy program year that begins in an odd-numbered cal-
24 endar year shall include the results of the survey con-
25 ducted in that program year under subsection (c)(2).

1 “(1) Programs to promote awareness of the in-
2 cidence of rape, acquaintance rape, and other sexual
3 offenses of a criminal nature that involve mid-
4 shipmen or other Academy personnel.

5 “(2) Procedures that a midshipman should fol-
6 low in the case of an occurrence of sexual harass-
7 ment or sexual violence, including—

8 “(A) if the midshipman chooses to report
9 an occurrence of sexual harassment or sexual
10 violence, a specification of the person or persons
11 to whom the alleged offense should be reported
12 and the options for confidential reporting;

13 “(B) a specification of any other person
14 whom the victim should contact; and

15 “(C) procedures on the preservation of evi-
16 dence potentially necessary for proof of criminal
17 sexual assault.

18 “(3) Procedures for disciplinary action in cases
19 of alleged criminal sexual assault involving a mid-
20 shipman or other Academy personnel.

21 “(4) Any other sanction authorized to be im-
22 posed in a substantiated case of sexual harassment
23 or sexual violence involving a midshipman or other
24 Academy personnel in rape, acquaintance rape, or

1 any other criminal sexual offense, whether forcible
2 or nonforcible.

3 “(5) Required training on the policy for all mid-
4 shipmen and other Academy personnel, including the
5 specific training required for personnel who process
6 allegations of sexual harassment or sexual violence
7 involving Academy personnel.

8 “(c) ANNUAL ASSESSMENT.—(1) The Secretary of
9 Defense, through the Secretary of the Navy, shall direct
10 the Superintendent to conduct at the Academy during
11 each Academy program year an assessment, to be adminis-
12 tered by the Department of Defense, to determine the ef-
13 fectiveness of the policies, training, and procedures of the
14 Academy with respect to sexual harassment and sexual vi-
15 olence involving Academy personnel.

16 “(2) For the assessment at the Academy under para-
17 graph (1) with respect to an Academy program year that
18 begins in an odd-numbered calendar year, the Secretary
19 of the Navy shall conduct a survey, to be administered
20 by the Department of Defense, of Academy personnel—

21 “(A) to measure—

22 “(i) the incidence, during that program
23 year, of sexual harassment and sexual violence
24 events, on or off the Academy reservation, that

1 have been reported to officials of the Academy;
2 and

3 “(ii) the incidence, during that program
4 year, of sexual harassment and sexual violence
5 events, on or off the Academy reservation, that
6 have not been reported to officials of the Acad-
7 emy; and

8 “(B) to assess the perceptions of Academy per-
9 sonnel of—

10 “(i) the policies, training, and procedures
11 on sexual harassment and sexual violence in-
12 volving Academy personnel;

13 “(ii) the enforcement of such policies;

14 “(iii) the incidence of sexual harassment
15 and sexual violence involving Academy per-
16 sonnel; and

17 “(iv) any other issues relating to sexual
18 harassment and sexual violence involving Acad-
19 emy personnel.

20 “(d) ANNUAL REPORT.—(1) The Secretary of the
21 Navy shall direct the Superintendent of the Naval Acad-
22 emy to submit to the Secretary a report on sexual harass-
23 ment and sexual violence involving midshipmen or other
24 personnel at the Academy for each Academy program
25 year.

1 “(2) Each report under paragraph (1) shall include,
2 for the Academy program year covered by the report, the
3 following:

4 “(A) The number of sexual assaults, rapes, and
5 other sexual offenses involving midshipmen or other
6 Academy personnel that have been reported to Naval
7 Academy officials during the program year and, of
8 those reported cases, the number that have been
9 substantiated.

10 “(B) The policies, procedures, and processes
11 implemented by the Secretary of the Navy and the
12 leadership of the Naval Academy in response to sex-
13 ual harassment and sexual violence involving mid-
14 shipmen or other Academy personnel during the pro-
15 gram year.

16 “(C) A plan for the actions that are to be taken
17 in the following Academy program year regarding
18 prevention of and response to sexual harassment and
19 sexual violence involving midshipmen or other Acad-
20 emy personnel.

21 “(3) Each report under paragraph (1) for an Acad-
22 emy program year that begins in an odd-numbered cal-
23 endar year shall include the results of the survey con-
24 ducted in that program year under subsection (c)(2).

1 under this section shall include specification of the fol-
2 lowing:

3 “(1) Programs to promote awareness of the in-
4 cidence of rape, acquaintance rape, and other sexual
5 offenses of a criminal nature that involve cadets or
6 other Academy personnel.

7 “(2) Procedures that a cadet should follow in
8 the case of an occurrence of sexual harassment or
9 sexual violence, including—

10 “(A) if the cadet chooses to report an oc-
11 currence of sexual harassment or sexual vio-
12 lence, a specification of the person or persons to
13 whom the alleged offense should be reported
14 and the options for confidential reporting;

15 “(B) a specification of any other person
16 whom the victim should contact; and

17 “(C) procedures on the preservation of evi-
18 dence potentially necessary for proof of criminal
19 sexual assault.

20 “(3) Procedures for disciplinary action in cases
21 of alleged criminal sexual assault involving a cadet
22 or other Academy personnel.

23 “(4) Any other sanction authorized to be im-
24 posed in a substantiated case of sexual harassment
25 or sexual violence involving a cadet or other Acad-

1 emy personnel in rape, acquaintance rape, or any
2 other criminal sexual offense, whether forcible or
3 nonforcible.

4 “(5) Required training on the policy for all ca-
5 dets and other Academy personnel, including the
6 specific training required for personnel who process
7 allegations of sexual harassment or sexual violence
8 involving Academy personnel.

9 “(c) ANNUAL ASSESSMENT.—(1) The Secretary of
10 Defense, through the Secretary of the Air Force, shall di-
11 rect the Superintendent to conduct at the Academy during
12 each Academy program year an assessment, to be adminis-
13 tered by the Department of Defense, to determine the ef-
14 fectiveness of the policies, training, and procedures of the
15 Academy with respect to sexual harassment and sexual vi-
16 olence involving Academy personnel.

17 “(2) For the assessment at the Academy under para-
18 graph (1) with respect to an Academy program year that
19 begins in an odd-numbered calendar year, the Secretary
20 of the Air Force shall conduct a survey, to be administered
21 by the Department of Defense, of Academy personnel—

22 “(A) to measure—

23 “(i) the incidence, during that program
24 year, of sexual harassment and sexual violence
25 events, on or off the Academy reservation, that

1 have been reported to officials of the Academy;
2 and

3 “(ii) the incidence, during that program
4 year, of sexual harassment and sexual violence
5 events, on or off the Academy reservation, that
6 have not been reported to officials of the Acad-
7 emy; and

8 “(B) to assess the perceptions of Academy per-
9 sonnel of—

10 “(i) the policies, training, and procedures
11 on sexual harassment and sexual violence in-
12 volving Academy personnel;

13 “(ii) the enforcement of such policies;

14 “(iii) the incidence of sexual harassment
15 and sexual violence involving Academy per-
16 sonnel; and

17 “(iv) any other issues relating to sexual
18 harassment and sexual violence involving Acad-
19 emy personnel.

20 “(d) ANNUAL REPORT.—(1) The Secretary of the Air
21 Force shall direct the Superintendent of the Academy to
22 submit to the Secretary a report on sexual harassment and
23 sexual violence involving cadets or other personnel at the
24 Academy for each Academy program year.

1 “(2) Each report under paragraph (1) shall include,
2 for the Academy program year covered by the report, the
3 following:

4 “(A) The number of sexual assaults, rapes, and
5 other sexual offenses involving cadets or other Acad-
6 emy personnel that have been reported to Academy
7 officials during the program year and, of those re-
8 ported cases, the number that have been substan-
9 tiated.

10 “(B) The policies, procedures, and processes
11 implemented by the Secretary of the Air Force and
12 the leadership of the Academy in response to sexual
13 harassment and sexual violence involving cadets or
14 other Academy personnel during the program year.

15 “(C) A plan for the actions that are to be taken
16 in the following Academy program year regarding
17 prevention of and response to sexual harassment and
18 sexual violence involving cadets or other Academy
19 personnel.

20 “(3) Each report under paragraph (1) for an Acad-
21 emy program year that begins in an odd-numbered cal-
22 endar year shall include the results of the survey con-
23 ducted in that program year under subsection (c)(2).

24 “(4)(A) The Secretary of the Air Force shall transmit
25 to the Secretary of Defense, and to the Board of Visitors

1 of the Academy, each report received by the Secretary
2 under this subsection, together with the Secretary's com-
3 ments on the report.

4 “(B) The Secretary of Defense shall transmit each
5 such report, together with the Secretary's comments on
6 the report, to the Committee on Armed Services of the
7 Senate and the Committee on Armed Services of the
8 House of Representatives.”.

9 (b) FURTHER INFORMATION FROM CADETS AND
10 MIDSHIPMEN AT THE SERVICE ACADEMIES ON SEXUAL
11 ASSAULT AND SEXUAL HARASSMENT ISSUES.—

12 (1) USE OF FOCUS GROUPS FOR YEARS WHEN
13 SURVEY NOT REQUIRED.—In any year in which the
14 Secretary of a military department is not required
15 by law to conduct a survey at the service academy
16 under the Secretary's jurisdiction on matters relat-
17 ing to sexual assault and sexual harassment issues
18 at that Academy, the Secretary shall provide for
19 focus groups to be conducted at that Academy for
20 the purposes of ascertaining information relating to
21 sexual assault and sexual harassment issues at that
22 Academy.

23 (2) INCLUSION IN REPORT.—Information
24 ascertained from a focus group conducted pursuant
25 to paragraph (1) shall be included in the Secretary's

1 annual report to Congress on sexual harassment and
2 sexual violence at the service academies.

3 (3) SERVICE ACADEMIES.—For purposes of this
4 subsection, the term “service academy” means the
5 following:

6 (A) The United States Military Academy.

7 (B) The United States Naval Academy.

8 (C) The United States Air Force Academy.

9 (c) REPEAL OF PRIOR LAW.—Section 527 of the Na-
10 tional Defense Authorization Act for Fiscal Year 2004
11 (Public Law 108–136; 117 Stat. 1469; 10 U.S.C. 4331
12 note) is repealed.

13 (d) CLERICAL AMENDMENTS.—

14 (1) The table of sections at the beginning of
15 chapter 403 of title 10, United States Code, is
16 amended by adding at the end the following new
17 item:

“4361. Policy on sexual harassment and sexual violence.”.

18 (2) The table of sections at the beginning of
19 chapter 603 of such title is amended by adding at
20 the end the following new item:

“6980. Policy on sexual harassment and sexual violence.”.

21 (3) The table of sections at the beginning of
22 chapter 903 of such title is amended by adding at
23 the end the following new item:

“9361. Policy on sexual harassment and sexual violence.”.

1 **SEC. 533. DEPARTMENT OF DEFENSE POLICY ON SERVICE**
2 **ACADEMY AND ROTC GRADUATES SEEKING**
3 **TO PARTICIPATE IN PROFESSIONAL SPORTS**
4 **BEFORE COMPLETION OF THEIR ACTIVE-**
5 **DUTY SERVICE OBLIGATIONS.**

6 (a) POLICY REQUIRED.—

7 (1) IN GENERAL.—Not later than July 1, 2007,
8 the Secretary of Defense shall prescribe the policy of
9 the Department of Defense on—

10 (A) whether to authorize graduates of the
11 service academies and the Reserve Officers'
12 Training Corps to participate in professional
13 sports before the completion of their obligations
14 for service on active duty as commissioned offi-
15 cers; and

16 (B) if so, the obligations for service on ac-
17 tive duty as commissioned officers of such grad-
18 uates who participate in professional sports be-
19 fore the satisfaction of the obligations referred
20 to in subparagraph (A).

21 (2) REVIEW OF CURRENT POLICIES.—In pre-
22 scribing the policy, the Secretary shall review cur-
23 rent policies, practices, and regulations of the mili-
24 tary departments on the obligations for service on
25 active duty as commissioned officers of graduates of
26 the service academies and the Reserve Officers'

1 Training Corps, including policies on authorized
2 leaves of absence and policies under excess leave pro-
3 grams.

4 (3) CONSIDERATIONS.—In prescribing the pol-
5 icy, the Secretary shall take into account the fol-
6 lowing:

7 (A) The compatibility of participation in
8 professional sports (including training for pro-
9 fessional sports) with service on active duty in
10 the Armed Forces or as a member of a reserve
11 component of the Armed Forces.

12 (B) The benefits for the Armed Forces of
13 waiving obligations for service on active duty
14 for cadets, midshipmen, and commissioned offi-
15 cers in order to permit such individuals to par-
16 ticipate in professional sports.

17 (C) The manner in which the military de-
18 partments have resolved issues relating to the
19 participation of personnel in professional sports,
20 including the extent of and any reasons for, dif-
21 ferences in the resolution of such issues by such
22 departments.

23 (D) The recoupment of the costs of edu-
24 cation provided by the service academies or
25 under the Reserve Officers' Training Corps pro-

1 gram if graduates of the service academies or
2 the Reserve Officers' Training Corps, as the
3 case may be, do not complete the period of obli-
4 gated service to which they have agreed by rea-
5 son of participation in professional sports.

6 (E) Any other matters that the Secretary
7 considers appropriate.

8 (b) ELEMENTS OF POLICY.—The policy prescribed
9 under subsection (a) shall address the following matters:

10 (1) The eligibility of graduates of the service
11 academies and the Reserve Officers' Training Corps
12 for a reduction in the obligated length of service on
13 active duty as a commissioned officer otherwise re-
14 quired of such graduates on the basis of their par-
15 ticipation in professional sports.

16 (2) Criteria for the treatment of an individual
17 as a participant or potential participant in profes-
18 sional sports.

19 (3) The effect on obligations for service on ac-
20 tive duty as a commissioned officer of any
21 unsatisfied obligations under prior enlistment con-
22 tracts or other forms of advanced education assist-
23 ance.

1 (4) Any authorized variations in the policy that
2 are warranted by the distinctive requirements of a
3 particular Armed Force.

4 (5) The eligibility of individuals for medical dis-
5 charge or disability benefits as a result of injuries
6 incurred while participating in professional sports.

7 (6) A prospective effective date for the policy
8 and for the application of the policy to individuals
9 serving on such effective date as a commissioned of-
10 ficer, cadet, or midshipman.

11 (c) APPLICATION OF POLICY TO ARMED FORCES.—
12 Not later than December 1, 2007, the Secretary of each
13 military department shall prescribe regulations, or modify
14 current regulations, in order to implement the policy pre-
15 scribed by the Secretary of Defense under subsection (a)
16 with respect to the Armed Forces under the jurisdiction
17 of such Secretary.

1 **PART II—SCHOLARSHIP AND FINANCIAL**
2 **ASSISTANCE PROGRAMS**
3 **SEC. 535. AUTHORITY TO PERMIT MEMBERS WHO PARTICI-**
4 **PATE IN THE GUARANTEED RESERVE**
5 **FORCES DUTY SCHOLARSHIP PROGRAM TO**
6 **PARTICIPATE IN THE HEALTH PROFESSIONS**
7 **SCHOLARSHIP PROGRAM AND SERVE ON AC-**
8 **TIVE DUTY.**

9 Paragraph (3) of section 2107a(b) of title 10, United
10 States Code, is amended—

11 (1) by inserting “or a cadet or former cadet
12 under this section who signs an agreement under
13 section 2122 of this title,” after “military junior col-
14 lege,”; and

15 (2) by inserting “, or former cadet,” after “con-
16 sent of the cadet” and after “submitted by the
17 cadet”.

18 **SEC. 536. DETAIL OF COMMISSIONED OFFICERS AS STU-**
19 **DENTS AT MEDICAL SCHOOLS.**

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

23 **“§ 2004a. Detail of commissioned officers as students**
24 **at medical schools**

25 “(a) DETAIL AUTHORIZED.—The Secretary of each
26 military department may detail commissioned officers of

1 the armed forces as students at accredited medical schools
2 or schools of osteopathy located in the United States for
3 a period of training leading to the degree of doctor of med-
4 icine. No more than 25 officers from each military depart-
5 ment may commence such training in any single fiscal
6 year.

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

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

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

16 “(A) complete the educational course of
17 medical training;

18 “(B) accept transfer or detail as a medical
19 officer within the military department con-
20 cerned when the officer’s training is completed;
21 and

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

1 “(c) SERVICE OBLIGATION.—An agreement under
2 subsection (c) shall provide that the officer shall serve on
3 active duty for two years for each year or part thereof
4 of the officer’s medical training under subsection (a), ex-
5 cept that the agreement may authorize the officer to serve
6 a portion of the officer’s service obligation on active duty
7 and to complete the service obligation that remains upon
8 separation from active duty in the Selected Reserve, in
9 which case the officer shall serve three years in the Se-
10 lected Reserve for each year or part thereof of the officer’s
11 medical training under subsection (a) for any service obli-
12 gation that was not completed before separation from ac-
13 tive duty.

14 “(d) SELECTION OF OFFICERS FOR DETAIL.—Offi-
15 cers detailed for medical training under subsection (a)
16 shall be selected on a competitive basis by the Secretary
17 of the military department concerned.

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

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

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

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

16 “(h) LIMITATION ON DETAILS.—No agreement de-
17 tailing an officer of the armed forces to an accredited med-
18 ical school or school of osteopathy may be entered into
19 during any period in which the President is authorized by
20 law to induct persons into the armed forces involuntarily.
21 Nothing in this subsection shall affect any agreement en-
22 tered into during any period when the President is not
23 authorized by law to so induct persons into the armed
24 forces”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 2004 the following new
4 item:

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

5 **SEC. 537. INCREASE IN MAXIMUM AMOUNT OF REPAYMENT**
6 **UNDER EDUCATION LOAN REPAYMENT FOR**
7 **OFFICERS IN SPECIFIED HEALTH PROFES-**
8 **SIONS.**

9 (a) INCREASE IN MAXIMUM AMOUNT.—Section
10 2173(e)(2) of title 10, United States Code, is amended
11 by striking “\$22,000” and inserting “\$60,000”.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendment made by
14 subsection (a) shall take effect on October 1, 2006,
15 and shall apply to agreements entered into or revised
16 under section 2173 of title 10, United States Code,
17 on or after that date.

18 (2) PROHIBITION ON ADJUSTMENT.—The ad-
19 justment required by the second sentence of section
20 2173(e)(2) of title 10, United States Code, to be
21 made on October 1, 2006, shall not be made.

1 **SEC. 538. HEALTH PROFESSIONS SCHOLARSHIP AND FI-**
2 **NANCIAL ASSISTANCE PROGRAM FOR ACTIVE**
3 **SERVICE.**

4 (a) MAXIMUM STIPEND AMOUNT.—Section 2121(d)
5 of title 10, United States Code, is amended—

6 (1) by striking “at the rate of \$579 per month”
7 and inserting “at a monthly rate established by the
8 Secretary of Defense, but not to exceed a total of
9 \$30,000 per year”; and

10 (2) by striking “That rate” and inserting “The
11 maximum annual amount of the stipend”.

12 (b) MAXIMUM ANNUAL GRANT.—Section 2127(e) of
13 such title is amended—

14 (1) by striking “\$15,000” and inserting “in an
15 amount not to exceed \$45,000”; and

16 (2) by striking “The amount” and inserting
17 “The maximum amount”.

18 (c) REPORT ON PROGRAM.—Not later than March 1,
19 2007, the Secretary of Defense shall submit to the Con-
20 gress a report on the Health Professions Scholarship and
21 Financial Assistance Program for Active Service under
22 subchapter I of chapter 105 of title 10, United States
23 Code. The report shall include the following:

24 (1) An assessment of the success of each mili-
25 tary department in achieving its recruiting goals

1 under the program during each of fiscal years 2000
2 through 2006.

3 (2) If any military department failed to achieve
4 its recruiting goals under the program during any
5 fiscal year covered by paragraph (1), an explanation
6 of the failure of the military department to achieve
7 such goal during such fiscal year.

8 (3) An assessment of the adequacy of the sti-
9 pend authorized by section 2121(d) of title 10,
10 United States Code, in meeting the objectives of the
11 program.

12 (4) Such recommendations for legislative or ad-
13 ministrative action as the Secretary considers appro-
14 priate to enhance the effectiveness of the program in
15 meeting the annual recruiting goals of the military
16 departments for medical personnel covered by the
17 program.

18 (d) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendments made by
20 this section shall take effect on October 1, 2006.

21 (2) PROHIBITION ON ADJUSTMENTS.—The ad-
22 justments required by the second sentence of sub-
23 section (d) of section 2121 of title 10, United States
24 Code, and the second sentence of subsection (e) of

1 section 2127 of such title to be made in 2007 shall
2 not be made.

3 **PART III—JUNIOR ROTC PROGRAM**

4 **SEC. 539. JUNIOR RESERVE OFFICERS' TRAINING CORPS**

5 **INSTRUCTOR QUALIFICATIONS.**

6 (a) IN GENERAL.—Chapter 102 of title 10, United
7 States Code, is amended by adding at the end the fol-
8 lowing new section:

9 **“§ 2033. Instructor qualifications**

10 “(a) IN GENERAL.—In order for a retired officer or
11 noncommissioned officer to be employed as an instructor
12 in the program, the officer must be certified by the Sec-
13 retary of the military department concerned as a qualified
14 instructor in leadership, wellness and fitness, civics, and
15 other courses related to the content of the program, ac-
16 cording to the qualifications set forth in subsection (b)(2)
17 or (c)(2), as appropriate.

18 “(b) SENIOR MILITARY INSTRUCTORS.—

19 “(1) ROLE.—Senior military instructors shall
20 be retired officers of the armed forces and shall
21 serve as instructional leaders who oversee the pro-
22 gram.

23 “(2) QUALIFICATIONS.—A senior military in-
24 structor shall have the following qualifications:

1 “(A) Professional military qualification, as
2 determined by the Secretary of the military de-
3 partment concerned.

4 “(B) Award of a baccalaureate degree
5 from an institution of higher learning.

6 “(C) Completion of secondary education
7 teaching certification requirements for the pro-
8 gram as established by the Secretary of the
9 military department concerned.

10 “(D) Award of an advanced certification
11 by the Secretary of the military department
12 concerned in core content areas based on—

13 “(i) accumulated points for profes-
14 sional activities, services to the profession,
15 awards, and recognitions;

16 “(ii) professional development to meet
17 content knowledge and instructional skills;
18 and

19 “(iii) performance evaluation of com-
20 petencies and standards within the pro-
21 gram through site visits and inspections.

22 “(c) NON-SENIOR MILITARY INSTRUCTORS.—

23 “(1) ROLE.—Non-senior military instructors
24 shall be retired noncommissioned officers of the
25 armed forces and shall serve as instructional leaders

1 and teach independently of, but share program re-
2 sponsibilities with, senior military instructors.

3 “(2) QUALIFICATIONS.—A non-senior military
4 instructor shall demonstrate a depth of experience,
5 proficiency, and expertise in coaching, mentoring,
6 and practical arts in executing the program, and
7 shall have the following qualifications:

8 “(A) Professional military qualification, as
9 determined by the Secretary of the military de-
10 partment concerned.

11 “(B) Award of an associates degree from
12 an institution of higher learning within five
13 years of employment.

14 “(C) Completion of secondary education
15 teaching certification requirements for the pro-
16 gram as established by the Secretary of the
17 military department concerned.

18 “(D) Award of an advanced certification
19 by the Secretary of the military department
20 concerned in core content areas based on—

21 “(i) accumulated points for profes-
22 sional activities, services to the profession,
23 awards, and recognitions;

1 who are under 60 years of age and who, but for age, would
2 be eligible for retired pay for non-regular service under
3 section 12731 of this title and whose qualifications are ap-
4 proved by the Secretary and the institution concerned and
5 who request such employment, subject to the following:

6 “(1) The Secretary concerned shall pay to the
7 institution an amount equal to one-half of the
8 amount paid to the member by the institution for
9 any period, up to a maximum of one-half of the dif-
10 ference between—

11 “(A) the retired or retainer pay for an ac-
12 tive duty officer or noncommissioned officer of
13 the same grade and years of service for such
14 period; and

15 “(B) the active duty pay and allowances
16 which the member would have received for that
17 period if on active duty.

18 “(2) Notwithstanding the limitation in para-
19 graph (1), the Secretary concerned may pay to the
20 institution more than one-half of the amount paid to
21 the member by the institution if (as determined by
22 the Secretary)—

23 “(A) the institution is in an educationally
24 and economically deprived area; and

1 “(B) the Secretary determines that such
2 action is in the national interest.

3 “(3) Payments by the Secretary concerned
4 under this subsection shall be made from funds ap-
5 propriated for that purpose.

6 “(4) Amounts may be paid under this sub-
7 section with respect to a member after the member
8 reaches the age of 60.

9 “(5) Notwithstanding any other provision of
10 law, a member employed by a qualified institution
11 pursuant to an authorization under this subsection
12 is not, while so employed, considered to be on active
13 duty or inactive duty training for any purpose.”.

14 (b) **CLARIFICATION OF STATUS OF RETIRED MEM-**
15 **BERS PROVIDING INSTRUCTION.**—Subsection (d) of such
16 section is amended in the matter preceding paragraph (1)
17 by inserting “who are in receipt of retired pay” after “re-
18 tired officers and noncommissioned officers”.

19 **SEC. 541. EXPANSION OF JUNIOR RESERVE OFFICERS’**
20 **TRAINING CORPS PROGRAM.**

21 (a) **IN GENERAL.**—The Secretaries of the military
22 departments shall take appropriate actions to increase the
23 number of secondary educational institutions at which a
24 unit of the Junior Reserve Officers’ Training Corps is or-
25 ganized under chapter 102 of title 10, United States Code.

1 (b) EXPANSION TARGETS.—In increasing under sub-
2 section (a) the number of secondary educational institu-
3 tions at which a unit of the Junior Reserve Officers'
4 Training Corps is organized, the Secretaries of the mili-
5 tary departments shall seek to organize units at an addi-
6 tional number of institutions as follows:

7 (1) In the case of Army units, 15 institutions.

8 (2) In the case of Navy units, 10 institutions.

9 (3) In the case of Marine Corps units, 15 insti-
10 tutions.

11 (4) In the case of Air Force units, 10 institu-
12 tions.

13 **SEC. 542. REVIEW OF LEGAL STATUS OF JUNIOR ROTC PRO-**
14 **GRAM.**

15 (a) REVIEW.—The Secretary of Defense shall con-
16 duct a review of the 1976 legal opinion issued by the Gen-
17 eral Counsel of the Department of Defense regarding in-
18 struction of non-host unit students participating in Junior
19 Reserve Officers' Training Corps programs. The review
20 shall consider whether changes to law after the issuance
21 of that opinion allow in certain circumstances for the ar-
22 rangement for assignment of instructors that provides for
23 the travel of an instructor from one educational institution
24 to another once during the regular school day for the pur-
25 poses of the Junior Reserve Officers' Training Corps pro-

1 gram as an authorized arrangement that enhances admin-
2 istrative efficiency in the management of the program. If
3 the Secretary, as a result of the review, determines that
4 such authority is not available, the Secretary should also
5 consider whether such authority should be available and
6 whether there should be authority to waive the restrictions
7 under certain circumstances.

8 (b) REPORT.—The Secretary shall submit to the
9 Committee on Armed Services of the Senate and the Com-
10 mittee on Armed Services of the House of Representatives
11 a report containing the results of the review not later than
12 180 days after the date of the enactment of this Act.

13 (c) INTERIM AUTHORITY.—A current institution that
14 has more than 70 students and is providing support to
15 another educational institutional with more than 70 stu-
16 dents and has been providing for the assignment of in-
17 structors from one school to the other may continue to
18 provide such support until 180 days following receipt of
19 the report under subsection (b).

1 **PART IV—OTHER EDUCATION AND TRAINING**

2 **PROGRAMS**

3 **SEC. 543. EXPANDED ELIGIBILITY FOR ENLISTED MEMBERS**

4 **FOR INSTRUCTION AT NAVAL POST-**

5 **GRADUATE SCHOOL.**

6 (a) CERTIFICATE PROGRAMS AND COURSES.—Sub-
7 paragraph (C) of subsection (a)(2) of section 7045 of title
8 10, United States Code, is amended by striking “Navy or
9 Marine Corps” and inserting “armed forces”.

10 (b) GRADUATE-LEVEL INSTRUCTION.—Such sub-
11 section is further amended—

12 (1) by redesignating subparagraph (D) as sub-
13 paragraph (E); and

14 (2) by inserting after subparagraph (C) the fol-
15 lowing new subparagraph (D):

16 “(D)(i) The Secretary may permit an eligible enlisted
17 member of the armed forces to receive graduate-level in-
18 struction at the Naval Postgraduate School in a program
19 leading to a master’s degree in a technical, analytical, or
20 engineering curriculum.

21 “(ii) To be eligible to be provided instruction under
22 this subparagraph, the enlisted member must have been
23 awarded a baccalaureate degree by an institution of higher
24 education.

25 “(iii) Instruction under this subparagraph may be
26 provided only on a space-available basis.

1 “(iv) An enlisted member who successfully completes
2 a course of instruction under this subparagraph may be
3 awarded a master’s degree under section 7048 of this title.

4 “(v) Instruction under this subparagraph shall be
5 provided pursuant to regulations prescribed by the Sec-
6 retary. Such regulations may include criteria for eligibility
7 of enlisted members for instruction under this subpara-
8 graph and specification of obligations for further service
9 in the armed forces relating to receipt of such instruc-
10 tion.”.

11 (c) CONFORMING AMENDMENTS.—Such section is
12 further amended—

13 (1) in subparagraph (E) of subsection (a)(2), as
14 redesignated by subsection (b)(1), by striking “and
15 (C)” and inserting “(C), and (D)”; and

16 (2) in subsection (b)(2), by striking “(a)(2)(D)”
17 and inserting “(a)(2)(E)”.

18 (d) DEADLINE FOR SUBMISSION OF PREVIOUSLY RE-
19 QUIRED REPORT.—The report required by subsection (c)
20 of section 526 of the National Defense Authorization Act
21 for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
22 3246), relating to the rationale and plans of the Navy to
23 provide enlisted members an opportunity to obtain grad-
24 uate degrees, shall be submitted, in accordance with that
25 subsection, not later than March 30, 2007.

1 (e) REPEAL OF REQUIREMENT FOR REPORT ON
2 PILOT PROGRAM.—

3 (1) REPEAL.—Subsection (d) of section 526 of
4 the National Defense Authorization Act for Fiscal
5 Year 2006 (Public Law 109–163; 119 Stat. 3246)
6 is repealed.

7 (2) CONFORMING AMENDMENT.—Subsection
8 (c)(2) of such section is amended by striking “, par-
9 ticularly in the career fields under consideration for
10 the pilot program referred to in subsection (d)”.

11 (f) REPORT ON USE OF NPS AND AFIT.—Not later
12 than March 30, 2007, the Secretary of the Navy and the
13 Secretary of the Air Force shall submit to the Committee
14 on Armed Services of the Senate and the Committee on
15 Armed Services of the House of Representatives a joint
16 report on the manner by which each Secretary intends to
17 use the Naval Postgraduate School and the Air Force In-
18 stitute of Technology during fiscal years 2008 through
19 2013 to meet the overall requirements of the Navy and
20 Marine Corps and of the Air Force for enlisted members
21 with graduate degrees. The report shall include the fol-
22 lowing:

23 (1) The numbers and occupational specialities
24 of enlisted members that each Secretary plans to en-

1 roll as candidates for graduate degrees each year in
2 each of the two schools.

3 (2) A description of the graduate degrees that
4 those enlisted members will pursue at those schools.

5 (3) Other matters that the two Secretaries
6 jointly consider to be useful for the committees to
7 better understand the future role that the two
8 schools will each have in meeting service require-
9 ments for enlisted members with graduate degrees.

10 **Subtitle D—General Service** 11 **Authorities**

12 **SEC. 546. TEST OF UTILITY OF TEST PREPARATION GUIDES** 13 **AND EDUCATION PROGRAMS IN ENHANCING** 14 **RECRUIT CANDIDATE PERFORMANCE ON** 15 **THE ARMED SERVICES VOCATIONAL APTI-** 16 **TUDE BATTERY (ASVAB) AND ARMED FORCES** 17 **QUALIFICATION TEST (AFQT).**

18 (a) REQUIREMENT FOR TEST.—The Secretary of De-
19 fense shall conduct a test of the utility of commercially
20 available test preparation guides and education programs
21 designed to assist recruit candidates achieve scores on
22 military recruit qualification testing that better reflect the
23 full potential of those recruit candidates in terms of apti-
24 tude and mental category. The test shall be conducted
25 through the Secretaries of the Army, Navy, and Air Force.

1 (b) ASSESSMENT OF COMMERCIALY AVAILABLE
2 GUIDES AND PROGRAMS.—The test shall assess commer-
3 cially available test preparation guides and education pro-
4 grams designed to enhance test performance. The test
5 preparation guides assessed shall test both written formats
6 and self-paced computer-assisted programs. Education
7 programs assessed may test both self-study textbook and
8 computer-assisted courses and instructor-led courses.

9 (c) OBJECTIVES.—The objectives of the test are to
10 determine the following:

11 (1) The degree to which test preparation assist-
12 ance degrades test reliability and accuracy.

13 (2) The degree to which test preparation assist-
14 ance allows more accurate testing of skill aptitudes
15 and mental capability.

16 (3) The degree to which test preparation assist-
17 ance allows individuals to achieve higher scores with-
18 out sacrificing reliability and accuracy.

19 (4) What role is recommended for test prepara-
20 tion assistance in military recruiting.

21 (d) CONTROL GROUP.—As part of the test, the Sec-
22 retary shall identify a population of recruit candidates who
23 will not receive test preparation assistance and will serve
24 as a control group for the test. Data from recruit can-
25 didates participating in the test and data from recruit can-

1 didates in the control group shall be compared in terms
2 of both (1) test performance, and (2) subsequent duty per-
3 formance in training and unit settings following entry on
4 active duty.

5 (e) NUMBER OF PARTICIPANTS.—The Secretary shall
6 provide test preparation assistance to a minimum of 2,000
7 recruit candidates and shall identify an equal number to
8 be established as the control group population.

9 (f) DURATION OF TEST.—The Secretary shall begin
10 the test not later than nine months after the date of the
11 enactment of this Act. The test shall identify participants
12 over a one-year period from the start of the test and shall
13 assess duty performance for each participant for 18
14 months following entry on active duty. The last partici-
15 pant shall be identified, but other participants may not
16 be identified.

17 (g) REPORT ON FINDINGS.—Not later than six
18 months after completion of the duty performance assess-
19 ment of the last identified participant in the test, the Sec-
20 retary of Defense shall submit to the Committee on Armed
21 Services of the Senate and the Committee on Armed Serv-
22 ices of the House of Representatives a report providing
23 the findings of the Secretary with respect to each of the
24 objectives specified in subsection (c) and the Secretary's
25 recommendations.

1 **SEC. 547. CLARIFICATION OF NONDISCLOSURE REQUIRE-**
2 **MENTS APPLICABLE TO CERTAIN SELECTION**
3 **BOARD PROCEEDINGS.**

4 (a) ACTIVE-DUTY SELECTION BOARD PRO-
5 CEEDINGS.—

6 (1) EXTENSION TO ALL ACTIVE-DUTY
7 BOARDS.—Chapter 36 of title 10, United States
8 Code, is amended by inserting after section 613 the
9 following new section:

10 **“§ 613a. Nondisclosure of board proceedings**

11 “(a) NONDISCLOSURE.—The proceedings of a selec-
12 tion board convened under section 611 this title may not
13 be disclosed to any person not a member of the board.

14 “(b) PROHIBITED USES OF BOARD DISCUSSIONS,
15 DELIBERATIONS, AND RECORDS.—The discussions and
16 deliberations of a selection board described in subsection
17 (a) and any written or documentary record of such discus-
18 sions and deliberations—

19 “(1) are immune from legal process;

20 “(2) may not be admitted as evidence; and

21 “(3) may not be used for any purpose in any
22 action, suit, or judicial or administrative proceeding
23 without the consent of the Secretary of the military
24 department concerned.”.

25 (2) CONFORMING AMENDMENT.—Section 618
26 of such title is amended by striking subsection (f).

1 (b) RESERVE SELECTION BOARD PROCEEDINGS.—
2 Section 14104 of such title is amended to read as follows:

3 **“§ 14104. Nondisclosure of board proceedings**

4 “(a) NONDISCLOSURE.—The proceedings of a selec-
5 tion board convened under section 14101 of this title may
6 not be disclosed to any person not a member of the board.

7 “(b) PROHIBITED USES OF BOARD DISCUSSIONS,
8 DELIBERATIONS, AND RECORDS.—The discussions and
9 deliberations of a selection board described in subsection
10 (a) and any written or documentary record of such discus-
11 sions and deliberations—

12 “(1) are immune from legal process;

13 “(2) may not be admitted as evidence; and

14 “(3) may not be used for any purpose in any
15 action, suit, or judicial or administrative proceeding
16 without the consent of the Secretary of the military
17 department concerned.”.

18 (c) APPLICABILITY.—Section 613a of title 10, United
19 States Code, as added by subsection (a), shall apply with
20 respect to the proceedings of all selection boards convened
21 under section 611 of that title, including selection boards
22 convened before the date of the enactment of this Act. Sec-
23 tion 14104 of such title, as amended by subsection (b),
24 shall apply with respect to the proceedings of all selection
25 boards convened under section 14101 of that title, includ-

1 ing selection boards convened before the date of the enact-
2 ment of this Act.

3 (d) CLERICAL AMENDMENTS.—

4 (1) The table of sections at the beginning of
5 subchapter I of chapter 36 of title 10, United States
6 Code, is amended by inserting after the item relating
7 to section 613 the following new item:

“613a. Nondisclosure of board proceedings.”.

8 (2) The item relating to section 14104 in the
9 table of sections at the beginning of chapter 1403 of
10 such title is amended to read as follows:

“14104. Nondisclosure of board proceedings.”.

11 **SEC. 548. REPORT ON EXTENT OF PROVISION OF TIMELY**
12 **NOTICE OF LONG-TERM DEPLOYMENTS.**

13 Not later than March 1, 2007, the Secretary of De-
14 fense shall submit to the Committee on Armed Services
15 of the Senate and the Committee on Armed Services of
16 the House of Representatives a report on the number of
17 members of the Armed Forces (shown by service and with-
18 in each service by reserve component and active compo-
19 nent) who, during the period beginning on January 1,
20 2005, and ending on the date of the enactment of this
21 Act, have not received at least 30 days notice (in the form
22 of an official order) before a deployment that will last 180
23 days or more. With respect to members of the reserve com-
24 ponents, the report shall describe the degree of compliance

1 (or noncompliance) with Department of Defense policy
2 concerning the amount of notice to be provided before
3 long-term mobilizations or deployments.

4 **Subtitle E—Military Justice**
5 **Matters**

6 **SEC. 551. APPLICABILITY OF UNIFORM CODE OF MILITARY**
7 **JUSTICE TO MEMBERS OF THE ARMED**
8 **FORCES ORDERED TO DUTY OVERSEAS IN IN-**
9 **ACTIVE DUTY FOR TRAINING STATUS.**

10 Not later than March 1, 2007, the Secretaries of the
11 military departments shall prescribe regulations, or amend
12 current regulations, in order to provide that members of
13 the Armed Forces who are ordered to duty at locations
14 overseas in an inactive duty for training status are subject
15 to the jurisdiction of the Uniform Code of Military Justice,
16 pursuant to the provisions of section 802(a)(3) of title 10,
17 United States Code (article 2(a)(3) of the Uniform Code
18 of Military Justice), continuously from the commencement
19 of execution of such orders to the conclusion of such or-
20 ders.

21 **SEC. 552. CLARIFICATION OF APPLICATION OF UNIFORM**
22 **CODE OF MILITARY JUSTICE DURING A TIME**
23 **OF WAR.**

24 Paragraph (10) of section 802(a) of title 10, United
25 States Code (article 2(a) of the Uniform Code of Military

1 Justice), is amended by striking “war” and inserting “de-
2 clared war or a contingency operation”.

3 **Subtitle F—Decorations and** 4 **Awards**

5 **SEC. 555. AUTHORITY FOR PRESENTATION OF MEDAL OF**
6 **HONOR FLAG TO LIVING MEDAL OF HONOR**
7 **RECIPIENTS AND TO LIVING PRIMARY NEXT-**
8 **OF-KIN OF DECEASED MEDAL OF HONOR RE-**
9 **CIPIENTS.**

10 (a) **FUTURE PRESENTATIONS.**—Sections 3755,
11 6257, and 8755 of title 10, United States Code, and sec-
12 tion 505 of title 14, United States Code, are each amend-
13 ed—

14 (1) by striking “after October 23, 2002”; and
15 (2) by adding at the end the following new sen-
16 tence: “In the case of a posthumous presentation of
17 the medal, the flag shall be presented to the person
18 to whom the medal is presented.”.

19 (b) **PRESENTATION OF FLAG FOR PRIOR RECIPIENTS**
20 **OF MEDAL OF HONOR.**—

21 (1) **LIVING RECIPIENTS.**—The President shall
22 provide for the presentation of the Medal of Honor
23 Flag as expeditiously as possible after the date of
24 the enactment of this Act to each living recipient of

1 the Medal of Honor who has not already received a
2 Medal of Honor Flag.

3 (2) SURVIVORS OF DECEASED RECIPIENTS.—In
4 the case of presentation of the Medal of Honor Flag
5 for a recipient of the Medal of Honor who was
6 awarded the Medal of Honor before the date of the
7 enactment of this Act and who is deceased as of
8 such date (or who dies after such date and before
9 the presentation required by paragraph (1)), the
10 President shall provide for posthumous presentation
11 of the Medal of Honor Flag, upon written applica-
12 tion therefor, to the primary living next of kin, as
13 determined under regulations or procedures pre-
14 scribed by the Secretary of Defense for the purposes
15 of this paragraph (and notwithstanding the amend-
16 ments made by paragraph (2) of subsection (a)).

17 (3) MEDAL OF HONOR FLAG.—In this sub-
18 section, the term “Medal of Honor Flag” means the
19 flag designated under section 903 of title 36, United
20 States Code.

21 **SEC. 556. REVIEW OF ELIGIBILITY OF PRISONERS OF WAR**
22 **FOR AWARD OF THE PURPLE HEART.**

23 (a) REPORT.—Not later than March 1, 2007, the
24 President shall transmit to the Committees on Armed
25 Services of the Senate and House of Representatives a re-

1 port on the advisability of modifying the criteria for the
2 award of the Purple Heart to authorize the award of the
3 Purple Heart—

4 (1) to a member of the Armed Forces who dies
5 in captivity as a prisoner of war under unknown cir-
6 cumstances or as a result of conditions and treat-
7 ment that, under criteria for eligibility for the Pur-
8 ple Heart as in effect on the date of the enactment
9 of this Act, do not qualify the decedent for award of
10 the Purple Heart; and

11 (2) to an individual who while a member of the
12 Armed Forces survives captivity as a prisoner of
13 war, but who dies thereafter as a result of disease
14 or disability, or a result of disease and condition and
15 treatment, incurred during such captivity.

16 (b) DETERMINATION.—As part of the review under-
17 taken in order to prepare the report required by subsection
18 (a), the President shall make a determination on the ad-
19 visability of expanding eligibility for the award of the Pur-
20 ple Heart to deceased servicemembers held as a prisoner
21 of war after December 7, 1941, who meet the criteria for
22 eligibility for the prisoner-of-war medal under section
23 1128 of title 10, United States Code (including the cri-
24 terion under subsection (e) of that section with respect

1 to honorable conduct), but who do not meet the criteria
2 for eligibility for the Purple Heart.

3 (c) REQUIREMENTS.—In making the determination
4 required by subsection (b), the President shall take into
5 consideration the following:

6 (1) The brutal treatment endured by thousands
7 of prisoners of war incarcerated by enemy forces.

8 (2) The circumstance that many
9 servicemembers held as prisoners of war died during
10 captivity due to causes that do not meet the criteria
11 for eligibility for award of the Purple Heart, includ-
12 ing starvation, abuse, the deliberate withholding of
13 medical treatment for injury or disease, or other
14 causes.

15 (3) The circumstance that some members of the
16 Armed Forces died in captivity under circumstances
17 establishing eligibility for the prisoner-of-war medal
18 but under circumstances not otherwise establishing
19 eligibility for the Purple Heart.

20 (4) The circumstance that some members and
21 former members of the Armed Forces who were held
22 as prisoners of war and following captivity were
23 issued the prisoner-of-war medal subsequently died
24 due to a disease or disability that was incurred dur-
25 ing that captivity, without otherwise having been

1 awarded the Purple Heart due to the injury or con-
2 ditions resulting in that disease or disability or oth-
3 erwise having been awarded the Purple Heart for in-
4 jury incurring during captivity.

5 (5) The views of veterans service organizations,
6 including the Military Order of the Purple Heart.

7 (6) The importance that has been assigned to
8 determining all available facts before a decision is
9 made to award the Purple Heart.

10 (7) The views of the Secretary of Defense and
11 the Chairman of the Joint Chiefs of Staff.

12 **SEC. 557. REPORT ON DEPARTMENT OF DEFENSE PROCESS**
13 **FOR AWARDING DECORATIONS.**

14 (a) REVIEW.—The Secretary of Defense shall con-
15 duct a review of the policy, procedures, and processes of
16 the military departments for awarding decorations to
17 members of the Armed Forces.

18 (b) TIME PERIODS.—As part of the review under
19 subsection (a), the Secretary shall compare the time
20 frames of the awards process between active duty and re-
21 serve components—

22 (1) from the time a recommendation for the
23 award of a decoration is submitted until the time the
24 award of the decoration is approved; and

1 (2) from the time the award of a decoration is
2 approved until the time when the decoration is pre-
3 sented to the recipient.

4 (c) RESERVE COMPONENTS.—If the Secretary, in
5 conducting the review under subsection (a), finds that the
6 timeliness of the awards process for members of the re-
7 serve components is not the same as, or similar to, that
8 for members of the active components, the Secretary shall
9 take appropriate steps to address the discrepancy.

10 (d) REPORT.—Not later than August 1, 2007, the
11 Secretary shall submit to the Committee on Armed Serv-
12 ices of the Senate and the Committee on Armed Services
13 of the House of Representatives a report containing the
14 Secretary's findings as a result of the review under sub-
15 section (a), together with a plan for implementing what-
16 ever changes are determined to be appropriate to the proc-
17 ess for awarding decorations in order to ensure that deco-
18 rations are awarded in a timely manner, to the extent
19 practicable.

1 **Subtitle G—Matters Relating to**
2 **Casualties**

3 **SEC. 561. AUTHORITY FOR RETENTION AFTER SEPARATION**
4 **FROM SERVICE OF ASSISTIVE TECHNOLOGY**
5 **AND DEVICES PROVIDED WHILE ON ACTIVE**
6 **DUTY.**

7 (a) IN GENERAL.—Chapter 58 of title 10, United
8 States Code, is amended by inserting after section 1150
9 the following new section:

10 **“§ 1151. Retention of assistive technology and serv-**
11 **ices provided before separation**

12 “(a) AUTHORITY.—A member of the armed forces
13 who is provided an assistive technology or assistive tech-
14 nology device for a severe or debilitating illness or injury
15 incurred or aggravated by such member while on active
16 duty may, under regulations prescribed by the Secretary
17 of Defense, be authorized to retain such assistive tech-
18 nology or assistive technology device upon the separation
19 of the member from active service.

20 “(b) DEFINITIONS.—In this section, the terms ‘as-
21 sistive technology’ and ‘assistive technology device’ have
22 the meaning given those terms in section 3 of the Assistive
23 Technology Act of 1998 (29 U.S.C. 3002).”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such chapter is amended by inserting

1 after the item relating to section 1150 the following new
2 item:

“1151. Retention of assistive technology and services provided before separation.”.

3 **SEC. 562. TRANSPORTATION OF REMAINS OF CASUALTIES**
4 **DYING IN A THEATER OF COMBAT OPER-**
5 **ATIONS.**

6 (a) **REQUIRED TRANSPORTATION.**—In the case of a
7 member of the Armed Forces who dies in a combat theater
8 of operations and whose remains are returned to the
9 United States through the mortuary facility at Dover Air
10 Force Base, Delaware, the Secretary concerned, under
11 regulations prescribed by the Secretary of Defense, shall
12 provide transportation of the remains of that member
13 from Dover Air Force Base to the applicable escorted re-
14 mains destination in accordance with section 1482(a)(8)
15 of title 10, United States Code, and this section.

16 (b) **ESCORTED REMAINS DESTINATION.**—In this sec-
17 tion, the term “escorted remains destination” means the
18 place to which remains are authorized to be transported
19 under section 1482(a)(8) of title 10, United States Code.

20 (c) **AIR TRANSPORTATION FROM DOVER AFB.**—

21 (1) **MILITARY TRANSPORTATION.**—If transpor-
22 tation of remains under subsection (a) includes
23 transportation by air, such transportation (except as

1 provided under paragraph (2)) shall be made by
2 military aircraft or military-contracted aircraft.

3 (2) ALTERNATIVE TRANSPORTATION BY AIR-
4 CRAFT.—The provisions of paragraph (1) shall not
5 be applicable to the transportation of remains by air
6 to the extent that the person designated to direct
7 disposition of the remains directs otherwise.

8 (3) PRIMARY MISSION.—When remains are
9 transported by military aircraft or military-con-
10 tracted aircraft under this section, the primary mis-
11 sion of the aircraft providing that transportation
12 shall be the transportation of such remains. How-
13 ever, more than one set of remains may be trans-
14 ported on the same flight.

15 (d) ESCORT.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), the Secretary concerned shall ensure that
18 remains transported under this section are continu-
19 ously escorted from Dover Air Force Base to the ap-
20 plicable escorted remains destination by a member of
21 the Armed Forces in an appropriate grade, as deter-
22 mined by the Secretary.

23 (2) OTHER ESCORT.—If a specific military es-
24 cort is requested by the person designated to direct
25 disposition of such remains and the Secretary ap-

1 proves that request, then the Secretary is not re-
2 quired to provide an additional military escort under
3 paragraph (1).

4 (e) HONOR GUARD DETAIL.—

5 (1) PROVISION OF DETAIL.—Except in a case
6 in which the person designated to direct disposition
7 of remains requests that no military honor guard be
8 present, the Secretary concerned shall ensure that
9 an honor guard detail is provided in each case of the
10 transportation of remains under this section. The
11 honor guard detail shall be in addition to the escort
12 provided for the transportation of remains under
13 section (d).

14 (2) COMPOSITION.—An honor guard detail pro-
15 vided under this section shall consist of sufficient
16 members of the Armed Forces to perform the duties
17 specified in paragraph (3). The members of the
18 honor guard detail shall be in uniform.

19 (3) DUTIES.—Except to the extent that the
20 person designated to direct disposition of remains
21 requests that any of the following functions not be
22 performed, an honor guard detail under this sec-
23 tion—

24 (A) shall—

1 (i) travel with the remains during
2 transportation; or

3 (ii) meet the remains at the place to
4 which transportation by air (or by rail or
5 motor vehicle, if applicable) is made for the
6 transfer of the remains;

7 (B) shall provide appropriate honors at the
8 arrival of the remains referred to in subpara-
9 graph (A)(ii) (unless airline or other security
10 requirements do not permit such honors to be
11 provided); and

12 (C) shall participate in the transfer of the
13 remains from an aircraft, when airport and air-
14 line security requirements permit, by carrying
15 out the remains with a flag draped over the cas-
16 ket to a hearse or other form of ground trans-
17 portation for travel to a funeral home or other
18 place designated by the person designated to di-
19 rect disposition of such remains.

20 (f) SECRETARY CONCERNED DEFINED.—In this sec-
21 tion, the term “Secretary concerned” has the meaning
22 given that term in section 101(a)(9) of title 10, United
23 States Code.

1 (g) EFFECTIVE DATE.—This section shall take effect
2 at such time as may be prescribed by the Secretary of
3 Defense, but not later than January 1, 2007.

4 **SEC. 563. ANNUAL BUDGET DISPLAY OF FUNDS FOR POW/
5 MIA ACTIVITIES OF DEPARTMENT OF DE-
6 FENSE.**

7 (a) CONSOLIDATED BUDGET JUSTIFICATION.—
8 Chapter 9 of title 10, United States Code, is amended by
9 adding at the end the following new section:

10 **“§ 234. POW/MIA activities: display of budget infor-
11 mation**

12 “(a) SUBMISSION WITH ANNUAL BUDGET JUS-
13 TIFICATION DOCUMENTS.—The Secretary of Defense shall
14 submit to Congress, as a part of the defense budget mate-
15 rials for a fiscal year, a consolidated budget justification
16 display, in classified and unclassified form, that covers all
17 programs and activities of Department of Defense POW/
18 MIA accounting and recovery organizations.

19 “(b) REQUIREMENTS FOR BUDGET DISPLAY.—The
20 budget display under subsection (a) for a fiscal year shall
21 include for each such organization the following:

22 “(1) A statement of what percentage of the re-
23 quirements originally requested by the organization
24 in the budget review process that the budget re-
25 quests funds for.

1 “(2) A summary of actual or estimated expendi-
2 tures by that organization for the fiscal year during
3 which the budget is submitted and for the fiscal year
4 preceding that year.

5 “(3) The amount in the budget for that organi-
6 zation.

7 “(4) A detailed explanation of the shortfalls, if
8 any, in the funding of any requirement shown pursu-
9 ant to paragraph (1), when compared to the amount
10 shown pursuant to paragraph (3).

11 “(5) The budget estimate for that organization
12 for the five fiscal years after the fiscal year for
13 which the budget is submitted.

14 “(c) DEPARTMENT OF DEFENSE POW/MIA AC-
15 COUNTING AND RECOVERY ORGANIZATIONS.—In this sec-
16 tion, the term ‘Department of Defense POW/MIA ac-
17 counting and recovery organization’ means any of the fol-
18 lowing (and any successor organization):

19 “(1) The Defense Prisoner of War/Missing Per-
20 sonnel Office (DPMO).

21 “(2) The Joint POW/MIA Accounting Com-
22 mand (JPAC).

23 “(3) The Armed Forces DNA Identification
24 Laboratory (AFDIL).

1 “(4) The Life Sciences Equipment Laboratory
2 (LSEL) of the Air Force.

3 “(5) Any other element of the Department of
4 Defense the mission of which (as designated by the
5 Secretary of Defense) involves the accounting for
6 and recovery of members of the armed forces who
7 are missing in action or prisoners of war or who are
8 unaccounted for.

9 “(d) OTHER DEFINITIONS.—In this section:

10 “(1) The term ‘defense budget materials’, with
11 respect to a fiscal year, means the materials sub-
12 mitted to Congress by the Secretary of Defense in
13 support of the budget for that fiscal year.

14 “(2) The term ‘budget’, with respect to a fiscal
15 year, means the budget for that fiscal year that is
16 submitted to Congress by the President under sec-
17 tion 1105(a) of title 31.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by adding
20 at the end the following new item:

“234. POW/MIA activities: display of budget information.”.

21 **SEC. 564. MILITARY SEVERELY INJURED CENTER.**

22 (a) CENTER REQUIRED.—In support of the com-
23 prehensive policy on the provision of assistance to severely
24 wounded or injured servicemembers required by section
25 563 of the National Defense Authorization Act for Fiscal

1 Year 2006 (Public Law 109–163; 119 Stat. 3269; 10
2 U.S.C. 113 note), the Secretary of Defense shall establish
3 within the Department of Defense a center to augment
4 and support the programs and activities of the military
5 departments for the provision of such assistance, including
6 the programs of the military departments referred to in
7 subsection (c).

8 (b) DESIGNATION.—The center established under
9 subsection (a) shall be known as the “Military Severely
10 Injured Center” (in this section referred to as the “Cen-
11 ter”).

12 (c) PROGRAMS OF THE MILITARY DEPARTMENTS.—
13 The programs of the military departments referred to in
14 this subsection are the following:

15 (1) The Army Wounded Warrior Support Pro-
16 gram.

17 (2) The Navy Safe Harbor Program.

18 (3) The Palace HART Program of the Air
19 Force.

20 (4) The Marine for Life Injured Support Pro-
21 gram of the Marine Corps.

22 (d) ACTIVITIES OF CENTER.—

23 (1) IN GENERAL.—The Center shall carry out
24 such programs and activities to augment and sup-
25 port the programs and activities of the military de-

1 partments for the provision of assistance to severely
2 wounded or injured servicemembers and their fami-
3 lies as the Secretary of Defense, in consultation with
4 the Secretaries of the military departments and the
5 heads of other appropriate departments and agencies
6 of the Federal Government (including the Secretary
7 of Labor and the Secretary of Veterans Affairs), de-
8 termines appropriate.

9 (2) DATABASE.—The activities of the Center
10 under this subsection shall include the establishment
11 and maintenance of a central database. The data-
12 base shall be transparent and shall be accessible for
13 use by all of the programs of the military depart-
14 ments referred to in subsection (c).

15 (e) RESOURCES.—The Secretary of Defense shall al-
16 locate to the Center such personnel and other resources
17 as the Secretary of Defense, in consultation with the Sec-
18 retaries of the military departments, considers appropriate
19 in order to permit the Center to carry out effectively the
20 programs and activities assigned to the Center under sub-
21 section (d).

1 **SEC. 565. COMPREHENSIVE REVIEW ON PROCEDURES OF**
2 **THE DEPARTMENT OF DEFENSE ON MOR-**
3 **TUARY AFFAIRS.**

4 (a) REPORT.—As soon as practicable after the com-
5 pletion of a comprehensive review of the procedures of the
6 Department of Defense on mortuary affairs, the Secretary
7 of Defense shall submit to the Committee on Armed Serv-
8 ices of the Senate and the Committee on Armed Services
9 of the House of Representatives a report on the review.

10 (b) ADDITIONAL ELEMENTS.—In conducting the
11 comprehensive review described in subsection (a), the Sec-
12 retary shall address, in addition to any other matter cov-
13 ered by the review, the following:

14 (1) The use of additional or increased refrigera-
15 tion (including icing) in combat theaters in order to
16 enhance preservation of remains.

17 (2) The location of refrigeration assets further
18 forward in the field.

19 (3) Specific time standards for the movement of
20 remains from combat units.

21 (4) The forward location of autopsy and em-
22 balming operations.

23 (5) Any other matter that the Secretary con-
24 siders appropriate in order to expedite the return of
25 remains to the United States in a nondecomposed
26 state.

1 **SEC. 566. ADDITIONAL ELEMENTS OF POLICY ON CAS-**
2 **UALTY ASSISTANCE TO SURVIVORS OF MILI-**
3 **TARY DECEDENTS.**

4 Section 562(b) of the National Defense Authorization
5 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
6 3267; 10 U.S.C. 1475 note) is amended by adding at the
7 end the following new paragraph:

8 “(12) The process by which the Department of
9 Defense, upon request, provides information (in per-
10 son and otherwise) to survivors of a military dece-
11 dent on the cause of, and any investigation into, the
12 death of such military decedent and on the disposi-
13 tion and transportation of the remains of such dece-
14 dent, which process shall—

15 “(A) provide for the provision of such in-
16 formation (in person and otherwise) by quali-
17 fied Department of Defense personnel;

18 “(B) ensure that information is provided
19 as soon as possible after death and that, when
20 requested, updates are provided, in accordance
21 with the procedures established under this para-
22 graph, in a timely manner when new informa-
23 tion becomes available;

24 “(C) ensure that—

25 “(i) the initial provision of such infor-
26 mation, and each such update, relates the

1 most complete and accurate information
2 available at the time, subject to limitations
3 applicable to classified information; and

4 “(ii) incomplete or unverified informa-
5 tion is identified as such during the course
6 of the provision of such information or up-
7 date; and

8 “(D) include procedures by which such
9 survivors shall, upon request, receive updates or
10 supplemental information from qualified De-
11 partment of Defense personnel.”.

12 **SEC. 567. REQUIREMENT FOR DEPLOYING MILITARY MED-**
13 **ICAL PERSONNEL TO BE TRAINED IN PRES-**
14 **ERVATION OF REMAINS UNDER COMBAT OR**
15 **COMBAT-RELATED CONDITIONS.**

16 (a) REQUIREMENT.—The Secretary of each military
17 department shall ensure that each military health care
18 professional under that Secretary’s jurisdiction who is de-
19 ployed to a theater of combat operations is trained, before
20 such deployment, in the preservation of remains under
21 combat or combat-related conditions.

22 (b) MATTERS COVERED BY TRAINING.—The training
23 under subsection (a) shall include, at a minimum, the fol-
24 lowing:

1 (1) Best practices and procedures for the pres-
2 ervation of the remains of a member of the Armed
3 Forces after death, taking into account the condi-
4 tions likely to be encountered and the objective of re-
5 turning the remains to the member's family in the
6 best possible condition.

7 (2) Practical case studies based on experience
8 of the Armed Forces in a variety of climactic condi-
9 tions.

10 (c) COVERED MILITARY HEALTH CARE PROFES-
11 SIONALS.—In this section, the term “military health care
12 professional” means—

13 (1) a physician, nurse, nurse practitioner, phy-
14 sician assistant, or combat medic; and

15 (2) any other medical personnel with medical
16 specialties who may provide direct patient care and
17 who are designated by the Secretary of the military
18 department concerned.

19 (d) EFFECTIVE DATE.—Subsection (a) shall apply
20 with respect to any military health care professional who
21 is deployed to a theater of combat operations after the
22 end of the 90-day period beginning on the date of the en-
23 actment of this Act.

1 **Subtitle H—Impact Aid and De-**
2 **fense Dependents Education**
3 **System**

4 **SEC. 571. ENROLLMENT IN DEFENSE DEPENDENTS' EDU-**
5 **CATION SYSTEM OF DEPENDENTS OF FOR-**
6 **EIGN MILITARY MEMBERS ASSIGNED TO SU-**
7 **PREME HEADQUARTERS ALLIED POWERS,**
8 **EUROPE.**

9 (a) TEMPORARY ENROLLMENT AUTHORITY.—Sec-
10 tion 1404A of the Defense Dependents' Education Act of
11 1978 (20 U.S.C. 923a) is amended—

12 (1) in subsection (a)—

13 (A) by striking “of the children” and in-
14 serting “of—
15 “(1) the children”;

16 (B) by striking the period at the end and
17 inserting “; and”; and

18 (C) by adding at the end the following new
19 paragraph:

20 “(2) the children of a foreign military member
21 assigned to the Supreme Headquarters Allied Pow-
22 ers, Europe, but only in a school of the defense de-
23 pendents' education system in Mons, Belgium, and
24 only through the 2010-2011 school year.”; and

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

3 “(c) SPECIAL RULES REGARDING ENROLLMENT OF
4 DEPENDENTS OF FOREIGN MILITARY MEMBERS AS-
5 SIGNED TO SUPREME HEADQUARTERS ALLIED POWERS,
6 EUROPE.—(1) In the regulations required by subsection
7 (a), the Secretary shall prescribe a methodology based on
8 the estimated total number of dependents of sponsors
9 under section 1414(2) enrolled in schools of the defense
10 dependents’ education system in Mons, Belgium, to deter-
11 mine the number of children described in paragraph (2)
12 of subsection (a) who will be authorized to enroll under
13 such subsection.

14 “(2) If the number of children described in paragraph
15 (2) of subsection (a) who seek enrollment in schools of
16 the defense dependents’ education system in Mons, Bel-
17 gium, exceeds the number authorized by the Secretary
18 under paragraph (1), the Secretary may enroll the addi-
19 tional children on a space-available, tuition-free basis not-
20 withstanding section 1404(d)(2).”.

21 (b) REPORT ON LONG-TERM PLAN FOR EDUCATION
22 OF DEPENDENTS OF MILITARY PERSONNEL ASSIGNED
23 TO SHAPE.—Not later than 180 days after the date of
24 the enactment of this Act, the Secretary of Defense shall
25 submit to Congress a report evaluating alternatives for the

1 education of dependents of United States military per-
2 sonnel and dependents of foreign military personnel as-
3 signed to Supreme Headquarters Allied Powers, Europe,
4 including—

5 (1) an evaluation of the feasibility of estab-
6 lishing an international school at Supreme Head-
7 quarters Allied Powers, Europe; and

8 (2) an estimate of the timeframe necessary for
9 transition to any new model for educating such de-
10 pendents.

11 **SEC. 572. CONTINUATION OF AUTHORITY TO ASSIST LOCAL**
12 **EDUCATIONAL AGENCIES THAT BENEFIT DE-**
13 **PENDENTS OF MEMBERS OF THE ARMED**
14 **FORCES AND DEPARTMENT OF DEFENSE CI-**
15 **VILIAN EMPLOYEES.**

16 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
17 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
18 amount authorized to be appropriated pursuant to section
19 301(5) for operation and maintenance for Defense-wide
20 activities, \$35,000,000 shall be available only for the pur-
21 pose of providing assistance to local educational agencies
22 under subsection (a) of section 572 of the National De-
23 fense Authorization Act for Fiscal Year 2006 (Public Law
24 109–163; 119 Stat. 3271; 20 U.S.C. 7703b).

1 (b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT
2 CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE
3 CHANGES, OR FORCE RELOCATIONS.—Of the amount au-
4 thorized to be appropriated pursuant to section 301(5) for
5 operation and maintenance for Defense-wide activities,
6 \$10,000,000 shall be available only for the purpose of pro-
7 viding assistance to local educational agencies under sub-
8 section (b) of such section 572.

9 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
10 this section, the term “local educational agency” has the
11 meaning given that term in section 8013(9) of the Ele-
12 mentary and Secondary Education Act of 1965 (20 U.S.C.
13 7713(9)).

14 **SEC. 573. IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
15 **ABILITIES.**

16 Of the amount authorized to be appropriated pursu-
17 ant to section 301(5) for operation and maintenance for
18 Defense-wide activities, \$5,000,000 shall be available for
19 payments under section 363 of the Floyd D. Spence Na-
20 tional Defense Authorization Act for Fiscal Year 2001 (as
21 enacted into law by Public Law 106–398; 114 Stat.
22 1654A–77; 20 U.S.C. 7703a).

1 **SEC. 574. PLAN AND AUTHORITY TO ASSIST LOCAL EDU-**
2 **CATIONAL AGENCIES EXPERIENCING**
3 **GROWTH IN ENROLLMENT DUE TO FORCE**
4 **STRUCTURE CHANGES, RELOCATION OF**
5 **MILITARY UNITS, OR BASE CLOSURES AND**
6 **REALIGNMENTS.**

7 (a) **PLAN REQUIRED.**—Not later than January 1,
8 2007, the Secretary of Defense shall submit to the con-
9 gressional defense committees a report setting forth a plan
10 to provide assistance to local educational agencies that ex-
11 perience growth in the enrollment of military dependent
12 students as a result of any of the following events:

13 (1) Force structure changes.

14 (2) The relocation of a military unit.

15 (3) The closure or realignment of military in-
16 stallations pursuant to defense base closure and re-
17 alignment under the base closure laws.

18 (b) **ELEMENTS.**—The report required by subsection
19 (a), and each updated report required by subsection (c),
20 shall include the following:

21 (1) An identification, current as of the date of
22 the report, of the total number of military dependent
23 students who are anticipated to be arriving at or de-
24 parting from military installations as a result of any
25 event described in subsection (a), including—

1 (A) an identification of the military instal-
2 lations affected by such arrivals and departures;

3 (B) an estimate of the number of such stu-
4 dents arriving at or departing from each such
5 installation; and

6 (C) the anticipated schedule of such arriv-
7 als and departures.

8 (2) Such recommendations as the Office of Eco-
9 nomic Adjustment of the Department of Defense
10 considers appropriate for means of assisting affected
11 local educational agencies in accommodating in-
12 creases in enrollment of military dependent students
13 as a result of any such event.

14 (3) A plan for outreach to be conducted to af-
15 fected local educational agencies, commanders of
16 military installations, and members of the Armed
17 Forces and civilian personnel of the Department of
18 Defense regarding information on the assistance to
19 be provided under the plan under subsection (a).

20 (c) UPDATED REPORTS.—Not later than March 1,
21 2008, and annually thereafter to coincide with the submis-
22 sion of the budget of the President for a fiscal year under
23 section 1105 of title 31, United States Code, the Secretary
24 of Defense shall submit to the congressional defense com-
25 mittees an update of the report required by subsection (a).

1 (d) TRANSITION OF MILITARY DEPENDENTS FROM
2 DEPARTMENT OF DEFENSE DEPENDENT SCHOOLS TO
3 OTHER SCHOOLS.—During the period beginning on the
4 date of the enactment of this Act and ending on Sep-
5 tember 30, 2011, the Secretary of Defense shall work col-
6 laboratively with the Secretary of Education in any efforts
7 to ease the transition of military dependent students from
8 attendance in Department of Defense dependent schools
9 to attendance in schools of local educational agencies. The
10 Secretary of Defense may use funds of the Department
11 of Defense Education Activity to share expertise and expe-
12 rience of the Activity with local educational agencies as
13 military dependent students make such transition, includ-
14 ing such a transition resulting from the closure or realign-
15 ment of military installations under a base closure law,
16 global rebasing, and force restructuring.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “base closure law” has the mean-
19 ing given that term in section 101 of title 10, United
20 States Code.

21 (2) The term “local educational agency” has
22 the meaning given that term in section 8013(9) of
23 the Elementary and Secondary Education Act of
24 1965 (20 U.S.C. 7713(9)).

1 (3) The term “military dependent students” re-
2 fers to—

3 (A) elementary and secondary school stu-
4 dents who are dependents of members of the
5 Armed Forces; and

6 (B) elementary and secondary school stu-
7 dents who are dependents of civilian employees
8 of the Department of Defense.

9 **SEC. 575. PILOT PROGRAM ON PARENT EDUCATION TO**
10 **PROMOTE EARLY CHILDHOOD EDUCATION**
11 **FOR DEPENDENT CHILDREN AFFECTED BY**
12 **MILITARY DEPLOYMENT OR RELOCATION OF**
13 **MILITARY UNITS.**

14 (a) PILOT PROGRAM AUTHORIZED.—Using such
15 funds as may be appropriated for this purpose, the Sec-
16 retary of Defense may carry out a pilot program on the
17 provision of educational and support tools to the parents
18 of preschool-age children—

19 (1) whose parent or parents serve as members
20 of the Armed Forces on active duty (including mem-
21 bers of the Selected Reserve on active duty pursuant
22 to a call or order to active duty of 180 days or
23 more); and

1 (2) who are affected by the deployment of their
2 parent or parents or the relocation of the military
3 unit of which their parent or parents are a member.

4 (b) PURPOSE.—The purpose of the pilot program is
5 to develop models for improving the capability of military
6 child and youth programs on or near military installations
7 to provide assistance to military parents with young chil-
8 dren through a program of activities focusing on the
9 unique needs of children described in subsection (a).

10 (c) LIMITS ON COMMENCEMENT AND DURATION OF
11 PROGRAM.—The Secretary of Defense may not commence
12 the pilot program before October 1, 2007, and shall con-
13 clude the pilot program not later than the end of the three-
14 year period beginning on the date on which the Secretary
15 commences the program.

16 (d) SCOPE OF PROGRAM.—Under the pilot program,
17 the Secretary of Defense shall utilize one or more models,
18 demonstrated through research, of universal access of par-
19 ents of children described in subsection (a) to assistance
20 under the pilot program to achieve the following goals:

21 (1) The identification and mitigation of specific
22 risk factors for such children related to military life.

23 (2) The maximization of the educational readi-
24 ness of such children.

25 (e) LOCATIONS AND GOALS.—

1 (1) SELECTION OF PARTICIPATING INSTALLA-
2 TIONS.—In selecting military installations to partici-
3 pate in the pilot program, the Secretary of Defense
4 shall limit selection to those military installations
5 whose military personnel are experiencing significant
6 transition or deployment or which are undergoing
7 transition as a result of the relocation or activation
8 of military units or activities relating to defense base
9 closure and realignment.

10 (2) SELECTION OF CERTAIN INSTALLATIONS.—
11 At least one of the installations selected under para-
12 graph (1) shall be a military installation that will
13 permit, under the pilot program, the meaningful
14 evaluation of a model under subsection (d) that pro-
15 vides outreach to parents in families with a parent
16 who is a member of the National Guard or Reserve,
17 which families live more than 40 miles from the in-
18 stallation.

19 (3) GOALS OF PARTICIPATING INSTALLA-
20 TIONS.—If a military installation is selected under
21 paragraph (1), the Secretary shall require appro-
22 priate personnel at the military installation to de-
23 velop goals, and specific outcome measures with re-
24 spect to such goals, for the conduct of the pilot pro-
25 gram at the installation.

1 (4) EVALUATION REQUIRED.—Upon completion
2 of the pilot program at a military installation, the
3 personnel referred to in paragraph (3) at the instal-
4 lation shall be required to conduct an evaluation and
5 assessment of the success of the pilot program at
6 the installation in meeting the goals developed for
7 that installation.

8 (f) GUIDELINES.—As part of conducting the pilot
9 program, the Secretary of Defense shall issue guidelines
10 regarding—

11 (1) the goals to be developed under subsection
12 (e)(3);

13 (2) specific outcome measures; and

14 (3) the selection of curriculum and the conduct
15 of developmental screening under the pilot program.

16 (g) REPORT.—Upon completion of the pilot program,
17 the Secretary of Defense shall submit to the Committee
18 on Armed Services of the Senate and the Committee on
19 Armed Services of the House of Representatives a report
20 on all of the evaluations prepared under subsection (e)(4)
21 for the military installations participating in the pilot pro-
22 gram. The report shall describe the results of the evalua-
23 tions, and may include such recommendations for legisla-
24 tive or administrative action as the Secretary considers ap-

1 appropriate in light of the evaluations, including rec-
2 ommendations for the continuation of the pilot program.

3 **Subtitle I—Armed Forces**
4 **Retirement Home**

5 **SEC. 578. REPORT ON LEADERSHIP AND MANAGEMENT OF**
6 **THE ARMED FORCES RETIREMENT HOME.**

7 Not later than 30 days after the date of the enact-
8 ment of this Act, the Secretary of Defense shall submit
9 to the congressional defense committees a report evalu-
10 ating the following:

11 (1) The effect of changing the title of the Chief
12 Operating Officer of the Armed Forces Retirement
13 Home to a chief executive officer who will be respon-
14 sible to the Secretary of Defense for the overall di-
15 rection, operation, and management of the Retire-
16 ment Home.

17 (2) The effect of no longer permitting a civilian
18 with experience as a continuing care retirement com-
19 munity professional to serve as the Director for a fa-
20 cility of the Armed Forces Retirement Home, but to
21 instead limit eligibility for such positions to members
22 of the Armed Forces serving on active duty in a
23 grade below brigadier general or, in the case of the
24 Navy, rear admiral (lower half).

1 (3) The management of the Armed Forces Re-
2 tirement Home and whether or not there is a need
3 for a greater role by members of the Armed Forces
4 serving on active duty in the overall direction, oper-
5 ation, and management of the Retirement Home.

6 **SEC. 579. REPORT ON LOCAL BOARDS OF TRUSTEES OF**
7 **THE ARMED FORCES RETIREMENT HOME.**

8 Not later than 30 days after the date of the enact-
9 ment of this Act, the Secretary of Defense shall submit
10 to the congressional defense committees a report describ-
11 ing the following:

12 (1) The current composition and activities of
13 the Local Board of Trustees of the Armed Forces
14 Retirement Home—Washington under section 1516
15 of the Armed Forces Retirement Home Act of 1991
16 (24 U.S.C. 416).

17 (2) The current composition and activities of
18 the Local Board of Trustees of the Armed Forces
19 Retirement Home—Gulfport under such section.

20 (3) The feasibility and effect of including as a
21 member of each Local Board of Trustees of the
22 Armed Forces Retirement Home a member of the
23 Armed Forces who is serving on active duty in the
24 grade of brigadier general, or in the case of the
25 Navy, rear admiral (lower half).

1 **Subtitle J—Reports**

2 **SEC. 581. REPORT ON PERSONNEL REQUIREMENTS FOR**
3 **AIRBORNE ASSETS IDENTIFIED AS LOW-DEN-**
4 **SITY, HIGH-DEMAND AIRBORNE ASSETS.**

5 (a) REPORT REQUIRED.—Not later than 120 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the Committee on Armed Serv-
8 ices of the Senate and the Committee on Armed Services
9 of the House of Representatives a report on personnel re-
10 quirements for airborne assets identified as Low-Density,
11 High-Demand Airborne Assets based on combatant com-
12 mander requirements to conduct and sustain operations
13 for the global war on terrorism.

14 (b) MATTER TO BE INCLUDED.—The report shall in-
15 clude the following for each airborne asset identified as
16 a Low-Density, High-Demand Airborne Asset:

17 (1) The numbers of operations and mainte-
18 nance crews to meet tasking contemplated to con-
19 duct operations for the global war on terrorism.

20 (2) The current numbers of operations and
21 maintenance crews.

22 (3) If applicable, shortages of operations and
23 maintenance crews.

24 (4) Whether such shortages are addressed in
25 the future-years defense program.

1 (5) Whether end-strength increases are required
2 to meet any such shortages.

3 (6) Estimated manpower costs of personnel
4 needed to address shortfalls.

5 (7) If applicable, the number and types of
6 equipment needed to address training shortfalls.

7 **SEC. 582. REPORT ON FEASIBILITY OF ESTABLISHMENT OF**
8 **MILITARY ENTRANCE PROCESSING COM-**
9 **MAND STATION ON GUAM.**

10 (a) REVIEW.—The Secretary of Defense shall review
11 the feasibility and cost effectiveness of establishing on
12 Guam a station of the Military Entrance Processing Com-
13 mand to process new recruits for the Armed Forces who
14 are drawn from the western Pacific region. For the pur-
15 poses of the review, the cost effectiveness of establishing
16 such a facility on Guam shall be measured, in part,
17 against the system in effect in early 2006 of using Hawaii
18 and other locations for the processing of new recruits from
19 Guam and other locations in the western Pacific region.

20 (b) REPORT.—Not later than June 1, 2007, the Sec-
21 retary shall submit to the Committee on Armed Services
22 of the Senate and the Committee on Armed Services of
23 the House of Representatives a report providing the re-
24 sults of the study under subsection (a).

1 **SEC. 583. INCLUSION IN ANNUAL DEPARTMENT OF DE-**
2 **FENSE REPORT ON SEXUAL ASSAULTS OF IN-**
3 **FORMATION ON RESULTS OF DISCIPLINARY**
4 **ACTIONS.**

5 Section 577(f)(2)(B) of the Ronald W. Reagan Na-
6 tional Defense Authorization Act for Fiscal Year 2005
7 (Public Law 108–375; 118 Stat. 1927) is amended to read
8 as follows:

9 “(B) A synopsis of each such substantiated case
10 and, for each such case, the disciplinary action taken
11 in the case, including the type of disciplinary or ad-
12 ministrative sanction imposed, if any.”.

13 **SEC. 584. REPORT ON PROVISION OF ELECTRONIC COPY OF**
14 **MILITARY RECORDS ON DISCHARGE OR RE-**
15 **LEASE OF MEMBERS FROM THE ARMED**
16 **FORCES.**

17 (a) **REPORT REQUIRED.**—Not later than 120 days
18 after the date of the enactment of this Act, the Secretary
19 of Defense shall submit to the congressional defense com-
20 mittees a report on the feasibility and advisability of pro-
21 viding an electronic copy of military records (including all
22 military service, medical, and other military records) to
23 members of the Armed Forces on their discharge or re-
24 lease from the Armed Forces.

25 (b) **ELEMENTS.**—The report required by subsection
26 (a) shall include the following:

1 (1) An estimate of the costs of the provision of
2 military records as described in subsection (a).

3 (2) An assessment of providing military records
4 as described in that subsection through the distribu-
5 tion of a portable, readily accessible medium (such
6 as a computer disk or other similar medium) con-
7 taining such records.

8 (3) A description and assessment of the mecha-
9 nisms required to ensure the privacy of members of
10 the Armed Forces in providing military records as
11 described in that subsection.

12 (4) An assessment of the benefits to the mem-
13 bers of the Armed Forces of receiving their military
14 records as described in that subsection.

15 (5) If the Secretary determines that providing
16 military records to members of the Armed Forces as
17 described in that subsection is feasible and advis-
18 able, a plan (including a schedule) for providing
19 such records to members of the Armed Forces as so
20 described in order to ensure that each member of
21 the Armed Forces is provided such records upon dis-
22 charge or release from the Armed Forces.

23 (6) Any other matter to relating to the provi-
24 sion of military records as described in that sub-
25 section that the Secretary considers appropriate.

1 **SEC. 585. REPORT ON OMISSION OF SOCIAL SECURITY AC-**
2 **COUNT NUMBERS FROM MILITARY IDENTI-**
3 **FICATION CARDS.**

4 (a) REPORT REQUIRED.—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to Congress a report setting forth
7 the assessment of the Secretary of the feasibility of uti-
8 lizing military identification cards that do not contain, dis-
9 play, or exhibit the social security account number of the
10 individual identified by a military identification card.

11 (b) MILITARY IDENTIFICATION CARD DEFINED.—In
12 this section, the term “military identification card” means
13 a card or other form of identification used for purposes
14 of demonstrating eligibility for any benefit from the De-
15 partment of Defense.

16 **SEC. 586. REPORT ON MAINTENANCE AND PROTECTION OF**
17 **DATA HELD BY THE SECRETARY OF DEFENSE**
18 **AS PART OF THE DEPARTMENT OF DEFENSE**
19 **JOINT ADVERTISING, MARKET RESEARCH**
20 **AND STUDIES (JAMRS) PROGRAM.**

21 Not later than 120 days after the date of the enact-
22 ment of this Act, the Secretary of Defense shall submit
23 to the Committees on Armed Services of the Senate and
24 House of Representatives a report on how the data, in-
25 cluding social security account numbers, held by the Sec-
26 retary as part of the Joint Advertising, Market Research

1 and Studies (JAMRS) program of the Department of De-
2 fense are maintained and protected, including a descrip-
3 tion of the security measures in place to prevent unauthor-
4 ized access or inadvertent disclosure of such data that
5 could lead to identity theft.

6 **SEC. 587. COMPTROLLER GENERAL REPORT ON MILITARY**
7 **CONSCIENTIOUS OBJECTORS.**

8 (a) REPORT REQUIRED.—Not later than September
9 1, 2007, the Comptroller General shall submit to Congress
10 a report concerning members of the Armed Forces who
11 claimed status as a military conscientious objector between
12 September 11, 2001, and December 31, 2006.

13 (b) CONTENT OF REPORT.—The report required by
14 subsection (a) shall specifically address the following:

15 (1) The number of all applications for status as
16 a military conscientious objector, broken down by
17 Armed Force, including the Coast Guard, and reg-
18 ular and reserve components.

19 (2) Number of discharges or reassignments
20 given.

21 (3) The process generally used to consider ap-
22 plications, including average processing times and
23 any provision for assignment or reassignment of
24 members while their application is pending.

1 (4) Reasons for approval or disapproval of ap-
2 plications.

3 (5) Any difference in benefits upon discharge as
4 a military conscientious objector compared to other
5 discharges.

6 (6) Pre-war statistical comparisons.

7 **Subtitle K—Other Matters**

8 **SEC. 591. MODIFICATION IN DEPARTMENT OF DEFENSE**

9 **CONTRIBUTIONS TO MILITARY RETIREMENT**

10 **FUND.**

11 (a) DETERMINATION OF CONTRIBUTIONS TO THE
12 FUND.—

13 (1) CALCULATION OF ANNUAL DEPARTMENT OF
14 DEFENSE CONTRIBUTION.—Subsection (b)(1) of sec-
15 tion 1465 of title 10, United States Code, is amend-
16 ed—

17 (A) in subparagraph (A)(ii), by striking
18 “to members of” and all that follows and in-
19 serting “for active duty (other than the Coast
20 Guard) and for full-time National Guard duty
21 (other than full-time National Guard duty for
22 training only), but excluding the amount ex-
23 pected to be paid for any duty that would be ex-
24 cluded for active-duty end strength purposes by
25 section 115(i) of this title.”; and

1 (B) in subparagraph (B)(ii)—

2 (i) by striking “Ready Reserve” and
3 inserting “Selected Reserve”; and

4 (ii) by striking “Coast Guard and
5 other than members on full-time National
6 Guard duty other than for training) who
7 are” and inserting “Coast Guard) for serv-
8 ice”.

9 (2) QUADRENNIAL ACTUARIAL VALUATION.—

10 Subsection (c)(1) of such section is amended—

11 (A) in subparagraph (A), by striking “for
12 members of the armed forces” and all that fol-
13 lows through “for training only)” and inserting
14 “for active duty (other than the Coast Guard)
15 and for full-time National Guard duty (other
16 than full-time National Guard duty for training
17 only), but excluding the amount expected to be
18 paid for any duty that would be excluded for
19 active-duty end strength purposes by section
20 115(i) of this title”; and

21 (B) in subparagraph (B)—

22 (i) by striking “Ready Reserve” and
23 inserting “Selected Reserve”; and

24 (ii) by striking “Coast Guard and
25 other than members on full-time National

1 Guard duty other than for training) who
2 are” and inserting “Coast Guard) for serv-
3 ice”.

4 (b) PAYMENTS INTO THE FUND.—Section 1466(a) of
5 such title is amended—

6 (1) in paragraph (1)(B), by striking “by mem-
7 bers” and all that follows and inserting “for active
8 duty (other than the Coast Guard) and for full-time
9 National Guard duty (other than full-time National
10 Guard duty for training only), but excluding the
11 amount expected to be paid for any duty that would
12 be excluded for active-duty end strength purposes by
13 section 115(i) of this title”; and

14 (2) in paragraph (2)(B)—

15 (A) by striking “Ready Reserve” and in-
16 serting “Selected Reserve”; and

17 (B) by striking “Coast Guard and other
18 than members on full-time National Guard duty
19 other than for training) who are” and inserting
20 “Coast Guard) for service”.

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect on October 1, 2007.

1 **SEC. 592. REVISION IN GOVERNMENT CONTRIBUTIONS TO**
2 **MEDICARE-ELIGIBLE RETIREE HEALTH CARE**
3 **FUND.**

4 (a) **MEDICARE-ELIGIBLE RETIREE HEALTH CARE**
5 **FUND.**—Section 1111 of title 10, United States Code, is
6 amended—

7 (1) in subsection (a), by striking “of the De-
8 partment of Defense” and inserting “of the uni-
9 formed services” ; and

10 (2) in subsection (b), by adding at the end of
11 the following new paragraph:

12 “(5) The term ‘members of the uniformed serv-
13 ices on active duty’ does not include a cadet at the
14 United States Military Academy, the United States
15 Air Force Academy, or the Coast Guard Academy or
16 a midshipman at the United States Naval Acad-
17 emy.”.

18 (b) **DETERMINATION OF CONTRIBUTIONS TO THE**
19 **FUND.**—Section 1115 of such title is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1)(B), by striking “on
22 active duty” and all that follows through
23 “training only)” and inserting the following:
24 “on active duty and full-time National Guard
25 duty, but excluding any member who would be

1 excluded for active-duty end strength purposes
2 by section 115(i) of this title”; and

3 (B) in paragraph (2)(B)—

4 (i) by striking “Ready Reserve” and
5 inserting “Selected Reserve”; and

6 (ii) by striking “(other than members
7 on full-time National Guard duty other
8 than for training)”; and

9 (2) in subsection (c)—

10 (A) in paragraph (1)(A), by striking “on
11 active duty” and all that follows through
12 “training only)” and inserting the following:
13 “on active duty and full-time National Guard
14 duty, but excluding any member who would be
15 excluded for active-duty end strength purposes
16 by section 115(i) of this title”; and

17 (B) in paragraph (1)(B)—

18 (i) by striking “Ready Reserve” and
19 inserting “Selected Reserve”; and

20 (ii) by striking “(other than members
21 on full-time National Guard duty other
22 than for training)”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect with respect to payments

1 under chapter 56 of title 10, United States Code, begin-
2 ning with fiscal year 2008.

3 **SEC. 593. DENTAL CORPS OF THE NAVY BUREAU OF MEDI-**
4 **CINE AND SURGERY.**

5 (a) DELETION OF REFERENCES TO DENTAL DIVI-
6 SION.—Section 5138 of title 10, United States Code, is
7 amended—

8 (1) in subsection (a)—

9 (A) by striking the first sentence; and

10 (B) by striking “the Dental Division” and
11 inserting “the Dental Corps”;

12 (2) in subsection (b), by striking “Dental Divi-
13 sion” and inserting “Dental Corps”; and

14 (3) in subsection (c)—

15 (A) by striking “Dental Division” at the
16 end of the first sentence and inserting “Dental
17 Corps”; and

18 (B) by striking “that Division” at the end
19 of the second sentence and inserting “the Chief
20 of the Dental Corps”.

21 (b) FUNCTIONS OF CHIEF OF DENTAL CORPS.—Sub-
22 section (d) of such section is amended to read as follows:

23 “(d) The Chief of the Dental Corps shall—

24 “(1) establish professional standards and poli-
25 cies for dental practice;

1 “(2) initiate and recommend action pertaining
2 to complements, strength, appointments, advance-
3 ment, training assignment, and transfer of dental
4 personnel; and

5 “(3) serve as the advisor for the Bureau on all
6 matters relating directly to dentistry.”.

7 (c) FURTHER CLARIFYING AMENDMENTS.—Sub-
8 section (c) of such section is further amended—

9 (1) by striking “so” after “shall be”; and

10 (2) by striking “that all such functions will be”
11 and inserting “so that all such functions are”.

12 (d) CLERICAL AMENDMENTS.—

13 (1) The heading of such section is amended to
14 read as follows:

15 **“§ 5138. Bureau of Medicine and Surgery: Dental**
16 **Corps; Chief; functions”.**

17 (2) The item relating to such section in the
18 table of sections at the beginning of chapter 513 of
19 such title is amended to read as follows:

 “5138. Bureau of Medicine and Surgery: Dental Corps; Chief; functions.”.

20 **SEC. 594. PERMANENT AUTHORITY FOR PRESENTATION OF**
21 **RECOGNITION ITEMS FOR RECRUITMENT**
22 **AND RETENTION PURPOSES.**

23 Section 2261 of title 10, United States Code, is
24 amended by striking subsection (d).

1 **SEC. 595. PERSONS AUTHORIZED TO ADMINISTER ENLIST-**
2 **MENT AND APPOINTMENT OATHS.**

3 (a) ENLISTMENT OATH.—Section 502 of title 10,
4 United States Code, is amended—

5 (1) by inserting “(a) ENLISTMENT OATH.—”
6 before “Each person enlisting”;

7 (2) by striking the last sentence; and

8 (3) by adding at the end the following new sub-
9 section:

10 “(b) WHO MAY ADMINISTER.—The oath may be
11 taken before the President, the Vice-President, the Sec-
12 retary of Defense, any commissioned officer, or any other
13 person designated under regulations prescribed by the
14 Secretary of Defense.”.

15 (b) OATHS GENERALLY.—Section 1031 of such title
16 is amended by striking “Any commissioned officer of any
17 component of an armed force, whether or not on active
18 duty, may administer any oath” and inserting “The Presi-
19 dent, the Vice-President, the Secretary of Defense, any
20 commissioned officer, and any other person designated
21 under regulations prescribed by the Secretary of Defense
22 may administer any oath”.

23 **SEC. 596. MILITARY VOTING MATTERS.**

24 (a) REPEAL OF REQUIREMENT FOR PERIODIC IN-
25 SPECTOR GENERAL INSTALLATION VISITS FOR ASSESS-
26 MENT OF VOTING ASSISTANCE PROGRAM COMPLIANCE.—

1 Section 1566 of title 10, United States Code, is amended
2 by striking subsection (d).

3 (b) USE OF ELECTRONIC VOTING TECHNOLOGY.—

4 (1) CONTINUATION OF INTERIM VOTING ASSIST-
5 ANCE SYSTEM.—The Secretary of Defense shall con-
6 tinue the Interim Voting Assistance System (IVAS)
7 ballot request program with respect to all absent
8 uniformed services voters (as defined under section
9 107(1) of the Uniformed and Overseas Citizens Ab-
10 sentee Voting Act (42 U.S.C. 1973ff-6(1))) and
11 overseas employees of the Department of Defense
12 for the general election and all elections through De-
13 cember 31, 2006.

14 (2) REPORTS.—

15 (A) IN GENERAL.—Not later than 30 days
16 after the date of the regularly scheduled general
17 election for Federal office for November 2006,
18 the Secretary of Defense shall submit to the
19 Congress a report setting forth—

20 (i) an assessment of the success of the
21 implementation of the Interim Voting As-
22 sistance System ballot request program
23 carried out under paragraph (1);

1 (ii) recommendations for continuation
2 of the Interim Voting Assistance System
3 and for improvements to that system; and

4 (iii) an assessment of available tech-
5 nologies and other means of achieving en-
6 hanced use of electronic and Internet-based
7 capabilities under the Interim Voting As-
8 sistance System.

9 (B) FUTURE ELECTIONS.—Not later than
10 May 15, 2007, the Secretary of Defense shall
11 submit to the Congress a report setting forth in
12 detail plans for expanding the use of electronic
13 voting technology for individuals covered under
14 the Uniformed and Overseas Citizens Absentee
15 Voting Act (42 U.S.C. 1973ff et seq.) for elec-
16 tions through November 30, 2010.

17 (c) COMPTROLLER GENERAL REPORT.—Not later
18 than March 1, 2007, the Comptroller General of the
19 United States shall submit to Congress a report con-
20 taining the assessment of the Comptroller General with
21 respect to the following:

22 (1) The programs and activities undertaken by
23 the Department of Defense to facilitate voter reg-
24 istration, transmittal of ballots to absentee voters,
25 and voting utilizing electronic means of communica-

1 tion (such as electronic mail and fax transmission)
2 for military and civilian personnel covered by the
3 Uniformed and Overseas Citizens Absentee Voting
4 Act (42 U.S.C. 1973ff et seq.).

5 (2) The progress of the Department of Defense
6 and the Election Assistance Commission in devel-
7 oping a secure, deployable system for Internet-based
8 electronic voting pursuant to the amendment made
9 by section 567 of the Ronald W. Reagan National
10 Defense Authorization Act for Fiscal Year 2005
11 (Public Law 108–375; 118 Stat. 1919).

12 (d) REPEAL OF EXPIRED PROVISION.—Section
13 1566(g)(2) of title 10, United States Code, is amended
14 by striking the last sentence.

15 **SEC. 597. PHYSICAL EVALUATION BOARDS.**

16 (a) IN GENERAL.—

17 (1) PROCEDURAL REQUIREMENTS.—Chapter 61
18 of title 10, United States Code, is amended by add-
19 ing at the end the following new section:

20 **“§ 1222. Physical evaluation boards**

21 “(a) RESPONSE TO APPLICATIONS AND APPEALS.—
22 The Secretary of each military department shall ensure,
23 in the case of any member of the armed forces appearing
24 before a physical evaluation board under that Secretary’s
25 supervision, that documents announcing a decision of the

1 board in the case convey the findings and conclusions of
2 the board in an orderly and itemized fashion with specific
3 attention to each issue presented by the member in regard
4 to that member's case. The requirement under the pre-
5 ceding sentence applies to a case both during initial con-
6 sideration and upon subsequent consideration due to ap-
7 peal by the member or other circumstance.

8 “(b) LIAISON OFFICER (PEBLO) REQUIREMENTS
9 AND TRAINING.—(1) The Secretary of Defense shall pre-
10 scribe regulations establishing—

11 “(A) a requirement for the Secretary of each
12 military department to make available to members
13 of the armed forces appearing before physical eval-
14 uation boards operated by that Secretary employees,
15 designated as physical evaluation board liaison offi-
16 cers, to provide advice, counsel, and general informa-
17 tion to such members on the operation of physical
18 evaluation boards operated by that Secretary; and

19 “(B) standards and guidelines concerning the
20 training of such physical evaluation board liaison of-
21 ficers.

22 “(2) The Secretary shall ensure compliance by the
23 Secretary of each military department with physical eval-
24 uation board liaison officer requirements and training
25 standards and guidelines at least once every three years.

1 “(c) STANDARDIZED STAFF TRAINING AND OPER-
2 ATIONS.—(1) The Secretary of Defense shall prescribe
3 regulations on standards and guidelines concerning the
4 physical evaluation board operated by each of the Secre-
5 taries of the military departments with regard to—

6 “(A) assignment and training of staff;

7 “(B) operating procedures; and

8 “(C) timeliness of board decisions.

9 “(2) The Secretary shall ensure compliance with
10 standards and guidelines prescribed under paragraph (1)
11 by each physical evaluation board at least once every three
12 years.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions at the beginning of such chapter is amended
15 by adding at the end the following new item:

“1222. Physical evaluation boards.”.

16 (b) EFFECTIVE DATE.—Section 1222 of title 10,
17 United States Code, as added by subsection (a), shall
18 apply with respect to decisions rendered on cases com-
19 menced more than 120 days after the date of the enact-
20 ment of this Act.

21 **SEC. 598. MILITARY ID CARDS FOR RETIREE DEPENDENTS**
22 **WHO ARE PERMANENTLY DISABLED.**

23 (a) IN GENERAL.—Subsection (a) of section 1060b
24 of title 10, United States Code, is amended to read as
25 follows:

1 “(a) ISSUANCE OF PERMANENT ID CARD.—(1) In
2 issuing military ID cards to retiree dependents, the Sec-
3 retary concerned shall issue a permanent ID card (not
4 subject to renewal) to any such retiree dependent as fol-
5 lows:

6 “(A) A retiree dependent who has attained 75
7 years of age.

8 “(B) A retiree dependent who is permanently
9 disabled.

10 “(2) A permanent ID card shall be issued to a retiree
11 dependent under paragraph (1)(A) upon the expiration,
12 after the retiree dependent attains 75 years of age, of any
13 earlier, renewable military card or, if earlier, upon the re-
14 quest of the retiree dependent after attaining age 75.”.

15 (b) CONFORMING AND CLERICAL AMENDMENTS.—

16 (1) HEADING AMENDMENT.—The heading of
17 such section is amended to read as follows:

18 **“§ 1060b. Military ID cards: dependents and survivors**
19 **of retirees”.**

20 (2) CLERICAL AMENDMENT.—The table of sec-
21 tions at the beginning of chapter 53 of such title is
22 amended by striking the item relating to section
23 1060b and inserting the following new item:

“1060b. Military ID cards: dependents and survivors of retirees.”.

1 **SEC. 599. UNITED STATES MARINE BAND AND UNITED**
2 **STATES MARINE DRUM AND BUGLE CORPS.**

3 (a) IN GENERAL.—Section 6222 of title 10, United
4 States Code, is amended to read as follows:

5 **“§ 6222. United States Marine Band; United States**
6 **Marine Drum and Bugle Corps: composi-**
7 **tion; appointment and promotion of mem-**
8 **bers**

9 “(a) UNITED STATES MARINE BAND.—The band of
10 the Marine Corps shall be composed of one director, two
11 assistant directors, and other personnel in such numbers
12 and grades as the Secretary of the Navy determines to
13 be necessary.

14 “(b) UNITED STATES MARINE DRUM AND BUGLE
15 CORPS.—The drum and bugle corps of the Marine Corps
16 shall be composed of one commanding officer and other
17 personnel in such numbers and grades as the Secretary
18 of the Navy determines to be necessary.

19 “(c) APPOINTMENT AND PROMOTION.—(1) The Sec-
20 retary of the Navy shall prescribe regulations for the ap-
21 pointment and promotion of members of the Marine Band
22 and members of the Marine Drum and Bugle Corps.

23 “(2) The President may from time to time appoint
24 members of the Marine Band and members of the Marine
25 Drum and Bugle Corps to grades not above the grade of
26 captain. The authority of the President to make appoint-

1 ments under this paragraph may be delegated only to the
2 Secretary of Defense.

3 “(3) The President, by and with the advice and con-
4 sent of the Senate, may from time to time appoint any
5 member of the Marine Band or of the Marine Drum and
6 Bugle Corps to a grade above the grade of captain.

7 “(d) RETIREMENT.—Unless otherwise entitled to
8 higher retired grade and retired pay, a member of the Ma-
9 rine Band or Marine Drum and Bugle Corps who holds,
10 or has held, an appointment under this section is entitled,
11 when retired, to be retired in, and with retired pay based
12 on, the highest grade held under this section in which the
13 Secretary of the Navy determines that such member
14 served satisfactorily.

15 “(e) REVOCATION OF APPOINTMENT.—The Secretary
16 of the Navy may revoke any appointment of a member
17 of the Marine Band or Marine Drum and Bugle Corps.
18 When a member’s appointment to a commissioned grade
19 terminates under this subsection, such member is entitled,
20 at the option of such member—

21 “(1) to be discharged from the Marine Corps;

22 or

23 “(2) to revert to the grade and status such
24 member held at the time of appointment under this
25 section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 565 of such title is amended
3 by striking the item relating to section 6222 and inserting
4 the following new item:

“6222. United States Marine Band; United States Marine Drum and Bugle
Corps: composition; appointment and promotion of members.”.

5 **TITLE VI—COMPENSATION AND**
6 **OTHER PERSONNEL BENEFITS**

Subtitle A—Pay and Allowances

- Sec. 601. Fiscal year 2007 increase in military basic pay and reform of basic pay rates.
- Sec. 602. Increase in maximum rate of basic pay for general and flag officer grades to conform to increase in pay cap for Senior Executive Service personnel.
- Sec. 603. One-year extension of prohibition against requiring certain injured members to pay for meals provided by military treatment facilities.
- Sec. 604. Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations.
- Sec. 605. Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members.
- Sec. 606. Payment of full premium for coverage under Servicemembers' Group Life Insurance program during service in Operation Enduring Freedom or Operation Iraqi Freedom.
- Sec. 607. Clarification of effective date of prohibition on compensation for correspondence courses.
- Sec. 608. Extension of pilot program on contributions to Thrift Savings Plan for initial enlistees in the Army.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. Extension of certain bonus and special pay authorities for reserve forces.
- Sec. 612. Extension of certain bonus and special pay authorities for health care professionals.
- Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
- Sec. 614. Extension of authorities relating to payment of other bonuses and special pays.
- Sec. 615. Expansion of eligibility of dental officers for additional special pay.
- Sec. 616. Increase in maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties.
- Sec. 617. Expansion and enhancement of accession bonus authorities for certain officers in health care specialties.
- Sec. 618. Authority to provide lump sum payment of nuclear officer incentive pay.

- Sec. 619. Increase in maximum amount of nuclear career accession bonus.
- Sec. 620. Increase in maximum amount of incentive bonus for transfer between Armed Forces.
- Sec. 621. Additional authorities and incentives to encourage retired members and reserve component members to volunteer to serve on active duty in high-demand, low-density assignments.
- Sec. 622. Accession bonus for members of the Armed Forces appointed as commissioned officers after completing officer candidate school.
- Sec. 623. Modification of certain authorities applicable to the targeted shaping of the Armed Forces.
- Sec. 624. Enhancement of bonus to encourage certain persons to refer other persons for enlistment in the Army.

Subtitle C—Travel and Transportation Allowances

- Sec. 631. Travel and transportation allowances for transportation of family members incident to illness or injury of members.

Subtitle D—Retired Pay and Survivor Benefits

- Sec. 641. Retired pay of general and flag officers to be based on rates of basic pay provided by law.
- Sec. 642. Inapplicability of retired pay multiplier maximum percentage to certain service of members of the Armed Forces in excess of 30 years.
- Sec. 643. Military Survivor Benefit Plan beneficiaries under insurable interest coverage.
- Sec. 644. Modification of eligibility for commencement of authority for optional annuities for dependents under the Survivor Benefit Plan.
- Sec. 645. Study of training costs, manning, operations tempo, and other factors that affect retention of members of the Armed Forces with special operations designations.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

- Sec. 661. Treatment of price surcharges of certain merchandise sold at commissary stores.
- Sec. 662. Limitations on lease of non-excess Department of Defense property for protection of morale, welfare, and recreation activities and revenue.
- Sec. 663. Report on cost effectiveness of purchasing commercial insurance for commissary and exchange facilities and facilities of other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.
- Sec. 664. Study and report regarding access of disabled persons to morale, welfare, and recreation facilities and activities.

Subtitle F—Other Matters

- Sec. 670. Limitations on terms of consumer credit extended to servicemembers and dependents.
- Sec. 671. Enhancement of authority to waive claims for overpayment of pay and allowances and travel and transportation allowances.
- Sec. 672. Exception for notice to consumer reporting agencies regarding debts or erroneous payments pending a decision to waive, remit, or cancel.

- Sec. 673. Expansion and enhancement of authority to remit or cancel indebtedness of members and former members of the Armed Forces incurred on active duty.
- Sec. 674. Phased recovery of overpayments of pay made to members of the uniformed services.
- Sec. 675. Joint family support assistance program.
- Sec. 676. Special working group on transition to civilian employment of National Guard and Reserve members returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.
- Sec. 677. Audit of pay accounts of members of the Army evacuated from a combat zone for inpatient care.
- Sec. 678. Report on eligibility and provision of assignment incentive pay.
- Sec. 679. Sense of Congress calling for payment to World War II veterans who survived Bataan Death March.

1 **Subtitle A—Pay and Allowances**

2 **SEC. 601. FISCAL YEAR 2007 INCREASE IN MILITARY BASIC** 3 **PAY AND REFORM OF BASIC PAY RATES.**

4 (a) **WAIVER OF SECTION 1009 ADJUSTMENT.**—The
5 adjustment to become effective during fiscal year 2007 re-
6 quired by section 1009 of title 37, United States Code,
7 in the rates of monthly basic pay authorized members of
8 the uniformed services shall not be made.

9 (b) **JANUARY 1, 2007, INCREASE IN BASIC PAY.**—
10 Effective on January 1, 2007, the rates of monthly basic
11 pay for members of the uniformed services are increased
12 by 2.2 percent.

13 (c) **REFORM OF BASIC PAY RATES.**—Effective on
14 April 1, 2007, the rates of monthly basic pay for members
15 of the uniformed services within each pay grade (and with
16 years of service computed under section 205 of title 37,
17 United States Code) are as follows:

COMMISSIONED OFFICERS¹

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-8	8,453.10	8,729.70	8,913.60	8,964.90	9,194.10
O-7	7,023.90	7,350.00	7,501.20	7,621.20	7,838.40
O-6	5,206.20	5,719.20	6,094.50	6,094.50	6,117.60
O-5	4,339.80	4,888.80	5,227.50	5,291.10	5,502.00
O-4	3,744.60	4,334.70	4,623.90	4,688.40	4,956.90
O-3 ³	3,292.20	3,732.30	4,028.40	4,392.00	4,602.00
O-2 ³	2,844.30	3,239.70	3,731.40	3,857.40	3,936.60
O-1 ³	2,469.30	2,569.80	3,106.50	3,106.50	3,106.50
	Over 8	Over 10	Over 12	Over 14	Over 16
O-8	9,577.20	9,666.30	10,030.20	10,134.30	10,447.80
O-7	8,052.90	8,301.30	8,548.80	8,797.20	9,577.20
O-6	6,380.10	6,414.60	6,414.60	6,779.10	7,423.80
O-5	5,628.60	5,906.40	6,110.10	6,373.20	6,776.40
O-4	5,244.60	5,602.80	5,882.40	6,076.20	6,187.50
O-3 ³	4,833.00	4,982.70	5,228.40	5,355.90	5,355.90
O-2 ³	3,936.60	3,936.60	3,936.60	3,936.60	3,936.60
O-1 ³	3,106.50	3,106.50	3,106.50	3,106.50	3,106.50
	Over 18	Over 20	Over 22	Over 24	Over 26
O-10 ²	\$0.00	\$13,659.00	\$13,725.90	\$14,011.20	\$14,508.60
O-9	0.00	11,946.60	12,118.50	12,367.20	12,801.30
O-8	10,900.80	11,319.00	11,598.30	11,598.30	11,598.30
O-7	10,236.00	10,236.00	10,236.00	10,236.00	10,287.90
O-6	7,802.10	8,180.10	8,395.20	8,613.00	9,035.70
O-5	6,968.10	7,158.00	7,373.10	7,373.10	7,373.10
O-4	6,252.30	6,252.30	6,252.30	6,252.30	6,252.30
O-3 ³	5,355.90	5,355.90	5,355.90	5,355.90	5,355.90
O-2 ³	3,936.60	3,936.60	3,936.60	3,936.60	3,936.60
O-1 ³	3,106.50	3,106.50	3,106.50	3,106.50	3,106.50
	Over 28	Over 30	Over 32	Over 34	Over 36
O-10 ²	\$14,508.60	\$15,234.00	\$15,234.00	\$15,995.70	\$15,995.70
O-9	12,801.30	13,441.50	13,441.50	14,113.50	14,113.50
O-8	11,598.30	11,888.40	11,888.40	12,185.70	12,185.70
O-7	10,287.90	10,493.70	10,493.70	10,493.70	10,493.70
O-6	9,035.70	9,216.30	9,216.30	9,216.30	9,216.30
O-5	7,373.10	7,373.10	7,373.10	7,373.10	7,373.10
O-4	6,252.30	6,252.30	6,252.30	6,252.30	6,252.30
O-3 ³	5,355.90	5,355.90	5,355.90	5,355.90	5,355.90
O-2 ³	3,936.60	3,936.60	3,936.60	3,936.60	3,936.60
O-1 ³	3,106.50	3,106.50	3,106.50	3,106.50	3,106.50
	Over 38	Over 40			
O-10 ²	\$16,795.50	\$16,795.50			
O-9	14,819.10	14,819.10			
O-8	12,185.70	12,185.70			
O-7	10,493.70	10,493.70			
O-6	9,216.30	9,216.30			
O-5	7,373.10	7,373.10			
O-4	6,252.30	6,252.30			
O-3 ³	5,355.90	5,355.90			
O-2 ³	3,936.60	3,936.60			
O-1 ³	3,106.50	3,106.50			

¹ Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned officers in pay grades 0-7 through 0-10 may not exceed the rate of pay for level II of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

² Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in section 161(c) of title 10, United States Code), basic pay for this grade is \$17,972.10, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

³ This table does not apply to commissioned officers in pay grade O-1, O-2, or O-3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-3E	\$0.00	\$0.00	\$0.00	\$4,392.00	\$4,602.00
O-2E	0.00	0.00	0.00	3,857.40	3,936.60
O-1E	0.00	0.00	0.00	3,106.50	3,317.70
	Over 8	Over 10	Over 12	Over 14	Over 16
O-3E	\$4,833.00	\$4,982.70	\$5,228.40	\$5,435.40	\$5,554.20
O-2E	4,062.00	4,273.50	4,437.00	4,558.80	4,558.80
O-1E	3,440.10	3,565.50	3,688.80	3,857.40	3,857.40
	Over 18	Over 20	Over 22	Over 24	Over 26
O-3E	\$5,715.90	\$5,715.90	\$5,715.90	\$5,715.90	\$5,715.90
O-2E	4,558.80	4,558.80	4,558.80	4,558.80	4,558.80
O-1E	3,857.40	3,857.40	3,857.40	3,857.40	3,857.40
	Over 28	Over 30	Over 32	Over 34	Over 36
O-3E	\$5,715.90	\$5,715.90	\$5,715.90	\$5,715.90	\$5,715.90
O-2E	4,558.80	4,558.80	4,558.80	4,558.80	4,558.80
O-1E	3,857.40	3,857.40	3,857.40	3,857.40	3,857.40
	Over 38	Over 40			
O-3E	\$5,715.90	\$5,715.90			
O-2E	4,558.80	4,558.80			
O-1E	3,857.40	3,857.40			

WARRANT OFFICERS¹

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W-5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4	3,402.00	3,660.00	3,765.00	3,868.50	4,046.40
W-3	3,106.80	3,236.40	3,369.00	3,412.80	3,552.00
W-2	2,749.20	3,009.30	3,089.40	3,144.60	3,322.80
W-1	2,413.20	2,672.40	2,742.90	2,890.50	3,065.10
	Over 8	Over 10	Over 12	Over 14	Over 16
W-5	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4	4,222.20	4,400.70	4,669.20	4,904.40	5,128.20
W-3	3,825.90	4,110.90	4,245.30	4,400.40	4,560.30
W-2	3,600.00	3,737.10	3,872.40	4,037.70	4,166.70
W-1	3,322.20	3,442.20	3,610.20	3,775.50	3,905.10
	Over 18	Over 20	Over 22	Over 24	Over 26
W-5	\$0.00	\$6,049.50	\$6,356.40	\$6,585.00	\$6,838.20
W-4	5,310.90	5,489.70	5,752.20	5,967.60	6,213.60
W-3	4,847.70	5,042.40	5,158.50	5,282.10	5,450.10
W-2	4,284.00	4,423.80	4,515.90	4,589.40	4,589.40
W-1	4,024.50	4,170.00	4,170.00	4,170.00	4,170.00
	Over 28	Over 30	Over 32	Over 34	Over 36
W-5	\$6,838.20	\$7,180.20	\$7,180.20	\$7,539.30	\$7,539.30
W-4	6,213.60	6,337.80	6,337.80	6,337.80	6,337.80
W-3	5,450.10	5,450.10	5,450.10	5,450.10	5,450.10
W-2	4,589.40	4,589.40	4,589.40	4,589.40	4,589.40
W-1	4,170.00	4,170.00	4,170.00	4,170.00	4,170.00
	Over 38	Over 40			
W-5	\$7,916.40	\$7,916.40			
W-4	6,337.80	6,337.80			
W-3	5,450.10	5,450.10			
W-2	4,589.40	4,589.40			
W-1	4,170.00	4,170.00			

¹ Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.

ENLISTED MEMBERS¹

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-9 ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
E-8	0.00	0.00	0.00	0.00	0.00
E-7	2,339.10	2,553.00	2,650.80	2,780.70	2,881.50
E-6	2,023.20	2,226.00	2,324.40	2,419.80	2,519.40
E-5	1,854.00	1,977.90	2,073.30	2,171.40	2,323.80
E-4	1,699.50	1,786.50	1,883.10	1,978.50	2,062.80
E-3	1,534.20	1,630.80	1,729.20	1,729.20	1,729.20
E-2	1,458.90	1,458.90	1,458.90	1,458.90	1,458.90
E-1 ³	1,301.40	1,301.40	1,301.40	1,301.40	1,301.40
	Over 8	Over 10	Over 12	Over 14	Over 16
E-9 ²	\$0.00	\$4,110.60	\$4,203.90	\$4,321.20	\$4,459.50
E-8	3,364.80	3,513.90	3,606.00	3,716.40	3,835.80
E-7	3,055.20	3,152.70	3,326.70	3,471.00	3,569.70
E-6	2,744.10	2,831.40	3,000.00	3,051.90	3,089.70
E-5	2,483.70	2,613.90	2,630.10	2,630.10	2,630.10
E-4	2,062.80	2,062.80	2,062.80	2,062.80	2,062.80
E-3	1,729.20	1,729.20	1,729.20	1,729.20	1,729.20
E-2	1,458.90	1,458.90	1,458.90	1,458.90	1,458.90
E-1 ³	1,301.40	1,301.40	1,301.40	1,301.40	1,301.40
	Over 18	Over 20	Over 22	Over 24	Over 26
E-9 ²	\$4,598.40	\$4,821.60	\$5,010.30	\$5,209.20	\$5,512.80
E-8	4,051.80	4,161.30	4,347.30	4,450.50	4,704.90
E-7	3,674.40	3,715.50	3,852.00	3,925.20	4,204.20
E-6	3,133.50	3,133.50	3,133.50	3,133.50	3,133.50
E-5	2,630.10	2,630.10	2,630.10	2,630.10	2,630.10
E-4	2,062.80	2,062.80	2,062.80	2,062.80	2,062.80
E-3	1,729.20	1,729.20	1,729.20	1,729.20	1,729.20
E-2	1,458.90	1,458.90	1,458.90	1,458.90	1,458.90
E-1 ³	1,301.40	1,301.40	1,301.40	1,301.40	1,301.40
	Over 28	Over 30	Over 32	Over 34	Over 36
E-9 ²	\$5,512.80	\$5,788.50	\$5,788.50	\$6,078.00	\$6,078.00
E-8	4,704.90	4,799.10	4,799.10	4,799.10	4,799.10
E-7	4,204.20	4,204.20	4,204.20	4,204.20	4,204.20
E-6	3,133.50	3,133.50	3,133.50	3,133.50	3,133.50
E-5	2,630.10	2,630.10	2,630.10	2,630.10	2,630.10
E-4	2,062.80	2,062.80	2,062.80	2,062.80	2,062.80
E-3	1,729.20	1,729.20	1,729.20	1,729.20	1,729.20
E-2	1,458.90	1,458.90	1,458.90	1,458.90	1,458.90
E-1	1,301.40	1,301.40	1,301.40	1,301.40	1,301.40
	Over 38	Over 40			
E-9 ²	\$6,381.90	\$6,381.90			
E-8	4,799.10	4,799.10			
E-7	4,204.20	4,204.20			
E-6	3,133.50	3,133.50			
E-5	2,630.10	2,630.10			
E-4	2,062.80	2,062.80			
E-3	1,729.20	1,729.20			
E-2	1,458.90	1,458.90			
E-1	1,301.40	1,301.40			

¹ Notwithstanding the pay rates specified in this table, the actual basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.

² Subject to the preceding footnote, the rate of basic pay for an enlisted member in this grade while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, Master Chief Petty Officer of the Coast Guard, or Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Staff is \$6,642.60, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

³ In the case of members in pay grade E-1 who have served less than 4 months on active duty, the rate of basic pay is \$1,203.90.

1 **SEC. 602. INCREASE IN MAXIMUM RATE OF BASIC PAY FOR**
2 **GENERAL AND FLAG OFFICER GRADES TO**
3 **CONFORM TO INCREASE IN PAY CAP FOR**
4 **SENIOR EXECUTIVE SERVICE PERSONNEL.**

5 (a) INCREASE.—Section 203(a)(2) of title 37, United
6 States Code, is amended by striking “level III of the Exec-
7 utive Schedule” and inserting “level II of the Executive
8 Schedule”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall take effect on January 1, 2007, and
11 shall apply with respect to months beginning on or after
12 that date.

13 **SEC. 603. ONE-YEAR EXTENSION OF PROHIBITION AGAINST**
14 **REQUIRING CERTAIN INJURED MEMBERS TO**
15 **PAY FOR MEALS PROVIDED BY MILITARY**
16 **TREATMENT FACILITIES.**

17 (a) EXTENSION.—Section 402(h)(3) of title 37,
18 United States Code, is amended by striking “December
19 31, 2006” and inserting “December 31, 2007”.

20 (b) REPORT ON ADMINISTRATION OF PROHIBI-
21 TION.—Not later than February 1, 2007, the Secretary
22 of Defense shall submit to the congressional defense com-

1 mitted a report on the administration of section 402(h)
2 of title 37, United States Code. The report shall include—

3 (1) a description and assessment of the mecha-
4 nisms used by the military departments to imple-
5 ment the prohibition contained in such section; and

6 (2) such recommendations as the Secretary con-
7 siders appropriate regarding making such prohibi-
8 tion permanent.

9 **SEC. 604. AVAILABILITY OF SECOND BASIC ALLOWANCE**
10 **FOR HOUSING FOR CERTAIN RESERVE COM-**
11 **PONENT OR RETIRED MEMBERS SERVING IN**
12 **SUPPORT OF CONTINGENCY OPERATIONS.**

13 (a) AVAILABILITY.—Section 403(g) of title 37,
14 United States Code, is amended—

15 (1) by redesignating paragraphs (2), (3), and
16 (4) as paragraphs (3), (4), and (5), respectively;

17 (2) by inserting after paragraph (1) the fol-
18 lowing new paragraph (2):

19 “(2) The Secretary concerned may provide a basic al-
20 lowance for housing to a member described in paragraph
21 (1) at a monthly rate equal to the rate of the basic allow-
22 ance for housing established under subsection (b) or the
23 overseas basic allowance for housing established under
24 subsection (c), whichever applies to the location at which
25 the member is serving, for members in the same grade

1 at that location without dependents. The member may re-
2 ceive both a basic allowance for housing under paragraph
3 (1) and under this paragraph for the same month, but
4 may not receive the portion of the allowance authorized
5 under section 404 of this title, if any, for lodging expenses
6 if a basic allowance for housing is provided under this
7 paragraph.”; and

8 (3) in paragraph (3), as so redesignated, by
9 striking “Paragraph (1)” and inserting “Paragraphs
10 (1) and (2)”.

11 (b) EFFECTIVE DATE.—Paragraph (2) of section
12 403(g) of title 37, United States Code, as added by sub-
13 section (a), shall apply with respect to months beginning
14 on or after October 1, 2006.

15 **SEC. 605. EXTENSION OF TEMPORARY CONTINUATION OF**
16 **HOUSING ALLOWANCE FOR DEPENDENTS OF**
17 **MEMBERS DYING ON ACTIVE DUTY TO**
18 **SPOUSES WHO ARE ALSO MEMBERS.**

19 (a) EXTENSION.—Section 403(l) of title 37, United
20 States Code, is amended—

21 (1) by redesignating paragraph (3) as para-
22 graph (4); and

23 (2) by inserting after paragraph (2) the fol-
24 lowing new paragraph:

1 “(3) An allowance may be paid under paragraph (2)
2 to the spouse of the deceased member even though the
3 spouse is also a member of the uniformed services. The
4 allowance paid under such paragraph is in addition to any
5 other pay and allowances to which the spouse is entitled
6 as a member.”.

7 (b) EFFECTIVE DATE.—

8 (1) GENERAL RULE.—The amendments made
9 by subsection (a) shall take effect on October 1,
10 2006.

11 (2) TRANSITIONAL RULE.—After October 1,
12 2006, the Secretary of Defense, and the Secretary of
13 Homeland Security in the case of the Coast Guard,
14 may pay the allowance authorized by section
15 403(l)(2) of title 37, United States Code, to a mem-
16 ber of the uniformed services who is the spouse of
17 a member who died on active duty during the one-
18 year period ending on that date, except that the pay-
19 ment of the allowance must terminate within 365
20 days after the date of the member’s death.

1 **SEC. 606. PAYMENT OF FULL PREMIUM FOR COVERAGE**
2 **UNDER SERVICEMEMBERS' GROUP LIFE IN-**
3 **SURANCE PROGRAM DURING SERVICE IN OP-**
4 **ERATION ENDURING FREEDOM OR OPER-**
5 **ATION IRAQI FREEDOM.**

6 (a) ENHANCED ALLOWANCE TO COVER SGLI DE-
7 Ductions.—Subsection (a)(1) of section 437 of title 37,
8 United States Code, is amended by striking “for the first
9 \$150,000” and all that follows through “of such title” and
10 inserting “for the amount of Servicemembers’ Group Life
11 Insurance coverage held by the member under section
12 1967 of such title”.

13 (b) CONFORMING AMENDMENTS.—Such section is
14 further amended—

15 (1) in subsection (a)—

16 (A) by striking “(1)” before “in the case
17 of”; and

18 (B) by striking paragraph (2);

19 (2) by striking subsection (b); and

20 (3) by redesignating subsection (c) as sub-
21 section (b) and in paragraph (2) of that subsection
22 by striking “coverage amount specified in subsection
23 (a)(1) or in effect pursuant to subsection (b),” and
24 inserting “maximum coverage amount available for
25 such insurance.”.

1 (c) CLERICAL AMENDMENTS.—The heading for such
2 section, and the item relating to such section in the table
3 of sections at the beginning of chapter 7 of such title, are
4 each amended by striking the fourth and fifth words.

5 (d) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect on the first day of the first
7 month beginning on or after the date of the enactment
8 of this Act and shall apply with respect to service by mem-
9 bers of the Armed Forces in the theater of operations for
10 Operation Enduring Freedom or Operation Iraqi Freedom
11 for months beginning on or after that date.

12 **SEC. 607. CLARIFICATION OF EFFECTIVE DATE OF PROHI-**
13 **BITION ON COMPENSATION FOR COR-**
14 **RESPONDENCE COURSES.**

15 Section 206(d) of title 37, United States Code, is
16 amended by adding at the end the following new para-
17 graph:

18 “(3) The prohibition in paragraph (1), including the
19 prohibition as it relates to a member of the National
20 Guard while not in Federal service, applies to—

21 “(A) any work or study performed on or after
22 September 7, 1962, unless that work or study is spe-
23 cifically covered by the exception in paragraph (2);
24 and

1 “(B) any claim based on that work or study
2 arising after that date.”.

3 **SEC. 608. EXTENSION OF PILOT PROGRAM ON CONTRIBU-**
4 **TIONS TO THRIFT SAVINGS PLAN FOR INI-**
5 **TIAL ENLISTEES IN THE ARMY.**

6 (a) EXTENSION.—Subsection (a) of section 606 of
7 the National Defense Authorization Act for Fiscal Year
8 2006 (Public Law 109–163; 119 Stat. 3287; 37 U.S.C.
9 211 note) is amended by striking “During fiscal year
10 2006” and inserting “During the period beginning on
11 January 6, 2006, and ending on December 31, 2008”.

12 (b) REPORT DATE.—Subsection (d)(1) of such sec-
13 tion is amended by striking “February 1, 2007” and in-
14 serting “February 1, 2008”.

15 **Subtitle B—Bonuses and Special**
16 **and Incentive Pays**

17 **SEC. 611. EXTENSION OF CERTAIN BONUS AND SPECIAL**
18 **PAY AUTHORITIES FOR RESERVE FORCES.**

19 (a) SELECTED RESERVE REENLISTMENT BONUS.—
20 Section 308b(g) of title 37, United States Code, is amend-
21 ed by striking “December 31, 2006” and inserting “De-
22 cember 31, 2007”.

23 (b) SELECTED RESERVE AFFILIATION OR ENLIST-
24 MENT BONUS.—Section 308c(i) of such title is amended

1 by striking “December 31, 2006” and inserting “Decem-
2 ber 31, 2007”.

3 (c) SPECIAL PAY FOR ENLISTED MEMBERS AS-
4 SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section
5 308d(c) of such title is amended by striking “December
6 31, 2006” and inserting “December 31, 2007”.

7 (d) READY RESERVE ENLISTMENT BONUS FOR PER-
8 SONS WITHOUT PRIOR SERVICE.—Section 308g(f)(2) of
9 such title is amended by striking “December 31, 2006”
10 and inserting “December 31, 2007”.

11 (e) READY RESERVE ENLISTMENT AND REENLIST-
12 MENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Sec-
13 tion 308h(e) of such title is amended by striking “Decem-
14 ber 31, 2006” and inserting “December 31, 2007”.

15 (f) SELECTED RESERVE ENLISTMENT BONUS FOR
16 PERSONS WITH PRIOR SERVICE.—Section 308i(f) of such
17 title is amended by striking “December 31, 2006” and in-
18 serting “December 31, 2007”.

19 **SEC. 612. EXTENSION OF CERTAIN BONUS AND SPECIAL**
20 **PAY AUTHORITIES FOR HEALTH CARE PRO-**
21 **FSSIONALS.**

22 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-
23 GRAM.—Section 2130a(a)(1) of title 10, United States
24 Code, is amended by striking “December 31, 2006” and
25 inserting “December 31, 2007”.

1 (b) REPAYMENT OF EDUCATION LOANS FOR CER-
2 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-
3 LECTED RESERVE.—Section 16302(d) of such title is
4 amended by striking “January 1, 2007” and inserting
5 “January 1, 2008”.

6 (c) ACCESSION BONUS FOR REGISTERED NURSES.—
7 Section 302d(a)(1) of title 37, United States Code, is
8 amended by striking “December 31, 2006” and inserting
9 “December 31, 2007”.

10 (d) INCENTIVE SPECIAL PAY FOR NURSE ANES-
11 THETISTS.—Section 302e(a)(1) of such title is amended
12 by striking “December 31, 2006” and inserting “Decem-
13 ber 31, 2007”.

14 (e) SPECIAL PAY FOR SELECTED RESERVE HEALTH
15 PROFESSIONALS IN CRITICALLY SHORT WARTIME SPE-
16 CIALTIES.—Section 302g(e) of such title is amended by
17 striking “December 31, 2006” and inserting “December
18 31, 2007”.

19 (f) ACCESSION BONUS FOR DENTAL OFFICERS.—
20 Section 302h(a)(1) of such title is amended by striking
21 “December 31, 2006” and inserting “December 31,
22 2007”.

23 (g) ACCESSION BONUS FOR PHARMACY OFFICERS.—
24 Section 302j(a) of such title is amended by striking “De-
25 cember 31, 2006” and inserting “December 31, 2007”.

1 **SEC. 613. EXTENSION OF SPECIAL PAY AND BONUS AU-**
2 **THORITIES FOR NUCLEAR OFFICERS.**

3 (a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-
4 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section
5 312(e) of title 37, United States Code, is amended by
6 striking “December 31, 2006” and inserting “December
7 31, 2007”.

8 (b) NUCLEAR CAREER ACCESSION BONUS.—Section
9 312b(c) of such title is amended by striking “December
10 31, 2006” and inserting “December 31, 2007”.

11 (c) NUCLEAR CAREER ANNUAL INCENTIVE
12 BONUS.—Section 312c(d) of such title is amended by
13 striking “December 31, 2006” and inserting “December
14 31, 2007”.

15 **SEC. 614. EXTENSION OF AUTHORITIES RELATING TO PAY-**
16 **MENT OF OTHER BONUSES AND SPECIAL**
17 **PAYS.**

18 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
19 tion 301b(a) of title 37, United States Code, is amended
20 by striking “December 31, 2006” and inserting “Decem-
21 ber 31, 2007”.

22 (b) ASSIGNMENT INCENTIVE PAY.—Section 307a(g)
23 of such title is amended by striking “December 31, 2007”
24 and inserting “December 31, 2008”.

25 (c) REENLISTMENT BONUS FOR ACTIVE MEM-
26 BERS.—Section 308(g) of such title is amended by strik-

1 ing “December 31, 2006” and inserting “December 31,
2 2007”.

3 (d) ENLISTMENT BONUS.—Section 309(e) of such
4 title is amended by striking “December 31, 2006” and in-
5 serting “December 31, 2007”.

6 (e) RETENTION BONUS FOR MEMBERS WITH CRIT-
7 ICAL MILITARY SKILLS OR ASSIGNED TO HIGH PRIORITY
8 UNITS.—Section 323(i) of such title is amended by strik-
9 ing “December 31, 2006” and inserting “December 31,
10 2007”.

11 (f) ACCESSION BONUS FOR NEW OFFICERS IN CRIT-
12 ICAL SKILLS.—Section 324(g) of such title is amended by
13 striking “December 31, 2006” and inserting “December
14 31, 2007”.

15 (g) INCENTIVE BONUS FOR CONVERSION TO MILI-
16 TARY OCCUPATIONAL SPECIALTY TO EASE PERSONNEL
17 SHORTAGE.—Section 326(g) of such title is amended by
18 striking “December 31, 2006” and inserting “December
19 31, 2007”.

20 (h) INCENTIVE BONUS FOR TRANSFER BETWEEN
21 THE ARMED FORCES.—Section 327(h) of such title is
22 amended by striking “December 31, 2006” and inserting
23 “December 31, 2009”.

1 **SEC. 615. EXPANSION OF ELIGIBILITY OF DENTAL OFFI-**
2 **CERS FOR ADDITIONAL SPECIAL PAY.**

3 (a) REPEAL OF INTERNSHIP AND RESIDENCY EX-
4 CEPTION.—Section 302b(a)(4) of title 37, United States
5 Code, is amended by striking the first sentence and insert-
6 ing the following new sentence: “An officer who is entitled
7 to variable special pay under paragraph (2) or (3) is also
8 entitled to additional special pay for any 12-month period
9 during which an agreement executed under subsection (b)
10 is in effect with respect to the officer.”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 this section shall take effect on October 1, 2006.

13 **SEC. 616. INCREASE IN MAXIMUM ANNUAL RATE OF SPE-**
14 **CIAL PAY FOR SELECTED RESERVE HEALTH**
15 **CARE PROFESSIONALS IN CRITICALLY SHORT**
16 **WARTIME SPECIALTIES.**

17 (a) INCREASE.—Section 302g(a) of title 37, United
18 States Code, is amended by striking “\$10,000” and in-
19 serting “\$25,000”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on October 1, 2006, and
22 shall apply to agreements entered into or revised under
23 section 302g of title 37, United States Code, on or after
24 that date.

1 **SEC. 617. EXPANSION AND ENHANCEMENT OF ACCESSION**
2 **BONUS AUTHORITIES FOR CERTAIN OFFI-**
3 **CERS IN HEALTH CARE SPECIALITIES.**

4 (a) INCREASE IN MAXIMUM AMOUNT OF ACCESSION
5 BONUS FOR DENTAL OFFICERS.—Section 302h(a)(2) of
6 title 37, United States Code, is amended by striking
7 “\$30,000” and inserting “\$200,000”.

8 (b) ACCESSION BONUS FOR MEDICAL OFFICERS IN
9 CRITICALLY SHORT WARTIME SPECIALITIES.—Chapter 5
10 of title 37, United States Code, is amended by inserting
11 after section 302j the following new section:

12 **“§ 302k. Special pay: accession bonus for medical offi-**
13 **cers in critically short wartime special-**
14 **ties**

15 “(a) ACCESSION BONUS AUTHORIZED.—A person
16 who is a graduate of an accredited school of medicine or
17 osteopathy in a specialty designated by regulations as a
18 critically short wartime specialty and who executes a writ-
19 ten agreement described in subsection (d) to accept a com-
20 mission as an officer of the armed forces and remain on
21 active duty for a period of not less than four consecutive
22 years may, upon the acceptance of the agreement by the
23 Secretary concerned, be paid an accession bonus in the
24 amount determined by the Secretary concerned.

25 “(b) AMOUNT OF BONUS.—The amount of an acces-
26 sion bonus under subsection (a) may not exceed \$400,000.

1 “(c) LIMITATION ON ELIGIBILITY FOR BONUS.—A
2 person may not be paid a bonus under subsection (a) if—

3 “(1) the person, in exchange for an agreement
4 to accept an appointment as an officer, received fi-
5 nancial assistance from the Department of Defense
6 to pursue a course of study in medicine or osteop-
7 athy; or

8 “(2) the Secretary concerned determines that
9 the person is not qualified to become and remain
10 certified as a doctor or osteopath in a specialty des-
11 ignated by regulations as a critically short wartime
12 specialty.

13 “(d) AGREEMENT.—The agreement referred to in
14 subsection (a) shall provide that, consistent with the needs
15 of the armed force concerned, the person executing the
16 agreement will be assigned to duty, for the period of obli-
17 gated service covered by the agreement, as an officer of
18 the Medical Corps of the Army or the Navy or as an offi-
19 cer of the Air Force designated as a medical officer in
20 a specialty designated by regulations as a critically short
21 wartime specialty.

22 “(e) REPAYMENT.—A person who, after executing an
23 agreement under subsection (a) is not commissioned as
24 an officer of the armed forces, does not become licensed
25 as a doctor or osteopath, as the case may be, or does not

1 complete the period of active duty in a specialty specified
2 in the agreement, shall be subject to the repayment provi-
3 sions of section 303a(e) of this title.

4 “(f) TERMINATION OF AUTHORITY.—No agreement
5 under this section may be entered into after December 31,
6 2007.”.

7 (c) ACCESSION BONUS FOR DENTAL SPECIALIST OF-
8 FICERS IN CRITICALLY SHORT WARTIME SPECIALITIES.—
9 Such chapter is further amended by inserting after section
10 302k, as added by subsection (b), the following new sec-
11 tion:

12 “§ 302l. **Special pay: accession bonus for dental spe-**
13 **cialist officers in critically short wartime**
14 **specialties**

15 “(a) ACCESSION BONUS AUTHORIZED.—A person
16 who is a graduate of an accredited dental school in a spe-
17 cialty designated by regulations as a critically short war-
18 time specialty and who executes a written agreement de-
19 scribed in subsection (d) to accept a commission as an
20 officer of the armed forces and remain on active duty for
21 a period of not less than four consecutive years may, upon
22 the acceptance of the agreement by the Secretary con-
23 cerned, be paid an accession bonus in the amount deter-
24 mined by the Secretary concerned.

1 “(b) AMOUNT OF BONUS.—The amount of an acces-
2 sion bonus under subsection (a) may not exceed \$400,000.

3 “(c) LIMITATION ON ELIGIBILITY FOR BONUS.—A
4 person may not be paid a bonus under subsection (a) if—

5 “(1) the person, in exchange for an agreement
6 to accept an appointment as an officer, received fi-
7 nancial assistance from the Department of Defense
8 to pursue a course of study in dentistry; or

9 “(2) the Secretary concerned determines that
10 the person is not qualified to become and remain
11 certified as a dentist in a specialty designated by
12 regulations as a critically short wartime specialty.

13 “(d) AGREEMENT.—The agreement referred to in
14 subsection (a) shall provide that, consistent with the needs
15 of the armed force concerned, the person executing the
16 agreement will be assigned to duty, for the period of obli-
17 gated service covered by the agreement, as an officer of
18 the Dental Corps of the Army or the Navy or as an officer
19 of the Air Force designated as a dental officer in a spe-
20 cialty designated by regulations as a critically short war-
21 time specialty.

22 “(e) REPAYMENT.—A person who, after executing an
23 agreement under subsection (a) is not commissioned as
24 an officer of the armed forces, does not become licensed
25 as a dentist, or does not complete the period of active duty

1 in a specialty specified in the agreement, shall be subject
2 to the repayment provisions of section 303a(e) of this title.

3 “(f) COORDINATION WITH OTHER ACCESSION
4 BONUS AUTHORITY.—A person eligible to execute an
5 agreement under both subsection (a) and section 302h of
6 this title shall elect which authority to execute the agree-
7 ment under. A person may not execute an agreement
8 under both subsection (a) and such section 302h.

9 “(g) TERMINATION OF AUTHORITY.—No agreement
10 under this section may be entered into after December 31,
11 2007.”.

12 (d) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of such chapter is amended by inserting
14 after the item relating to section 302j the following new
15 items:

“302k. Special pay: accession bonus for medical officers in critically short war-
time specialties.

“302l. Special pay: accession bonus for dental specialist officers in critically
short wartime specialties.”.

16 (e) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on October 1, 2006, and shall
18 apply to agreements—

19 (1) entered into or revised under section 302h
20 of title 37, United States Code, on or after that
21 date; or

1 (2) entered into under section 302k or 302l of
2 such title, as added by subsections (b) and (c), on
3 or after that date.

4 **SEC. 618. AUTHORITY TO PROVIDE LUMP SUM PAYMENT OF**
5 **NUCLEAR OFFICER INCENTIVE PAY.**

6 (a) LUMP SUM PAYMENT OPTION.—Subsection (a)
7 of section 312 of title 37, United States Code, is amended
8 in the matter after paragraph (3)—

9 (1) by striking “in equal annual installments”
10 and inserting “in a single lump-sum or in annual in-
11 stallments of equal or different amounts”; and

12 (2) by striking “with the number of install-
13 ments being equal to the number of years covered by
14 the contract plus one” and inserting “and, if the
15 special pay will be paid in annual installments, the
16 number of installments may not exceed the number
17 of years covered by the agreement plus one”.

18 (b) STYLISTIC AND CONFORMING AMENDMENTS.—
19 Such section is further amended—

20 (1) by redesignating subsections (b) through (e)
21 as subsections (c) through (f), respectively;

22 (2) in subsection (a)—

23 (A) by striking “an officer” in the matter
24 before paragraph (1) and inserting “the Sec-

1 retary may pay special pay under subsection (b)
2 to an officer”;

3 (B) by striking the comma at the end of
4 paragraph (3) and inserting a period;

5 (C) by striking “may, upon” and all that
6 follows through “The Secretary of the Navy
7 shall” and inserting the following:

8 “(b) PAYMENT AMOUNT; PAYMENT OPTIONS.—(1)
9 The total amount paid to an officer under an agreement
10 under subsection (a) or (e)(1) may not exceed \$30,000
11 for each year of the active-service agreement. Amounts
12 paid under the agreement are in addition to all other com-
13 pensation to which the officer is entitled.

14 “(2) The Secretary shall”;

15 (D) by striking “Upon acceptance of the
16 agreement by the Secretary or his designee”
17 and inserting the following:

18 “(3) Upon acceptance of an agreement under sub-
19 section (a) or (e)(1) by the Secretary”; and

20 (E) by striking “The Secretary (or his des-
21 ignee)” and inserting the following:

22 “(4) The Secretary”;

23 (3) in subsection (c), as redesignated by para-
24 graph (1), by striking “subsection (a) or subsection
25 (d)(1)” and inserting “subsection (b) or (e)(1)”; and

1 (4) in the first sentence of subsection (e)(1), as
2 redesignated by paragraph (1)—

3 (A) by striking “such subsection” and in-
4 serting “subsection (b)”; and

5 (B) by striking “that subsection” and in-
6 serting “this subsection”.

7 (c) *STYLISTIC AMENDMENTS.*—Such section is fur-
8 ther amended—

9 (1) in subsection (a), by inserting “*SPECIAL*
10 *PAY AUTHORIZED; ELIGIBILITY.—*” after “(a)”;

11 (2) in subsection (c), as redesignated by sub-
12 section (b)(1), by inserting “*REPAYMENT.—*” after
13 “(c)”;

14 (3) in subsection (d), as redesignated by sub-
15 section (b)(1), by inserting “*RELATION TO SERVICE*
16 *OBLIGATION.—*” after “(d)”;

17 (4) in subsection (e), as redesignated by sub-
18 section (b)(1), by inserting “*NEW AGREEMENT.—*”
19 after “(e)”;

20 (5) in subsection (f), as redesignated by sub-
21 section (b)(1), by inserting “*DURATION OF AUTHOR-*
22 *ITY.—*” after “(f)”.

1 **SEC. 619. INCREASE IN MAXIMUM AMOUNT OF NUCLEAR**
2 **CAREER ACCESSION BONUS.**

3 (a) INCREASE.—Section 312b(a)(1) of title 37,
4 United States Code, is amended by striking “\$20,000”
5 and inserting “\$30,000”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall take effect on October 1, 2006, and
8 shall apply to agreements entered into or revised under
9 section 312b of title 37, United States Code, on or after
10 that date.

11 **SEC. 620. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE**
12 **BONUS FOR TRANSFER BETWEEN ARMED**
13 **FORCES.**

14 (a) INCREASE.—Section 327(d)(1) of title 37, United
15 States Code, is amended by striking “\$2,500” and insert-
16 ing “\$10,000”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall take effect on October 1, 2006, and
19 shall apply to agreements entered into or revised under
20 section 327 of title 37, United States Code, on or after
21 that date.

1 **SEC. 621. ADDITIONAL AUTHORITIES AND INCENTIVES TO**
2 **ENCOURAGE RETIRED MEMBERS AND RE-**
3 **SERVE COMPONENT MEMBERS TO VOLUN-**
4 **TEER TO SERVE ON ACTIVE DUTY IN HIGH-**
5 **DEMAND, LOW-DENSITY ASSIGNMENTS.**

6 (a) **AUTHORITY TO OFFER INCENTIVE BONUS.—**
7 Chapter 5 of title 37, United States Code, is amended by
8 adding at the end the following new section:

9 **“§ 329. Incentive bonus: retired members and reserve**
10 **component members volunteering for**
11 **high-demand, low-density assignments**

12 “(a) **INCENTIVE BONUS AUTHORIZED.—**The Sec-
13 retary of Defense may pay a bonus under this section to
14 a retired member or former member of the Army, Navy,
15 Air Force, or Marine Corps or to a member of a reserve
16 component of the Army, Navy, Air Force, or Marine Corps
17 (who is not otherwise serving on active duty) who executes
18 a written agreement to serve on active duty for a period
19 specified in the agreement in an assignment intended to
20 alleviate the need for members in a high-demand, low-den-
21 sity military capability or in any other specialty designated
22 by the Secretary as critical to meet wartime or peacetime
23 requirements.

24 “(b) **MAXIMUM AMOUNT OF BONUS.—**A bonus under
25 subsection (a) and any incentive developed under sub-
26 section (d) may not exceed \$50,000.

1 “(c) METHODS OF PAYMENT.—At the election of the
2 Secretary of Defense, a bonus under subsection (a) and
3 any incentive developed under subsection (d) shall be paid
4 or provided—

5 “(1) when the member commences service on
6 active duty; or

7 “(2) in annual installments in such amounts as
8 may be determined by the Secretary.

9 “(d) DEVELOPMENT OF ADDITIONAL INCENTIVES.—
10 (1) The Secretary of Defense may develop and provide to
11 members referred to in subsection (a) additional incentives
12 to encourage such members to return to active duty in
13 assignments intended to alleviate the need for members
14 in a high-demand, low-density military capability or in
15 others specialties designated by the Secretary as critical
16 to meet wartime or peacetime requirements.

17 “(2) The provision of any incentive developed under
18 this subsection shall be subject to an agreement, as re-
19 quired for bonuses under subsection (a).

20 “(3) Not later than 30 days before first offering any
21 incentive developed under this subsection, the Secretary
22 shall submit to the congressional defense committees a re-
23 port that contains a description of that incentive and an
24 explanation why a bonus under subsection (a) or other pay
25 and allowances are not sufficient to alleviate the high-de-

1 mand, low-density military capability or otherwise fill crit-
2 ical military specialties.

3 “(4) In this subsection, the term ‘congressional de-
4 fense committees’ has the meaning given that term in sec-
5 tion 101(a)(16) of title 10.

6 “(e) RELATIONSHIP TO OTHER PAY AND ALLOW-
7 ANCES.—A bonus or other incentive paid or provided to
8 a member under this section is in addition to any other
9 pay and allowances to which the member is entitled.

10 “(f) PROHIBITION ON PROMOTIONS.—The written
11 agreement required by subsections (a) and (d) shall speci-
12 fy that a member who is paid or receives a bonus or other
13 incentive under this section is not eligible for promotion
14 while serving in the assignment for which the bonus or
15 other incentive is provided.

16 “(g) REPAYMENT.—A member who does not complete
17 the period of active duty specified in the agreement exe-
18 cuted under subsection (a) or (d) shall be subject to the
19 repayment provisions of section 303a(e) of this title.

20 “(h) HIGH-DEMAND, LOW-DENSITY MILITARY CAPA-
21 BILITY.—In this section, the term ‘high-demand, low-den-
22 sity military capability’ means a combat, combat support
23 or service support capability, unit, system, or occupational
24 specialty that the Secretary of Defense determines has
25 funding, equipment, or personnel levels that are substan-

1 tially below the levels required to fully meet or sustain ac-
2 tual or expected operational requirements set by regional
3 commanders.

4 “(i) REGULATIONS.—The Secretary of Defense may
5 prescribe such regulations as the Secretary considers nec-
6 essary to carry out this section.

7 “(j) TERMINATION OF AUTHORITY.—No agreement
8 under subsection (a) or (d) may be entered into after De-
9 cember 31, 2010.”.

10 (b) TEMPORARY AUTHORITY TO ORDER RETIRED
11 MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-
12 DENSITY MILITARY CAPABILITY.—Section 688a of title
13 10, United States Code, is amended—

14 (1) in subsection (a)—

15 (A) by striking the first sentence and in-
16 serting the following new sentence: “The Sec-
17 retary of a military department may order to
18 active duty a retired member who agrees to
19 serve on active duty in an assignment intended
20 to alleviate a high-demand, low-density military
21 capability or in any other specialty designated
22 by the Secretary as critical to meet wartime or
23 peacetime requirements.”; and

1 (B) in the second sentence, by striking “of-
2 ficer” both places it appears and inserting
3 “member”;

4 (2) in subsection (b), by striking “an officer”
5 and inserting “a member”;

6 (3) in subsection (c), by striking “500 officers”
7 and inserting “1,000 members”;

8 (4) in subsection (d), by striking “officer” and
9 inserting “member”;

10 (5) in subsection (e), by striking “Officers” and
11 inserting “Retired members”;

12 (6) in subsection (f)—

13 (A) by striking “An officer” and inserting
14 “A retired member”; and

15 (B) by striking “September 30, 2008” and
16 inserting “December 31, 2010”; and

17 (7) by adding at the end the following new sub-
18 section:

19 “(g) HIGH-DEMAND, LOW-DENSITY MILITARY CAPA-
20 BILITY DEFINED.—In this section, the term ‘high-de-
21 mand, low-density military capability’ means a combat,
22 combat support or service support capability, unit, system,
23 or occupational specialty that the Secretary of Defense de-
24 termines has funding, equipment, or personnel levels that
25 are substantially below the levels required to fully meet

1 or sustain actual or expected operational requirements set
2 by regional commanders.”.

3 (c) EXCLUSION FROM ACTIVE-DUTY LIST.—Section
4 641 of title 10, United States Code, is amended by adding
5 at the end the following new paragraph:

6 “(6) Officers appointed pursuant to an agree-
7 ment under section 329 of title 37.”.

8 (d) CLERICAL AMENDMENTS.—

9 (1) TITLE 37.—The table of sections at the be-
10 ginning of chapter 5 of title 37, United States Code,
11 is amended by adding at the end the following new
12 item:

“329. Incentive bonus: retired members and reserve component members volun-
teering for high-demand, low-density assignments.”.

13 (2) TITLE 10.—(A) The heading of section
14 688a of title 10, United States Code, is amended to
15 read as follows:

16 “§ 688a. Retired members: temporary authority to
17 order to active duty in high-demand, low-
18 density assignments”.

19 (B) The table of sections at the beginning of
20 chapter 39 of such title is amended by striking the
21 item relating to section 688a and inserting the fol-
22 lowing new item:

“688a. Retired members: temporary authority to order to active duty in high-
demand, low-density assignments.”.

1 (e) EFFECTIVE DATE.—No agreement may be en-
2 tered into under section 329 of title 37, United States
3 Code, as added by subsection (a), before October 1, 2006.

4 (f) LIMITATION ON FISCAL YEAR 2007 OBLIGA-
5 TIONS.—During fiscal year 2007, obligations incurred
6 under section 329 of title 37, United States Code, as
7 added by subsection (a), to provide bonuses or other incen-
8 tives to retired members and former members of the
9 Army, Navy, Air Force, or Marine Corps or to members
10 of the reserve components of the Army, Navy, Air Force,
11 and Marine Corps may not exceed \$5,000,000.

12 **SEC. 622. ACCESSION BONUS FOR MEMBERS OF THE**
13 **ARMED FORCES APPOINTED AS COMMIS-**
14 **SIONED OFFICERS AFTER COMPLETING OFFI-**
15 **CER CANDIDATE SCHOOL.**

16 (a) ACCESSION BONUS AUTHORIZED.—

17 (1) IN GENERAL.—Chapter 5 of title 37, United
18 States Code, is amended by inserting after section
19 329, as added by section 621 of this Act, the fol-
20 lowing new section:

21 **“§ 330. Special pay: accession bonus for officer can-**
22 **didates**

23 “(a) ACCESSION BONUS AUTHORIZED.—Under regu-
24 lations prescribed by the Secretary concerned, a person
25 who executes a written agreement described in subsection

1 (c) may be paid an accession bonus under this section
2 upon acceptance of the agreement by the Secretary con-
3 cerned.

4 “(b) AMOUNT OF BONUS.—The amount of an acces-
5 sion bonus under subsection (a) may not exceed \$8,000.

6 “(c) AGREEMENT.—A written agreement referred to
7 in subsection (a) is a written agreement by a person—

8 “(1) to complete officer candidate school;

9 “(2) to accept a commission or appointment as
10 an officer of the armed forces; and

11 “(3) to serve on active duty as a commissioned
12 officer for a period specified in the agreement.

13 “(d) PAYMENT METHOD.—Upon acceptance of a
14 written agreement under subsection (a) by the Secretary
15 concerned, the total amount of the accession bonus pay-
16 able under the agreement becomes fixed. The agreement
17 shall specify whether the accession bonus will be paid in
18 a lump sum or installments.

19 “(e) REPAYMENT.—A person who, having received all
20 or part of the bonus under a written agreement under sub-
21 section (a), does not complete the total period of active
22 duty as a commissioned officer as specified in such agree-
23 ment shall be subject to the repayment provisions of sec-
24 tion 303a(e) of this title.

1 “(f) TERMINATION OF AUTHORITY.—No agreement
2 under this section may be entered into after December 31,
3 2007.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of such chapter is amended
6 by inserting after the item relating to section 329,
7 as added by section 621, the following new item:

“330. Special pay: accession bonus for officer candidates.”.

8 (3) EFFECTIVE DATE.—The amendments made
9 by this subsection shall take effect on October 1,
10 2006.

11 (b) AUTHORITY FOR PAYMENT OF BONUS UNDER
12 EARLIER AGREEMENTS.—

13 (1) AUTHORITY.—The Secretary of the Army
14 may pay a bonus to any person who, during the pe-
15 riod beginning on April 1, 2005, and ending on
16 April 6, 2006, executed an agreement to enlist for
17 the purpose of attending officer candidate school and
18 receive a bonus under section 309 of title 37, United
19 States Code, and who has completed the terms of
20 the agreement required for payment of the bonus.

21 (2) AMOUNT OF BONUS.—The amount of the
22 bonus payable to a person under this subsection may
23 not exceed \$8,000.

24 (3) RELATION TO ENLISTMENT BONUS.—The
25 bonus payable under this subsection is in addition to

1 a bonus payable under section 309 of title 37,
2 United States Code, or any other provision of law.

3 **SEC. 623. MODIFICATION OF CERTAIN AUTHORITIES APPLI-**
4 **CABLE TO THE TARGETED SHAPING OF THE**
5 **ARMED FORCES.**

6 (a) VOLUNTARY SEPARATION PAY AND BENEFITS.—

7 (1) INCREASE IN MAXIMUM AMOUNT OF PAY.—

8 Subsection (f) of section 1175a of title 10, United
9 States Code, is amended by striking “two times”
10 and inserting “four times”.

11 (2) EXTENSION OF AUTHORITY.—Subsection
12 (k)(1) of such section is amended by striking “De-
13 cember 31, 2008” and inserting “December 31,
14 2012”.

15 (3) REPEAL OF LIMITATION ON APPLICA-
16 BILITY.—Subsection (b) of section 643 of the Na-
17 tional Defense Authorization Act for Fiscal Year
18 2006 (Public Law 109–163; 119 Stat. 3310; 10
19 U.S.C. 1175a note) is repealed.

20 (b) ENHANCED AUTHORITY FOR EARLY DIS-
21 CHARGES.—

22 (1) RENEWAL OF AUTHORITY.—Subsection (a)
23 of section 638a of title 10, United States Code, is
24 amended by inserting “and for the purpose of sub-
25 section (b)(4) during the period beginning on Octo-

1 ber 1, 2006, and ending on December 31, 2012,”
2 after “December 31, 2001.”

3 (2) RELAXATION OF LIMITATION ON SELECTIVE
4 EARLY DISCHARGE.—Subsection (d)(2) of such sec-
5 tion is amended—

6 (A) in subparagraph (A), by inserting be-
7 fore the semicolon the following: “, except that
8 during the period beginning on October 1,
9 2006, and ending on December 31, 2012, such
10 number may be more than 30 percent of the of-
11 ficers considered in each competitive category,
12 but may not be more than 30 percent of the
13 number of officers considered in each grade”;
14 and

15 (B) in subparagraph (B), by inserting be-
16 fore the period the following: “, except that
17 during the period beginning on October 1,
18 2006, and ending on December 31, 2012, such
19 number may be more than 30 percent of the of-
20 ficers considered in each competitive category,
21 but may not be more than 30 percent of the
22 number of officers considered in each grade”.

1 **SEC. 624. ENHANCEMENT OF BONUS TO ENCOURAGE CER-**
2 **TAIN PERSONS TO REFER OTHER PERSONS**
3 **FOR ENLISTMENT IN THE ARMY.**

4 (a) INDIVIDUALS ELIGIBLE FOR BONUS.—Subsection
5 (a) of section 645 of the National Defense Authorization
6 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
7 3310) is amended—

8 (1) by striking “The Secretary” and inserting
9 the following:

10 “(1) AUTHORITY.—The Secretary”;

11 (2) by striking “a member of the Army, wheth-
12 er in the regular component of the Army or in the
13 Army National Guard or Army Reserve,” and insert-
14 ing “an individual referred to in paragraph (2)”;
15 and

16 (3) by adding at the end the following new
17 paragraph:

18 “(2) INDIVIDUALS ELIGIBLE FOR BONUS.—Sub-
19 ject to subsection (c), the following individuals are
20 eligible for a referral bonus under this section:

21 “(A) A member in the regular component
22 of the Army.

23 “(B) A member of the Army National
24 Guard.

25 “(C) A member of the Army Reserve.

1 “(D) A member of the Army in a retired
2 status, including a member under 60 years of
3 age who, but for age, would be eligible for re-
4 tired pay.

5 “(E) A civilian employee of the Depart-
6 ment of the Army.”.

7 (b) CERTAIN REFERRALS INELIGIBLE.—Subsection
8 (c) of such section is amended by adding at the end the
9 following new paragraph:

10 “(3) JUNIOR RESERVE OFFICERS’ TRAINING
11 CORPS INSTRUCTORS.—A member of the Army de-
12 tailed under subsection (c)(1) of section 2031 of title
13 10, United States Code, to serve as an administrator
14 or instructor in the Junior Reserve Officers’ Train-
15 ing Corps program or a retired member of the Army
16 employed as an administrator or instructor in the
17 program under subsection (d) of such section may
18 not be paid a bonus under subsection (a).”.

19 (c) AMOUNT OF BONUS.—Subsection (d) of such sec-
20 tion is amended to read as follows:

21 “(d) AMOUNT OF BONUS.—The amount of the bonus
22 payable for a referral under subsection (a) may not exceed
23 \$2,000. The amount shall be payable in two lump sums
24 as provided in subsection (e).”.

1 (d) PAYMENT OF BONUS.—Subsection (e) of such
2 section is amended to read as follows:

3 “(e) PAYMENT.—A bonus payable for a referral of
4 a person under subsection (a) shall be paid as follows:

5 “(1) Not more than \$1,000 shall be paid upon
6 the commencement of basic training by the person
7 referred.

8 “(2) Not more than \$1,000 shall be paid upon
9 the completion of basic training and individual ad-
10 vanced training by the person referred.”.

11 (e) COORDINATION WITH RECEIPT OF RETIRED
12 PAY.—Such section is further amended—

13 (1) by redesignating subsection (g) as sub-
14 section (h); and

15 (2) by inserting after subsection (f) the fol-
16 lowing new subsection (g):

17 “(g) COORDINATION WITH RECEIPT OF RETIRED
18 PAY.—A bonus paid under this section to a member of
19 the Army in a retired status is in addition to any com-
20 pensation to which the member is entitled under title 10,
21 37, or 38, United States Code, or any other provision of
22 law.”.

23 (f) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on the date of the enactment
25 of this Act, and shall apply with respect to bonuses pay-

1 able under section 645 of the National Defense Authoriza-
2 tion Act for Fiscal Year 2006, as amended by this section,
3 on or after that date.

4 **Subtitle C—Travel and** 5 **Transportation Allowances**

6 **SEC. 631. TRAVEL AND TRANSPORTATION ALLOWANCES**

7 **FOR TRANSPORTATION OF FAMILY MEMBERS**

8 **INCIDENT TO ILLNESS OR INJURY OF MEM-**

9 **BERS.**

10 Section 411h(b)(1) of title 37, United States Code,
11 is amended—

12 (1) by striking “and” at the end of subpara-
13 graph (C);

14 (2) by striking the period at the end of sub-
15 paragraph (D) and inserting “; and”; and

16 (3) by adding at the end the following new sub-
17 paragraph:

18 “(E) a person related to the member as de-
19 scribed in subparagraph (A), (B), (C), or (D) who
20 is also a member of the uniformed services.”.

1 **Subtitle D—Retired Pay and**
2 **Survivor Benefits**

3 **SEC. 641. RETIRED PAY OF GENERAL AND FLAG OFFICERS**
4 **TO BE BASED ON RATES OF BASIC PAY PRO-**
5 **VIDED BY LAW.**

6 (a) DETERMINATION OF RETIRED PAY BASE.—
7 Chapter 71 of title 10, United States Code, is amended
8 by inserting after section 1407 the following new section:

9 **“§ 1407a. Retired pay base: officers retired in general**
10 **or flag officer grades**

11 “(a) RATES OF BASIC PAY TO BE USED IN DETER-
12 MINATION.—In a case in which the determination under
13 section 1406 or 1407 of this title of the retired pay base
14 applicable to the computation of the retired pay of a cov-
15 ered general or flag officer involves a rate of basic pay
16 payable to that officer for any period that was subject to
17 a reduction under section 203(a)(2) of title 37 for such
18 period, such retired-pay-base determination shall be made
19 using the rate of basic pay for such period provided by
20 law, rather than such rate as so reduced.

21 “(b) COVERED GENERAL AND FLAG OFFICERS.—In
22 this section, the term ‘covered general or flag officer’
23 means a member or former member who after September
24 30, 2006, is retired in a general officer grade or flag offi-
25 cer grade.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 1407 the following new
4 item:

“1407a. Retired pay base: officers retired in general or flag officer grades.”.

5 **SEC. 642. INAPPLICABILITY OF RETIRED PAY MULTIPLIER**
6 **MAXIMUM PERCENTAGE TO CERTAIN SERV-**
7 **ICE OF MEMBERS OF THE ARMED FORCES IN**
8 **EXCESS OF 30 YEARS.**

9 (a) IN GENERAL.—Paragraph (3) of section 1409(b)
10 of title 10, United States Code, is amended to read as
11 follows:

12 “(3) 30 YEARS OF SERVICE.—

13 “(A) RETIREMENT BEFORE JANUARY 1,
14 2007.—In the case of a member who retires be-
15 fore January 1, 2007, with more than 30 years
16 of creditable service, the percentage to be used
17 under subsection (a) is 75 percent.

18 “(B) RETIREMENT AFTER DECEMBER 31,
19 2006.—In the case of a member who retires
20 after December 31, 2006, with more than 30
21 years of creditable service, the percentage to be
22 used under subsection (a) is the sum of—

23 “(i) 75 percent; and

24 “(ii) the product (stated as a percent-
25 age) of—

1 “(I) 2¹/₂; and
2 “(II) the member’s years of cred-
3 itable service (as defined in subsection
4 (c)) in excess of 30 years of creditable
5 service, under conditions authorized
6 for purposes of this subparagraph
7 during a period designated by the Sec-
8 retary of Defense for purposes of this
9 subparagraph.”.

10 (b) RETIRED PAY FOR NON-REGULAR SERVICE.—

11 Section 12739(c) of such title is amended—

12 (1) by striking “The total amount” and insert-
13 ing “(1) Except as provided in paragraph (2), the
14 total amount”; and

15 (2) by adding at the end the following new
16 paragraph:

17 “(2) In the case of a person who retires after
18 December 31, 2006, with more than 30 years of
19 service credited to that person under section 12733
20 of this title, the total amount of the monthly retired
21 pay computed under subsections (a) and (b) may not
22 exceed the sum of—

23 “(A) 75 percent of the retired pay base
24 upon which the computation is based; and

25 “(B) the product of—

1 “(i) the retired pay base upon which
2 the computation is based; and

3 “(ii) 2½ percent of the years of serv-
4 ice credited to that person under section
5 12733 of this title, for service under condi-
6 tions authorized for purposes of this para-
7 graph during a period designated by the
8 Secretary of Defense for purposes of this
9 paragraph.”.

10 **SEC. 643. MILITARY SURVIVOR BENEFIT PLAN BENE-**
11 **FICIARIES UNDER INSURABLE INTEREST**
12 **COVERAGE.**

13 (a) **AUTHORITY TO ELECT NEW BENEFICIARY.—**
14 Section 1448(b)(1) of title 10, United States Code, is
15 amended—

16 (1) by inserting “or under subparagraph (G) of
17 this paragraph” in the second sentence of subpara-
18 graph (E) before the period at the end; and

19 (2) by adding at the end the following new sub-
20 paragraph:

21 “(G) **ELECTION OF NEW BENEFICIARY**
22 **UPON DEATH OF PREVIOUS BENEFICIARY.—**

23 “(i) **AUTHORITY FOR ELECTION.—**If
24 the reason for discontinuation in the Plan
25 is the death of the beneficiary, the partici-

1 pant in the Plan may elect a new bene-
2 ficiary. Any such beneficiary must be a
3 natural person with an insurable interest
4 in the participant. Such an election may be
5 made only during the 180-day period be-
6 ginning on the date of the death of the
7 previous beneficiary.

8 “(ii) PROCEDURES.—Such an election
9 shall be in writing, signed by the partici-
10 pant, and made in such form and manner
11 as the Secretary concerned may prescribe.
12 Such an election shall be effective the first
13 day of the first month following the month
14 in which the election is received by the
15 Secretary.

16 “(iii) VITIATION OF ELECTION BY
17 PARTICIPANT WHO DIES WITHIN TWO
18 YEARS OF ELECTION.—If a person pro-
19 viding an annuity under a election under
20 clause (i) dies before the end of the two-
21 year period beginning on the effective date
22 of the election—

23 “(I) the election is vitiated; and

24 “(II) the amount by which the
25 person’s retired pay was reduced

1 under section 1452 of this title that is
2 attributable to the election shall be
3 paid in a lump sum to the person who
4 would have been the deceased person's
5 beneficiary under the vitiated election
6 if the deceased person had died after
7 the end of such two-year period.”.

8 (b) CHANGE IN PREMIUM FOR COVERAGE OF NEW
9 BENEFICIARY.—Section 1452(c) of such title is amended
10 by adding at the end the following new paragraph:

11 “(5) RULE FOR DESIGNATION OF NEW INSUR-
12 ABLE INTEREST BENEFICIARY FOLLOWING DEATH
13 OF ORIGINAL BENEFICIARY.—The Secretary of De-
14 fense shall prescribe in regulations premiums which
15 a participant making an election under section
16 1448(b)(1)(G) of this title shall be required to pay
17 for participating in the Plan pursuant to that elec-
18 tion. The total amount of the premiums to be paid
19 by a participant under the regulations shall be equal
20 to the sum of the following:

21 “(A) The total additional amount by which
22 the retired pay of the participant would have
23 been reduced before the effective date of the
24 election if the original beneficiary (i) had not
25 died and had been covered under the Plan

1 through the date of the election, and (ii) had
2 been the same number of years younger than
3 the participant (if any) as the new beneficiary
4 designated under the election.

5 “(B) Interest on the amounts by which the
6 retired pay of the participant would have been
7 so reduced, computed from the dates on which
8 the retired pay would have been so reduced at
9 such rate or rates and according to such meth-
10 odology as the Secretary of Defense determines
11 reasonable.

12 “(C) Any additional amount that the Sec-
13 retary determines necessary to protect the actu-
14 arial soundness of the Department of Defense
15 Military Retirement Fund against any increased
16 risk for the fund that is associated with the
17 election.”.

18 (c) TRANSITION.—

19 (1) TRANSITION PERIOD.—In the case of a par-
20 ticipant in the Survivor Benefit Plan who made a
21 covered insurable-interest election (as defined in
22 paragraph (2)) and whose designated beneficiary
23 under that election dies before the date of the enact-
24 ment of this Act or during the 18-month period be-
25 ginning on such date, the time period applicable for

1 purposes of the limitation in the third sentence of
2 subparagraph (G)(i) of section 1448(b)(1) of title
3 10, United States Code, as added by subsection (a),
4 shall be the two-year period beginning on the date
5 of the enactment of this Act (rather than the 180-
6 day period specified in that sentence).

7 (2) COVERED INSURABLE-INTEREST ELEC-
8 TIONS.—For purposes of paragraph (1), a covered
9 insurable-interest election is an election under sec-
10 tion 1448(b)(1) of title 10, United States Code,
11 made before the date of the enactment of this Act,
12 or during the 18-month period beginning on such
13 date, by a participant in the Survivor Benefit Plan
14 to provide an annuity under that plan to a natural
15 person with an insurable interest in that person.

16 (3) SURVIVOR BENEFIT PLAN.—For purposes
17 of this subsection, the term “Survivor Benefit Plan”
18 means the program under subchapter II of chapter
19 73 of title 10, United States Code.

20 **SEC. 644. MODIFICATION OF ELIGIBILITY FOR COMMENCE-**
21 **MENT OF AUTHORITY FOR OPTIONAL ANNU-**
22 **ITIES FOR DEPENDENTS UNDER THE SUR-**
23 **VIVOR BENEFIT PLAN.**

24 (a) IN GENERAL.—Section 1448(d)(2)(B) of title 10,
25 United States Code, is amended by striking “who dies

1 after November 23, 2003” and inserting “who dies after
2 October 7, 2001”.

3 (b) **APPLICABILITY.**—Any annuity payable to a de-
4 pendent child under subchapter II of chapter 73 of title
5 10, United States Code, by reason of the amendment
6 made by subsection (a) shall be payable only for months
7 beginning on or after the date of the enactment of this
8 Act.

9 **SEC. 645. STUDY OF TRAINING COSTS, MANNING, OPER-**
10 **ATIONS TEMPO, AND OTHER FACTORS THAT**
11 **AFFECT RETENTION OF MEMBERS OF THE**
12 **ARMED FORCES WITH SPECIAL OPERATIONS**
13 **DESIGNATIONS.**

14 (a) **REPORT REQUIRED.**—Not later than August 1,
15 2007, the Secretary of Defense shall submit to the Com-
16 mittee on Armed Services of the Senate and the Com-
17 mittee on Armed Services of the House of Representatives
18 a report on factors that affect retention of members of
19 the Armed Forces who have a special operations forces
20 designation.

21 (b) **ELEMENTS.**—The report under subsection (a)
22 shall include the following:

23 (1) Information on the cost of training of mem-
24 bers of the Armed Forces who have a special oper-
25 ations forces designation, with such information dis-

1 played separately and shown as aggregate costs of
2 training for such members at the 4-year, 8-year, 12-
3 year, 16-year, and 20-year points of service.

4 (2) The average cost of special operations-
5 unique training, both predeployment and during de-
6 ployment, for the number of members of the Armed
7 Forces who have a special operations forces designa-
8 tion who have been deployed at least twice to areas
9 in which they were eligible for hostile fire pay.

10 (3) For each component of the United States
11 Special Operations Command, an estimate of when
12 the assigned strength of that component will be
13 under 90 percent of the authorized strength of that
14 component, taking into account anticipated growth
15 planned for in the most recent Quadrennial Defense
16 Review.

17 (4) The percentage of members of the Armed
18 Forces with a special operations forces designation
19 who have accumulated over 48 months of hostile fire
20 pay and the percentage who have accumulated over
21 60 months of such pay.

1 **Subtitle E—Commissary and Non-**
2 **appropriated Fund Instrumen-**
3 **tality Benefits**

4 **SEC. 661. TREATMENT OF PRICE SURCHARGES OF CERTAIN**
5 **MERCHANDISE SOLD AT COMMISSARY**
6 **STORES.**

7 (a) **MERCHANDISE PROCURED FROM EXCHANGES.—**

8 Subsection (c)(3) of section 2484 of title 10, United States
9 Code, is amended—

10 (1) by inserting “(A)” after “(3)”;

11 (2) by striking “Subsections” and inserting
12 “Except as provided in subparagraph (B), sub-
13 sections”; and

14 (3) by adding at the end the following new sub-
15 paragraph:

16 “(B) When a military exchange is the vendor of to-
17 bacco products or other merchandise authorized for sale
18 in a commissary store under paragraph (1), any revenue
19 above the cost of procuring the merchandise shall be allo-
20 cated as if the revenue were a uniform sales price sur-
21 charge described in subsection (d).”.

22 (b) **MERCHANDISE TREATED AS NONCOMMISSARY**
23 **STORE INVENTORY.—**Subsection (g) of such section is
24 amended—

1 (1) by inserting “(1)” before “Notwith-
2 standing”;

3 (2) by striking “Subsections” and inserting
4 “Except as provided in paragraph (2), subsections”;
5 and

6 (3) by adding at the end the following new
7 paragraph:

8 “(2) When tobacco products are authorized for sale
9 in a commissary store as noncommissary store inventory,
10 any revenue above the cost of procuring the tobacco prod-
11 ucts shall be allocated as if the revenue were a uniform
12 sales price surcharge described in subsection (d).”.

13 **SEC. 662. LIMITATIONS ON LEASE OF NON-EXCESS DEPART-**
14 **MENT OF DEFENSE PROPERTY FOR PROTEC-**
15 **TION OF MORALE, WELFARE, AND RECRE-**
16 **ATION ACTIVITIES AND REVENUE.**

17 (a) ADDITIONAL CONDITION ON USE OF LEASE AU-
18 THORITY.—Subsection (b) section 2667 of title 10, United
19 States Code, is amended—

20 (1) in paragraph (4), by striking “and” at the
21 end;

22 (2) in paragraph (5), by striking the period and
23 inserting “; and”; and

24 (3) by adding at the end the following new
25 paragraph:

1 “(6) except as otherwise provided in subsection
2 (d), shall require the lessee to provide the covered
3 entities specified in paragraph (1) of that subsection
4 the right to establish and operate a community sup-
5 port facility or provide community support services,
6 or seek equitable compensation for morale, welfare,
7 and recreation programs of the Department of De-
8 fense in lieu of the operation of such a facility or the
9 provision of such services, if the Secretary deter-
10 mines that the lessee will provide merchandise or
11 services in direct competition with covered entities
12 through the lease.”.

13 (b) APPLICATION OF CONDITION; WAIVER.—Such
14 section is further amended—

15 (1) by redesignating subsections (d) through (i)
16 as subsections (e) through (j), respectively; and

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

19 “(d) COMMUNITY SUPPORT FACILITIES AND COMMU-
20 NITY SUPPORT SERVICES UNDER LEASE; WAIVER.—(1)

21 In this subsection and subsection (b)(6), the term ‘covered
22 entity’ means each of the following:

23 “(A) The Army and Air Force Exchange Serv-
24 ice.

25 “(B) The Navy Exchange Service Command.

1 “(C) The Marine Corps exchanges.

2 “(D) The Defense Commissary Agency.

3 “(E) The revenue-generating nonappropriated
4 fund activities of the Department of Defense con-
5 ducted for the morale, welfare, and recreation of
6 members of the armed forces.

7 “(2) The Secretary of a military department may
8 waive the requirement in subsection (b)(6) with respect
9 to a lease if—

10 “(A) the lease is entered into under subsection
11 (g); or

12 “(B) the Secretary determines that the waiver
13 is in the best interests of the Government.

14 “(3) The Secretary of the military department con-
15 cerned shall provide to the congressional defense commit-
16 tees written notice of each waiver under paragraph (2),
17 including the reasons for the waiver.

18 “(4) The covered entities shall exercise the right pro-
19 vided in subsection (b)(6) with respect to a lease, if at
20 all, not later than 90 days after receiving notice from the
21 Secretary of the military department concerned regarding
22 the opportunity to exercise such right with respect to the
23 lease. The Secretary may, at the discretion of the Sec-
24 retary, extend the period under this paragraph for the ex-

1 ercise of the right with respect to a lease for such addi-
2 tional period as the Secretary considers appropriate.

3 “(5) The Secretary of Defense shall prescribe in regu-
4 lations uniform procedures and criteria for the evaluation
5 of proposals for enhanced use leases involving the oper-
6 ation of community support facilities or the provision of
7 community support services by either a lessee under this
8 section or a covered entity.

9 “(6) The Secretary of the military department con-
10 cerned shall provide written notification to the Committee
11 on Armed Services of the Senate and the Committee on
12 Armed Services of the House of Representatives regarding
13 all leases under this section that include the operation of
14 a community support facility or the provision of commu-
15 nity support services, regardless of whether the facility will
16 be operated by a covered entity or the lessee or the services
17 will be provided by a covered entity or the lessee.”.

18 (c) DEFINITIONS.—Subsection (i) of such section, as
19 redesignated by subsection (b)(1) of this section, is
20 amended to read as follows:

21 “(i) DEFINITIONS.—In this section:

22 “(1) The term ‘community support facility’ in-
23 cludes an ancillary supporting facility (as that term
24 is defined in section 2871(1) of this title).

1 “(2) The term ‘community support services’ in-
2 cludes revenue-generating food, recreational, lodging
3 support services, and resale operations and other re-
4 tail facilities and services intended to support a com-
5 munity.

6 “(3) The term ‘military installation’ has the
7 meaning given such term in section 2687(e)(1) of
8 this title.”.

9 (d) **STYLISTIC, TECHNICAL, AND CONFORMING**
10 **AMENDMENTS.**—Such section is further amended—

11 (1) in subsection (a), by inserting “**LEASE AU-**
12 **THORITY.—**” after “(a)”;

13 (2) in subsection (b), by inserting “**CONDITIONS**
14 **ON LEASES.—**” after “(b)”;

15 (3) in subsection (c), by inserting “**TYPES OF**
16 **IN-KIND CONSIDERATION.—**” after “(c)”;

17 (4) in subsection (e), as redesignated by sub-
18 section (b)(1) of this section—

19 (A) by inserting “**DEPOSIT AND USE OF**
20 **PROCEEDS.—**” after “(e)”;

21 (B) in paragraph (5), by striking “sub-
22 section (f)” and inserting “subsection (g)”;

23 (5) in subsection (f), as redesignated by sub-
24 section (b)(1) of this section, by inserting “**TREAT-**

1 MENT OF LESSEE INTEREST IN PROPERTY.—” after
2 “(f”;

3 (6) in subsection (g), as redesignated by sub-
4 section (b)(1) of this section—

5 (A) by inserting “SPECIAL RULES FOR
6 BASE CLOSURE AND REALIGNMENT PROP-
7 ERTY.—” after “(g”;

8 (B) in paragraph (1), by striking “sub-
9 section (a)(3)” and inserting “subsection
10 (a)(2”;

11 (7) in subsection (h), as redesignated by sub-
12 section (b)(1) of this section, by inserting “COM-
13 PETITIVE PROCEDURES FOR SELECTION OF CER-
14 TAIN LESSEES; EXCEPTION.—” after “(h” and

15 (8) in subsection (j), as redesignated by sub-
16 section (b)(1) of this section, by inserting “EXCLU-
17 SION OF CERTAIN LANDS.—” after “(j”.

1 **SEC. 663. REPORT ON COST EFFECTIVENESS OF PUR-**
2 **CHASING COMMERCIAL INSURANCE FOR**
3 **COMMISSARY AND EXCHANGE FACILITIES**
4 **AND FACILITIES OF OTHER MORALE, WEL-**
5 **FARE, AND RECREATION PROGRAMS AND**
6 **NONAPPROPRIATED FUND INSTRUMENTAL-**
7 **ITIES.**

8 (a) REPORT REQUIRED.—Not later than July 31,
9 2007, the Secretary of Defense shall submit to Congress
10 a report evaluating the cost effectiveness of the Defense
11 Commissary Agency and the nonappropriated fund activi-
12 ties specified in subsection (b) purchasing commercial in-
13 surance to protect financial interests in facilities operated
14 by the Defense Commissary Agency or those non-
15 appropriated fund activities.

16 (b) COVERED NONAPPROPRIATED FUND ACTIVI-
17 TIES.—The report shall apply with respect to—

- 18 (1) the Army and Air Force Exchange Service;
- 19 (2) the Navy Exchange Service Command;
- 20 (3) the Marine Corps exchanges; and
- 21 (4) any nonappropriated fund activity of the
22 Department of Defense for the morale, welfare, and
23 recreation of members of the Armed Forces.

1 **SEC. 664. STUDY AND REPORT REGARDING ACCESS OF DIS-**
2 **ABLED PERSONS TO MORALE, WELFARE, AND**
3 **RECREATION FACILITIES AND ACTIVITIES.**

4 (a) **STUDY REQUIRED.**—The Secretary of Defense
5 shall conduct a study regarding the current capability of
6 morale, welfare, and recreation facilities and activities op-
7 erated by nonappropriated fund instrumentalities of the
8 Department of Defense to provide access to and accommo-
9 date disabled persons who are otherwise eligible to use
10 such facilities or participate in such activities and the legal
11 requirements regarding such access and accommodation
12 applicable to these morale, welfare, and recreation facili-
13 ties and activities, with specific attention to the applica-
14 bility of section 504 of the Rehabilitation Act of 1973 (29
15 U.S.C. 794).

16 (b) **ELEMENTS OF STUDY.**—In conducting the study,
17 the Secretary of Defense shall address at a minimum the
18 following:

19 (1) The current plans of the Secretary of De-
20 fense and the Secretaries of the military depart-
21 ments to improve the access and accommodation of
22 disabled persons to morale, welfare, and recreation
23 facilities and activities operated by nonappropriated
24 fund instrumentalities of the Department of De-
25 fense, including plans to make available additional
26 golf carts at military golf courses that are accessible

1 for disabled persons authorized to use such courses,
2 and whether any portion of these plans require con-
3 gressional authorization or funding.

4 (2) The timing and cost of making these mo-
5 rale, welfare, and recreation facilities and activities
6 fully accessible to disabled persons.

7 (3) The expected utilization rates of these mo-
8 rale, welfare, and recreation facilities and activities
9 by disabled persons, if the facilities and activities
10 were fully accessible to disabled persons.

11 (4) Any legal requirements applicable to pro-
12 viding golf carts at military golf courses that are ac-
13 cessible for disabled persons authorized to use such
14 courses and the current availability of accessible golf
15 carts at such courses.

16 (c) REPORT REQUIRED.—Not later than 180 days
17 after the date of the enactment of this Act, the Secretary
18 of Defense shall submit to Congress a report containing
19 the results of the study and any related findings, conclu-
20 sions, and recommendations that the Secretary considers
21 to be appropriate concerning the access of disabled per-
22 sons to morale, welfare, and recreation facilities and ac-
23 tivities, and specifically the Secretary's conclusions on
24 making accessible golf carts available at all military golf

1 courses for use by disabled persons authorized to use such
2 courses.

3 **Subtitle F—Other Matters**

4 **SEC. 670. LIMITATIONS ON TERMS OF CONSUMER CREDIT** 5 **EXTENDED TO SERVICEMEMBERS AND DE-** 6 **PENDENTS.**

7 (a) TERMS OF CONSUMER CREDIT.—Chapter 49 of
8 title 10, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 987. Terms of consumer credit extended to mem-** 11 **bers and dependents: limitations**

12 “(a) INTEREST.—A creditor who extends consumer
13 credit to a covered member of the armed forces or a de-
14 pendent of such a member shall not require the member
15 or dependent to pay interest with respect to the extension
16 of such credit, except as—

17 “(1) agreed to under the terms of the credit
18 agreement or promissory note;

19 “(2) authorized by applicable State or Federal
20 law; and

21 “(3) not specifically prohibited by this section.

22 “(b) ANNUAL PERCENTAGE RATE.—A creditor de-
23 scribed in subsection (a) may not impose an annual per-
24 centage rate of interest greater than 36 percent with re-

1 spect to the consumer credit extended to a covered mem-
2 ber or a dependent of a covered member.

3 “(c) MANDATORY LOAN DISCLOSURES.—

4 “(1) INFORMATION REQUIRED.—With respect
5 to any extension of consumer credit (including any
6 consumer credit originated or extended through the
7 internet) to a covered member or a dependent of a
8 covered member, a creditor shall provide to the
9 member or dependent the following information oral-
10 ly and in writing before the issuance of the credit:

11 “(A) A statement of the annual percentage
12 rate of interest applicable to the extension of
13 credit.

14 “(B) Any disclosures required under the
15 Truth in Lending Act (15 U.S.C. 1601 et seq.).

16 “(C) A clear description of the payment
17 obligations of the member or dependent, as ap-
18 plicable.

19 “(2) TERMS.—Such disclosures shall be pre-
20 sented in accordance with terms prescribed by the
21 regulations issued by the Board of Governors of the
22 Federal Reserve System to implement the Truth in
23 Lending Act (15 U.S.C. 1601 et seq.).

24 “(d) PREEMPTION.—

1 “(1) INCONSISTENT LAWS.—Except as provided
2 in subsection (f)(2), this section preempts any State
3 or Federal law, rule, or regulation, including any
4 State usury law, to the extent that such law, rule,
5 or regulation is inconsistent with this section, except
6 that this section shall not preempt any such law,
7 rule, or regulation that provides protection to a cov-
8 ered member or a dependent of such a member in
9 addition to the protection provided by this section.

10 “(2) DIFFERENT TREATMENT UNDER STATE
11 LAW OF MEMBERS AND DEPENDENTS PROHIB-
12 ITED.—States shall not—

13 “(A) authorize creditors to charge covered
14 members and their dependents annual percent-
15 age rates of interest for loans higher than the
16 legal limit for residents of the State; or

17 “(B) permit violation or waiver of any
18 State consumer lending protections for the ben-
19 efit of residents of the State on the basis of
20 nonresident or military status of a covered
21 member or dependent of such a member, re-
22 gardless of the member’s or dependent’s domi-
23 cile or permanent home of record.

1 “(e) LIMITATIONS.—It shall be unlawful for any
2 creditor to extend consumer credit to a covered member
3 or a dependent of such a member with respect to which—

4 “(1) the creditor rolls over, renews, repays, refi-
5 nances, or consolidates any consumer credit ex-
6 tended to the borrower by the same creditor with the
7 proceeds of other credit extended to the same cov-
8 ered member or a dependent;

9 “(2) the borrower is required to waive the bor-
10 rower’s right to legal recourse under any otherwise
11 applicable provision of State or Federal law, includ-
12 ing any provision of the Servicemembers Civil Relief
13 Act;

14 “(3) the creditor requires the borrower to sub-
15 mit to arbitration or imposes onerous legal notice
16 provisions in the case of a dispute;

17 “(4) the creditor demands unreasonable notice
18 from the borrower as a condition for legal action;

19 “(5) the creditor uses a check or other method
20 of access to a deposit, savings, or other financial ac-
21 count maintained by the borrower, or the title of a
22 vehicle as security for the obligation;

23 “(6) the creditor requires as a condition for the
24 extension of credit that the borrower establish an al-
25 lotment to repay an obligation; or

1 “(7) the borrower is prohibited from prepaying
2 the loan or is charged a penalty or fee for prepaying
3 all or part of the loan.

4 “(f) PENALTIES AND REMEDIES.—

5 “(1) MISDEMEANOR.—A creditor who know-
6 ingly violates this section shall be fined as provided
7 in title 18, or imprisoned for not more than one
8 year, or both.

9 “(2) PRESERVATION OF OTHER REMEDIES.—

10 The remedies and rights provided under this section
11 are in addition to and do not preclude any remedy
12 otherwise available under law to the person claiming
13 relief under this section, including any award for
14 consequential and punitive damages.

15 “(3) CONTRACT VOID.—Any credit agreement,
16 promissory note, or other contract prohibited under
17 this section is void from the inception of such con-
18 tract.

19 “(4) ARBITRATION.—Notwithstanding section 2
20 of title 9, or any other Federal or State law, rule,
21 or regulation, no agreement to arbitrate any dispute
22 involving the extension of consumer credit shall be
23 enforceable against any covered member or depend-
24 ent of such a member, or any person who was a cov-

1 ered member or dependent of that member when the
2 agreement was made.

3 “(g) SERVICEMEMBERS CIVIL RELIEF ACT PROTEC-
4 TIONS UNAFFECTED.—Nothing in this section may be
5 construed to limit or otherwise affect the applicability of
6 section 207 of the Servicemembers Civil Relief Act (50
7 U.S.C. App. 527).

8 “(h) REGULATIONS.—(1) The Secretary of Defense
9 shall prescribe regulations to carry out this section.

10 “(2) Such regulations shall establish the following:

11 “(A) Disclosures required of any creditor that
12 extends consumer credit to a covered member or de-
13 pendent of such a member.

14 “(B) The method for calculating the applicable
15 annual percentage rate of interest on such obliga-
16 tions, in accordance with the limit established under
17 this section.

18 “(C) A maximum allowable amount of all fees,
19 and the types of fees, associated with any such ex-
20 tension of credit, to be expressed and disclosed to
21 the borrower as a total amount and as a percentage
22 of the principal amount of the obligation, at the time
23 at which the transaction is entered into.

24 “(D) Definitions of ‘creditor’ under paragraph
25 (5) and ‘consumer credit’ under paragraph (6) of

1 subsection (i), consistent with the provisions of this
2 section.

3 “(E) Such other criteria or limitations as the
4 Secretary of Defense determines appropriate, con-
5 sistent with the provisions of this section.

6 “(3) In prescribing regulations under this subsection,
7 the Secretary of Defense shall consult with the following:

8 “(A) The Federal Trade Commission.

9 “(B) The Board of Governors of the Federal
10 Reserve System.

11 “(C) The Office of the Comptroller of the Cur-
12 rency.

13 “(D) The Federal Deposit Insurance Corpora-
14 tion.

15 “(E) The Office of Thrift Supervision.

16 “(F) The National Credit Union Administration

17 “(G) The Treasury Department.

18 “(i) DEFINITIONS.—In this section:

19 “(1) COVERED MEMBER.—The term ‘covered
20 member’ means a member of the armed forces who
21 is—

22 “(A) on active duty under a call or order
23 that does not specify a period of 30 days or
24 less; or

25 “(B) on active Guard and Reserve Duty.

1 “(2) DEPENDENT.—The term ‘dependent’, with
2 respect to a covered member, means—

3 “(A) the member’s spouse;

4 “(B) the member’s child (as defined in sec-
5 tion 101(4) of title 38); or

6 “(C) an individual for whom the member
7 provided more than one-half of the individual’s
8 support for 180 days immediately preceding an
9 extension of consumer credit covered by this
10 section.

11 “(3) INTEREST.—The term ‘interest’ includes
12 all cost elements associated with the extension of
13 credit, including fees, service charges, renewal
14 charges, credit insurance premiums, any ancillary
15 product sold with any extension of credit to a
16 servicemember or the servicemember’s dependent, as
17 applicable, and any other charge or premium with
18 respect to the extension of consumer credit.

19 “(4) ANNUAL PERCENTAGE RATE.—The term
20 ‘annual percentage rate’ has the same meaning as in
21 section 107 of the Truth and Lending Act (15
22 U.S.C. 1606), as implemented by regulations of the
23 Board of Governors of the Federal Reserve System.
24 For purposes of this section, such term includes all
25 fees and charges, including charges and fees for sin-

1 gle premium credit insurance and other ancillary
2 products sold in connection with the credit trans-
3 action, and such fees and charges shall be included
4 in the calculation of the annual percentage rate.

5 “(5) CREDITOR.—The term ‘creditor’ means a
6 person—

7 “(A) who—

8 “(i) is engaged in the business of ex-
9 tending consumer credit; and

10 “(ii) meets such additional criteria as
11 are specified for such purpose in regula-
12 tions prescribed under this section; or

13 “(B) who is an assignee of a person de-
14 scribed in subparagraph (A) with respect to any
15 consumer credit extended.

16 “(6) CONSUMER CREDIT.—The term ‘consumer
17 credit’ has the meaning provided for such term in
18 regulations prescribed under this section, except that
19 such term does not include (A) a residential mort-
20 gage, or (B) a loan procured in the course of pur-
21 chasing a car or other personal property, when that
22 loan is offered for the express purpose of financing
23 the purchase and is secured by the car or personal
24 property procured.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such title is amended by adding at
3 the end the following new item:

“987. Terms of consumer credit extended to members and dependents: limita-
tions.”.

4 (c) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), section 987 of title 10, United States
7 Code, as added by subsection (a), shall take effect
8 on October 1, 2007, or on such earlier date as may
9 be prescribed by the Secretary of Defense, and shall
10 apply with respect to extensions of consumer credit
11 on or after such effective date.

12 (2) AUTHORITY TO PRESCRIBE REGULA-
13 TIONS.—Subsection (h) of such section shall take ef-
14 fect on the date of the enactment of this Act.

15 (3) PUBLICATION OF EARLIER EFFECTIVE
16 DATE.—If the Secretary of Defense prescribes an ef-
17 fective date for section 987 of title 10, United States
18 Code, as added by subsection (a), earlier than Octo-
19 ber 1, 2007, the Secretary shall publish that date in
20 the Federal Register. Such publication shall be made
21 not less than 90 days before that earlier effective
22 date.

23 (d) INTERIM REGULATIONS.—The Secretary of De-
24 fense may prescribe interim regulations as necessary to

1 carry out such section. For the purpose of prescribing
2 such interim regulations, the Secretary is excepted from
3 compliance with the notice-and-comment requirements of
4 section 553 of title 5, United States Code. All interim
5 rules prescribed under the authority of this subsection
6 that are not earlier superseded by final rules shall expire
7 no later than 270 days after the effective date of section
8 987 of title 10, United States Code, as added by this sec-
9 tion.

10 **SEC. 671. ENHANCEMENT OF AUTHORITY TO WAIVE CLAIMS**
11 **FOR OVERPAYMENT OF PAY AND ALLOW-**
12 **ANCES AND TRAVEL AND TRANSPORTATION**
13 **ALLOWANCES.**

14 (a) **MAXIMUM WAIVER AMOUNT; TIME FOR EXER-**
15 **CISE OF AUTHORITY.**—Section 2774 of title 10, United
16 States Code, is amended—

17 (1) in subsection (a)(2)(A), by striking
18 “\$1,500” and inserting “\$10,000”; and

19 (2) in subsection (b)(2), by striking “three
20 years” and inserting “five years”.

21 (b) **CONFORMING AMENDMENTS REGARDING NA-**
22 **TIONAL GUARD.**—Section 716 of title 32, United States
23 Code, is amended—

24 (1) in subsection (a)(2)(A), by striking
25 “\$1,500” and inserting “\$10,000”; and

1 (2) in subsection (b)(2), by striking “three
2 years” and inserting “five years”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on March 1, 2007.

5 **SEC. 672. EXCEPTION FOR NOTICE TO CONSUMER REPORT-**
6 **ING AGENCIES REGARDING DEBTS OR ERRO-**
7 **NEOUS PAYMENTS PENDING A DECISION TO**
8 **WAIVE, REMIT, OR CANCEL.**

9 (a) EXCEPTION.—Section 2780(b) of title 10, United
10 States Code, is amended—

11 (1) by striking “The Secretary” and inserting
12 “(1) Except as provided in paragraph (2), the Sec-
13 retary of Defense”; and

14 (2) by adding at the end the following new
15 paragraph:

16 “(2) No disclosure shall be made under paragraph
17 (1) with respect to an indebtedness while a decision re-
18 garding waiver of collection of the indebtedness is pending
19 under section 2774 of this title or section 716 of title 32,
20 or while a decision regarding remission or cancellation of
21 the indebtedness is pending under section 4837, 6161, or
22 9837 of this title, unless the Secretary concerned (as de-
23 fined in section 101(5) of title 37) determines that disclo-
24 sure under that paragraph pending such decision is in the
25 best interests of the United States.”.

1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—The amendments made by
3 this section shall take effect on March 1, 2007.

4 (2) APPLICATION TO PRIOR ACTIONS.—Para-
5 graph (2) of section 2780(b) of title 10, United
6 States Code, as added by subsection (a), shall not be
7 construed to apply to or invalidate any action taken
8 under such section before March 1, 2007.

9 (c) REPORT.—Not later than March 1, 2007, the
10 Secretary of Defense shall submit to the congressional de-
11 fense committees a report on the requirement in section
12 2780(b) of title 10, United States Code, to disclose to con-
13 sumer reporting agencies in accordance with section 3711
14 of title 31, United States Code, information concerning
15 certain indebtedness owed to the United States. The re-
16 port shall include the following:

17 (1) The total number of members of the Armed
18 Forces whose indebtedness has been disclosed to
19 consumer reporting agencies under section 2780(b),
20 United States Code, during the period beginning on
21 January 1, 2003, and ending on June 30, 2006.

22 (2) The circumstances under which a decision
23 to recover the indebtedness was made, rather than
24 a decision to waive, remit, or cancel the indebtedness
25 under the provisions of law referred to in paragraph

1 (2) of such section, as added by subsection (a), and
2 the title of the person who made the decision.

3 (3) The cost of contracts for collection services
4 to recover indebtedness owed to the United States
5 that is delinquent.

6 (4) An evaluation of whether or not such con-
7 tracts, and the practice of disclosing to consumer re-
8 porting agencies the identity of members of the
9 Armed Forces who owe a delinquent debt to the
10 United States, has been effective in reducing indebt-
11 edness to the United States.

12 (5) Such recommendations as the Secretary
13 considers appropriate regarding the continuing dis-
14 closure of such information with respect to members
15 of the Armed Forces.

16 **SEC. 673. EXPANSION AND ENHANCEMENT OF AUTHORITY**
17 **TO REMIT OR CANCEL INDEBTEDNESS OF**
18 **MEMBERS AND FORMER MEMBERS OF THE**
19 **ARMED FORCES INCURRED ON ACTIVE DUTY.**

20 (a) DEPARTMENT OF THE ARMY.—

21 (1) COVERAGE OF ALL MEMBERS AND FORMER
22 MEMBERS.—Subsection (a) of section 4837 of title
23 10, United States Code, is amended by striking “of
24 a member” and all that follows through “on active
25 duty” and inserting “of a person to the United

1 States or any instrumentality of the United States
2 incurred while the person was serving on active duty
3 as a member of the Army”.

4 (2) REPEAL OF LIMITATION ON TIME FOR EX-
5 ERCISE OF AUTHORITY.—Such section is further
6 amended—

7 (A) by striking subsection (b); and

8 (B) by redesignating subsections (c) and
9 (d) as subsections (b) and (c), respectively.

10 (3) REPEAL OF TERMINATION OF MODIFIED
11 AUTHORITY.—Paragraph (3) of section 683(a) of
12 the National Defense Authorization Act for Fiscal
13 Year 2006 (Public Law 109-163; 119 Stat. 3322; 10
14 U.S.C. 4837 note) is repealed.

15 (b) DEPARTMENT OF THE NAVY.—

16 (1) COVERAGE OF ALL MEMBERS AND FORMER
17 MEMBERS.—Section 6161 of title 10, United States
18 Code, is amended by striking “of a member” and all
19 that follows through “on active duty” and inserting
20 “of a person to the United States or any instrumen-
21 tality of the United States incurred while the person
22 was serving on active duty as a member of the naval
23 service”.

1 (2) REPEAL OF LIMITATION ON TIME FOR EX-
2 ERCISE OF AUTHORITY.—Such section is further
3 amended—

4 (A) by striking subsection (b); and

5 (B) by redesignating subsections (c) and
6 (d) as subsections (b) and (c), respectively.

7 (3) REPEAL OF TERMINATION OF MODIFIED
8 AUTHORITY.—Paragraph (3) of section 683(b) of
9 the National Defense Authorization Act for Fiscal
10 Year 2006 (119 Stat. 3323; 10 U.S.C. 6161 note)
11 is repealed.

12 (c) DEPARTMENT OF THE AIR FORCE.—

13 (1) COVERAGE OF ALL MEMBERS AND FORMER
14 MEMBERS.—Subsection (a) of section 9837 of title
15 10, United States Code, is amended by striking “of
16 a member” and all that follows through “on active
17 duty” and inserting “of a person to the United
18 States or any instrumentality of the United States
19 incurred while the person was serving on active duty
20 as a member of the Air Force”.

21 (2) REPEAL OF LIMITATION ON TIME FOR EX-
22 ERCISE OF AUTHORITY.—Such section is further
23 amended—

24 (A) by striking subsection (b); and

1 (B) by redesignating subsections (c) and
2 (d) as subsections (b) and (c), respectively.

3 (3) REPEAL OF TERMINATION OF MODIFIED
4 AUTHORITY.—Paragraph (3) of section 683(c) of the
5 National Defense Authorization Act for Fiscal Year
6 2006 (119 Stat. 3324; 10 U.S.C. 9837 note) is re-
7 pealed.

8 (d) DEADLINE FOR REGULATIONS.—The Secretary
9 of Defense shall prescribe the regulations required for pur-
10 poses of sections 4837, 6161, and 9837 of title 10, United
11 States Code, as amended by this section, not later than
12 March 1, 2007.

13 (e) CLARIFYING AND EDITORIAL AMENDMENTS.—

14 (1) SECRETARY OF THE ARMY.—Subsection (a)
15 of section 4837 of title 10, United States Code, as
16 amended by subsection (a)(1), is further amended—

17 (A) by striking “If the” and all that fol-
18 lows through “States, the Secretary” and in-
19 serting “The Secretary of the Army”; and

20 (B) by inserting before the period at the
21 end “, but only if the Secretary considers such
22 action to be in the best interest of the United
23 States”.

1 (2) SECRETARY OF THE NAVY.—Subsection (a)
2 of section 6161 of such title, as amended by sub-
3 section (b)(1), is further amended—

4 (A) by striking “If the” and all that fol-
5 lows through “States, the Secretary” and in-
6 serting “The Secretary of the Navy”; and

7 (B) by inserting before the period at the
8 end “, but only if the Secretary considers such
9 action to be in the best interest of the United
10 States”.

11 (3) SECRETARY OF THE AIR FORCE.—Sub-
12 section (a) of section 9837 of such title, as amended
13 by subsection (c)(1), is further amended—

14 (A) by striking “If the” and all that fol-
15 lows through “States, the Secretary” and in-
16 serting “The Secretary of the Air Force”; and

17 (B) by inserting before the period at the
18 end “, but only if the Secretary considers such
19 action to be in the best interest of the United
20 States”.

21 **SEC. 674. PHASED RECOVERY OF OVERPAYMENTS OF PAY**
22 **MADE TO MEMBERS OF THE UNIFORMED**
23 **SERVICES.**

24 (a) PHASED RECOVERY REQUIRED; MAXIMUM
25 MONTHLY INSTALLMENT.—Subsection (c) of section 1007

1 of title 37, United States Code, is amended by adding at
2 the end the following new paragraph:

3 “(3) If the indebtedness of a member of the uni-
4 formed services to the United States is due to the overpay-
5 ment of pay or allowances to the member through no fault
6 of the member, the amount of the overpayment shall be
7 recovered in monthly installments. The amount deducted
8 from the pay of the member for a month to recover the
9 overpayment amount may not exceed 20 percent of the
10 member’s pay for that month unless the member requests
11 or consents to collection of the overpayment at an acceler-
12 ated rate.”.

13 (b) RECOVERY DELAY FOR INJURED MEMBERS.—
14 Such subsection is further amended by inserting after
15 paragraph (3), as added by subsection (a), the following
16 new paragraph:

17 “(4) If a member of the uniformed services is injured
18 or wounded under the circumstances described in section
19 310(a)(2)(C) of this title or, while in the line of duty, in-
20 curs a wound, injury, or illness in a combat operation or
21 combat zone designated by the Secretary of Defense, any
22 overpayment of pay or allowances made to the member
23 while the member recovers from the wound, injury, or ill-
24 ness may not be deducted from the member’s pay until—

1 “(A) the end of the 90-day period beginning on
2 the date on which the member is notified of the
3 overpayment; or

4 “(B) such earlier date as may be requested or
5 agreed to by the member.”.

6 (c) CONFORMING AMENDMENTS.—Such subsection is
7 further amended—

8 (1) by inserting “(1)” before “Under regula-
9 tions”;

10 (2) by striking “his pay” both places it appears
11 and inserting “the member’s pay”;

12 (3) by striking “However, after” and inserting
13 the following:

14 “(2) After”; and

15 (4) by inserting “by a member of the uniformed
16 services” after “actually received”.

17 **SEC. 675. JOINT FAMILY SUPPORT ASSISTANCE PROGRAM.**

18 (a) PROGRAM REQUIRED.—The Secretary of Defense
19 shall carry out a joint family support assistance program
20 for the purpose of providing to families of members of the
21 Armed Forces the following types of assistance:

22 (1) Financial and material assistance.

23 (2) Mobile support services.

1 (3) Sponsorship of volunteers and family sup-
2 port professionals for the delivery of support serv-
3 ices.

4 (4) Coordination of family assistance programs
5 and activities provided by Military OneSource, Mili-
6 tary Family Life Consultants, counselors, the De-
7 partment of Defense, other Federal agencies, State
8 and local agencies, and non-profit entities.

9 (5) Facilitation of discussion on military family
10 assistance programs, activities, and initiatives be-
11 tween and among the organizations, agencies, and
12 entities referred to in paragraph (4).

13 (6) Such other assistance that the Secretary
14 considers appropriate.

15 (b) LOCATIONS.—The Secretary of Defense shall
16 carry out the program in not more than six areas of the
17 United States selected by the Secretary. Up to three of
18 the areas selected for the program shall be areas that are
19 geographically isolated from military installations.

20 (c) RESOURCES AND VOLUNTEERS.—The Secretary
21 of Defense shall provide personnel and other resources of
22 the Department of Defense necessary for the implementa-
23 tion and operation of the program and may accept and
24 utilize the services of non-Government volunteers and non-
25 profit entities under the program.

1 (d) PROCEDURES.—The Secretary of Defense shall
2 establish procedures for the operation of the program and
3 for the provision of assistance to families of members of
4 the Armed Forces under the program.

5 (e) RELATION TO FAMILY SUPPORT CENTERS.—The
6 program is not intended to operate in lieu of existing fam-
7 ily support centers, but is instead intended to augment
8 the activities of the family support centers.

9 (f) IMPLEMENTATION PLAN.—

10 (1) PLAN REQUIRED.—Not later than 90 days
11 after the date on which funds are first obligated for
12 the program, the Secretary of Defense shall submit
13 to the congressional defense committees a report set-
14 ting forth a plan for the implementation of the pro-
15 gram.

16 (2) ELEMENTS.—The plan required under
17 paragraph (1) shall include the following:

18 (A) A description of the actions taken to
19 select the areas in which the program will be
20 conducted.

21 (B) A description of the procedures estab-
22 lished under subsection (d).

23 (C) A review of proposed actions to be
24 taken under the program to improve coordina-
25 tion of family assistance program and activities

1 between and among the Department of Defense,
2 other Federal agencies, State and local agen-
3 cies, and non-profit entities.

4 (g) REPORT.—

5 (1) REPORT REQUIRED.—Not later than 270
6 days after the date on which funds are first obli-
7 gated for the program, the Secretary of Defense
8 shall submit to the congressional defense committees
9 a report on the program.

10 (2) ELEMENTS.—The report shall include the
11 following:

12 (A) A description of the program, includ-
13 ing the areas in which the program is con-
14 ducted, the procedures established under sub-
15 section (d) for operation of the program, and
16 the assistance provided through the program
17 for families of members of the Armed Forces.

18 (B) An assessment of the effectiveness of
19 the program in providing assistance to families
20 of members of the Armed Forces.

21 (C) An assessment of the advisability of
22 extending the program or making it permanent.

23 (h) DURATION.—The authority to carry out the pro-
24 gram shall expire at the end of the three-year period be-

1 ginning on the date on which funds are first obligated for
2 the program.

3 **SEC. 676. SPECIAL WORKING GROUP ON TRANSITION TO CI-**
4 **VILIAN EMPLOYMENT OF NATIONAL GUARD**
5 **AND RESERVE MEMBERS RETURNING FROM**
6 **DEPLOYMENT IN OPERATION IRAQI FREE-**
7 **DOM OR OPERATION ENDURING FREEDOM.**

8 (a) WORKING GROUP REQUIRED.—The Secretary of
9 Defense shall establish within the Department of Defense
10 a working group to identify and assess the needs of mem-
11 bers of the National Guard and Reserve returning from
12 deployment in Operation Iraqi Freedom or Operation En-
13 during Freedom in making the transition to civilian em-
14 ployment on their return from such deployment.

15 (b) MEMBERS.—

16 (1) APPOINTMENT.—Subject to paragraph (2),
17 the Secretary of Defense shall appoint the members
18 of the working group. The Secretary of Defense
19 shall attempt to achieve a balance of members on
20 the working group from among employees of the fol-
21 lowing agencies:

22 (A) The Department of Defense.

23 (B) The Department of Veterans Affairs.

24 (C) The Department of Labor.

1 (2) CONCURRENCE.—The appointment of em-
2 ployees of the Department of Veterans Affairs and
3 the Department of Labor under paragraph (1) shall
4 be subject to the concurrence of the Secretary of
5 Veterans Affairs and the Secretary of Labor, respec-
6 tively.

7 (c) RESPONSIBILITIES.—The working group shall—

8 (1) identify and assess the needs of members of
9 the National Guard and Reserve returning from de-
10 ployment in Operation Iraqi Freedom or Operation
11 Enduring Freedom in making the transition to civil-
12 ian employment on their return from deployment, in-
13 cluding the needs of—

14 (A) members who were self-employed be-
15 fore deployment and seek to return to such em-
16 ployment after deployment;

17 (B) members who were students before de-
18 ployment and seek to return to school or com-
19 mence employment after deployment;

20 (C) members who have experienced mul-
21 tiple recent deployments; and

22 (D) members who have been wounded or
23 injured during deployment;

24 (2) identify and assess the extent to which such
25 members receive promotions on their return from de-

1 ployment in Operation Iraqi Freedom or Operation
2 Enduring Freedom or experience constructive termi-
3 nation by their employers as a result of such deploy-
4 ment; and

5 (3) develop recommendations on means of im-
6 proving assistance to such members in meeting the
7 needs identified in paragraph (1) on their return
8 from deployment in Operation Iraqi Freedom or Op-
9 eration Enduring Freedom.

10 (d) CONSULTATION.—In carrying out its responsibil-
11 ities under subsection (c), the working group shall consult
12 with the following:

13 (1) Employees of the Small Business Adminis-
14 tration.

15 (2) Representatives of employers that employ,
16 and associations of employers whose members em-
17 ploy, members of the National Guard and Reserve
18 deployed in Operation Iraqi Freedom or Operation
19 Enduring Freedom.

20 (3) Representatives of employee assistance or-
21 ganizations.

22 (4) Representatives of organizations that assist
23 wounded or injured members of the National Guard
24 and Reserves in finding or sustaining employment.

1 (5) Representatives of such other public or pri-
2 vate organizations and entities as the working group
3 considers appropriate.

4 (e) REPORT.—

5 (1) IN GENERAL.—Not later than one year
6 after the date of the enactment of this Act, the
7 working group established under subsection (a) shall
8 submit to the Secretary of Defense and Congress a
9 report on its activities under subsection (c).

10 (2) ELEMENTS.—The report shall include the
11 following:

12 (A) The results of the identifications and
13 assessments required under subsection (c).

14 (B) The recommendations developed under
15 subsection (c)(3), including recommendations
16 on the following:

17 (i) The provision of outreach and
18 training to employers, employment assist-
19 ance organizations, and associations of em-
20 ployers on the employment and transition
21 needs of members of the National Guard
22 and Reserve returning from deployment in
23 Operation Iraqi Freedom or Operation En-
24 during Freedom.

1 (ii) The provision of outreach and
2 training to employers, employment assist-
3 ance organizations, and associations of em-
4 ployers on the needs of family members of
5 such members.

6 (iii) The improvement of collaboration
7 between the public and private sectors in
8 order to ensure the successful transition of
9 such members into civilian employment
10 upon their return from such deployment.

11 (3) AVAILABILITY TO PUBLIC.—The Secretary
12 shall take appropriate actions to make the report
13 available to the public, including through the Inter-
14 net website of the Department of Defense.

15 (f) TERMINATION.—The working group shall termi-
16 nate on the date that is two years after the date of the
17 enactment of this Act.

18 (g) EMPLOYMENT ASSISTANCE ORGANIZATION DE-
19 FINED.—In this section, the term “employment assistance
20 organization” means an organization or entity, whether
21 public or private, that provides assistance to individuals
22 in finding or retaining employment, including organiza-
23 tions and entities under military career support programs.

1 **SEC. 677. AUDIT OF PAY ACCOUNTS OF MEMBERS OF THE**
2 **ARMY EVACUATED FROM A COMBAT ZONE**
3 **FOR INPATIENT CARE.**

4 (a) **AUDIT REQUIRED.**—The Secretary of the Army
5 shall conduct a complete audit of the pay accounts of each
6 member of the Army wounded or injured in a combat zone
7 who was evacuated from a theater of operations for inpa-
8 tient care during the period beginning on May 1, 2005,
9 and ending on April 30, 2006.

10 (b) **REPORT ON RESULTS OF AUDIT.**—

11 (1) **REPORT REQUIRED.**—Not later than 120
12 days after the date of the enactment of this Act, the
13 Secretary shall submit to the congressional defense
14 committees a report on the audit conducted under
15 subsection (a).

16 (2) **IDENTIFICATION OF MEMBERS.**—The report
17 shall include a list of each member of the Army de-
18 scribed in subsection (a) identified, in a manner that
19 protects the privacy of the members, by—

20 (A) the date of the wound or injury that
21 is the basis for the inclusion of the member on
22 the list; and

23 (B) the grade of the member and unit des-
24 ignation as of that date.

1 (3) ADDITIONAL REPORT ELEMENTS.—For
2 each member included on the list prepared under
3 paragraph (2), the report shall include the following:

4 (A) A statement of any underpayment of
5 each of any pay, allowance, or other monetary
6 benefit to which the member was entitled dur-
7 ing the period beginning on the date on which
8 the wound or injury was incurred and ending
9 on April 30, 2006, including basic pay, haz-
10 arduous duty pay, imminent danger pay, basic
11 allowance for housing, basic allowance for sub-
12 sistence, any family separation allowance, any
13 tax exclusion for combat duty, and any other
14 pay, allowance, or monetary benefit to which
15 such member was entitled during such period.

16 (B) A statement of any disbursements
17 made to correct underpayments made to the
18 member, as identified under subparagraph (A).

19 (C) A statement of any debts to the United
20 States collected or pending collection from the
21 member.

22 (D) A statement of any reimbursements or
23 debt relief granted to the member for a debt
24 identified under subparagraph (C).

1 (E) If the members has applied to the
2 United States for a relief of debt—

3 (i) a description of the nature of the
4 debt for which relief was applied; and

5 (ii) a description of the disposition of
6 the application, including—

7 (I) if relief was granted, the date
8 of disbursement of relief; and

9 (II) if relief was denied, the rea-
10 sons for the denial of relief.

11 (F) A report of any referral of the member
12 to a collection or credit agency.

13 (4) FORM OF REPORT.—The report shall be
14 submitted in unclassified form, but may include a
15 classified annex.

16 **SEC. 678. REPORT ON ELIGIBILITY AND PROVISION OF AS-**
17 **SIGNMENT INCENTIVE PAY.**

18 Not later than 60 days after the date of the enact-
19 ment of this Act, the Secretary of the Army shall submit
20 to Congress a report—

21 (1) specifying the number of members of the
22 Army National Guard and the Army Reserve ad-
23 versely affected by the disparate treatment afforded
24 to members who previously served under a call or
25 order to active duty under section 12304 of title 10,

1 United States Code, in determining eligibility for as-
2 signment incentive pay; and

3 (2) containing proposed remedies or courses of
4 action to correct this disparity, including allowing
5 time served during a call or order to active duty
6 under such section 12304 to count toward the time
7 needed to qualify for assignment incentive pay.

8 **SEC. 679. SENSE OF CONGRESS CALLING FOR PAYMENT TO**
9 **WORLD WAR II VETERANS WHO SURVIVED**
10 **BATAAN DEATH MARCH.**

11 (a) CALL FOR APPROPRIATE COMPENSATION.—It is
12 the sense of Congress that—

13 (1) there should be paid to each living Bataan
14 Death March survivor an appropriate amount of
15 compensation in recognition of their captivity during
16 World War II; and

17 (2) in the case of a Bataan Death March sur-
18 vivor who is deceased, but who has an unremarried
19 surviving spouse, such compensation should be paid
20 to that surviving spouse.

21 (b) BATAAN DEATH MARCH SURVIVOR.—In this sec-
22 tion, the term “Bataan Death March survivor” means an
23 individual who as a member of the Armed Forces during
24 World War II was captured on the peninsula of Bataan
25 or island of Corregidor in the territory of the Philippines

1 by Japanese forces and participated in and survived the
2 Bataan Death March.

3 **TITLE VII—HEALTH CARE**
4 **PROVISIONS**

Subtitle A—TRICARE Program Improvements

- Sec. 701. TRICARE coverage for forensic examination following sexual assault or domestic violence.
- Sec. 702. Authorization of anesthesia and other costs for dental care for children and certain other patients.
- Sec. 703. Improvements to descriptions of cancer screening for women.
- Sec. 704. Prohibition on increases in certain health care costs for members of the uniformed services.
- Sec. 705. Demonstration project on coverage of selected over-the-counter drugs under the pharmacy benefits program.
- Sec. 706. Expanded eligibility of Selected Reserve members under TRICARE program.
- Sec. 707. Relationship between the TRICARE program and employer-sponsored group health care plans.
- Sec. 708. Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program.

Subtitle B—Studies and Reports

- Sec. 711. Department of Defense task force on the future of military health care.
- Sec. 712. Study relating to chiropractic health care services.
- Sec. 713. Comptroller General audits of Department of Defense health care costs and cost-saving measures.
- Sec. 714. Transfer of custody of the Air Force Health Study assets to Medical Follow-up Agency.
- Sec. 715. Study on allowing dependents of activated members of reserve components to retain civilian health care coverage.
- Sec. 716. Study of health effects of exposure to depleted uranium.
- Sec. 717. Report and plan on services to military dependent children with autism.
- Sec. 718. Comptroller General study on Department of Defense pharmacy benefits program.
- Sec. 719. Review of Department of Defense medical quality improvement program.
- Sec. 720. Report on distribution of hemostatic agents for use in the field.
- Sec. 721. Longitudinal study on traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom.

Subtitle C—Planning, Programming, and Management

- Sec. 731. Standardization of claims processing under TRICARE program and Medicare program.
- Sec. 732. Requirements for support of military treatment facilities by civilian contractors under TRICARE.

1 **SEC. 702. AUTHORIZATION OF ANESTHESIA AND OTHER**
2 **COSTS FOR DENTAL CARE FOR CHILDREN**
3 **AND CERTAIN OTHER PATIENTS.**

4 Paragraph (1) of section 1079(a) of title 10, United
5 States Code, is amended to read as follows:

6 “(1) With respect to dental care—

7 “(A) except as provided in subparagraph
8 (B), only that care required as a necessary ad-
9 junct to medical or surgical treatment may be
10 provided; and

11 “(B) in connection with dental treatment
12 for patients with developmental, mental, or
13 physical disabilities or for pediatric patients age
14 5 or under, only institutional and anesthesia
15 services may be provided.”.

16 **SEC. 703. IMPROVEMENTS TO DESCRIPTIONS OF CANCER**
17 **SCREENING FOR WOMEN.**

18 (a) TERMS RELATED TO PRIMARY AND PREVENTIVE
19 HEALTH CARE SERVICES FOR WOMEN.—Section 1074d
20 of title 10, United States Code, is amended—

21 (1) in subsection (a)(1), by adding at the end
22 the following new sentence: “The services described
23 in paragraphs (1) and (2) of subsection (b) shall be
24 provided under such procedures and at such inter-
25 vals as the Secretary of Defense shall prescribe.”;
26 and

1 (2) in subsection (b)—

2 (A) in paragraph (1), by striking “Papani-
3 colaou tests (pap smear)” and inserting “Cer-
4 vical cancer screening”; and

5 (B) in paragraph (2), by striking “Breast
6 examinations and mammography” and inserting
7 “Breast cancer screening”.

8 (b) **TERMS RELATED TO CONTRACTS FOR MEDICAL**
9 **CARE FOR SPOUSES AND CHILDREN.**—Section 1079(a)(2)
10 of such title is amended—

11 (1) in the matter preceding subparagraph (A),
12 by striking “the schedule of pap smears and mam-
13 mograms” and inserting “the schedule and method
14 of cervical cancer screenings and breast cancer
15 screenings”; and

16 (2) in subparagraph (B), by striking “pap
17 smears and mammograms” and inserting “cervical
18 and breast cancer screenings”.

19 **SEC. 704. PROHIBITION ON INCREASES IN CERTAIN**
20 **HEALTH CARE COSTS FOR MEMBERS OF THE**
21 **UNIFORMED SERVICES.**

22 (a) **PROHIBITION ON INCREASE IN CHARGES UNDER**
23 **CONTRACTS FOR MEDICAL CARE.**—Section 1097(e) of
24 title 10, United States Code, is amended by adding at the
25 end the following: “A premium, deductible, copayment, or

1 other charge prescribed by the Secretary under this sub-
2 section may not be increased during the period beginning
3 on April 1, 2006, and ending on September 30, 2007.”.

4 (b) PROHIBITION ON INCREASE IN CHARGES FOR IN-
5 PATIENT CARE.—Section 1086(b)(3) of title 10, United
6 States Code, is amended by inserting after “charges for
7 inpatient care” the following: “, except that in no case
8 may the charges for inpatient care for a patient exceed
9 \$535 per day during the period beginning on April 1,
10 2006, and ending on September 30, 2007.”.

11 (c) PROHIBITION ON INCREASE IN PREMIUMS
12 UNDER TRICARE COVERAGE FOR CERTAIN MEMBERS
13 IN THE SELECTED RESERVE.—Section 1076d(d)(3) of
14 title 10, United States Code, is amended by adding at the
15 end the following: “During the period beginning on April
16 1, 2006, and ending on September 30, 2007, the monthly
17 amount of the premium may not be increased above the
18 amount in effect for the month of March 2006.”.

19 (d) PROHIBITION ON INCREASE IN PREMIUMS
20 UNDER TRICARE COVERAGE FOR MEMBERS OF THE
21 READY RESERVE.—Section 1076b(e)(3) of title 10,
22 United States Code, is amended by adding at the end the
23 following: “During the period beginning on April 1, 2006,
24 and ending on September 30, 2007, the monthly amount
25 of a premium under paragraph (2) may not be increased

1 above the amount in effect for the first month health care
2 is provided under this section as amended by Public Law
3 109–163.”.

4 **SEC. 705. DEMONSTRATION PROJECT ON COVERAGE OF SE-**
5 **LECTED OVER-THE-COUNTER DRUGS UNDER**
6 **THE PHARMACY BENEFITS PROGRAM.**

7 (a) REQUIREMENT TO CONDUCT DEMONSTRA-
8 TION.—The Secretary of Defense shall conduct a dem-
9 onstration project under section 1092 of title 10, United
10 States Code, to allow particular over-the-counter drugs to
11 be included on the uniform formulary under section 1074g
12 of such title.

13 (b) ELEMENTS OF DEMONSTRATION PROJECT.—

14 (1) INCLUSION OF CERTAIN OVER-THE-
15 COUNTER DRUGS.—(A) As part of the demonstration
16 project, the Secretary shall modify uniform for-
17 mulary specifications under section 1074g(a) of such
18 title to include an over-the-counter drug (referred to
19 in this section as an “OTC drug”) on the uniform
20 formulary if the Pharmacy and Therapeutics Com-
21 mittee finds that the OTC drug is cost-effective and
22 therapeutically equivalent to a prescription drug. If
23 the Pharmacy and Therapeutics Committee makes
24 such a finding, the OTC drug shall be considered to

1 be in the same therapeutic class of pharmaceutical
2 agents as the prescription drug.

3 (B) An OTC drug shall be made available to a
4 beneficiary through the demonstration project, but
5 only if—

6 (i) the beneficiary has a prescription for a
7 drug requiring a prescription; and

8 (ii) pursuant to subparagraph (A), the
9 OTC drug—

10 (I) is on the uniform formulary; and

11 (II) has been determined to be thera-
12apeutically equivalent to the prescription
13 drug.

14 (2) CONDUCT THROUGH MILITARY FACILITIES,
15 RETAIL PHARMACIES, OR MAIL ORDER PROGRAM.—

16 The Secretary shall conduct the demonstration
17 project through at least two of the means described
18 in subparagraph (E) of section 1074g(a)(2)(E) of
19 such title through which OTC drugs are provided
20 and may conduct the demonstration project through-
21out the entire pharmacy benefits program or at a
22 limited number of sites. If the project is conducted
23 at a limited number of sites, the number of sites
24 shall be not less than five in each TRICARE region

1 for each of the two means described in such sub-
2 paragraph.

3 (3) PERIOD OF DEMONSTRATION.—The Sec-
4 retary shall provide for conducting the demonstra-
5 tion project for a period of time necessary to evalu-
6 ate the feasibility and cost effectiveness of the dem-
7 onstration. Such period shall be at least as long as
8 the period covered by pharmacy contracts in exist-
9 ence on the date of the enactment of this Act (in-
10 cluding any extensions of the contracts), or five
11 years, whichever is shorter.

12 (4) IMPLEMENTATION DEADLINE.—Implemen-
13 tation of the demonstration project shall begin not
14 later than May 1, 2007.

15 (c) EVALUATION OF DEMONSTRATION PROJECT.—
16 The Secretary shall evaluate the demonstration project for
17 the following:

18 (1) The costs and benefits of providing OTC
19 drugs under the pharmacy benefits program in each
20 of the means chosen by the Secretary to conduct the
21 demonstration project.

22 (2) The clinical effectiveness of providing OTC
23 drugs under the pharmacy benefits program.

24 (3) Customer satisfaction with the demonstra-
25 tion project.

1 (d) REPORT.—Not later than two years after imple-
2 mentation of the demonstration project begins, the Sec-
3 retary shall submit to the Committees on Armed Services
4 of the Senate and House of Representatives a report on
5 the demonstration project. The report shall contain—

6 (1) the evaluation required by subsection (c);

7 (2) recommendations for improving the provi-
8 sion of OTC drugs under the pharmacy benefits pro-
9 gram; and

10 (3) recommendations on whether permanent au-
11 thority should be provided to cover OTC drugs
12 under the pharmacy benefits program.

13 (e) CONTINUATION OF DEMONSTRATION PROJECT.—
14 If the Secretary recommends in the report under sub-
15 section (d) that permanent authority should be provided,
16 the Secretary may continue the demonstration project for
17 up to one year after submitting the report.

18 (f) DEFINITIONS.—In this section:

19 (1) The term “drug” means a drug, including
20 a biological product, within the meaning of section
21 1074g(f)(2) of title 10, United States Code.

22 (2) The term “OTC drug” has the meaning in-
23 dicated for such term in subsection (b)(1)(A).

1 (3) The term “over-the-counter drug” means a
2 drug that is not subject to section 503(b) of the
3 Federal Food, Drug, and Cosmetic Act.

4 (4) The term “prescription drug” means a drug
5 that is subject to section 503(b) of the Federal
6 Food, Drug, and Cosmetic Act.

7 **SEC. 706. EXPANDED ELIGIBILITY OF SELECTED RESERVE**
8 **MEMBERS UNDER TRICARE PROGRAM.**

9 (a) GENERAL ELIGIBILITY.—Subsection (a) of sec-
10 tion 1076d of title 10, United States Code, is amended—

11 (1) by striking “(a) ELIGIBILITY.—A member”
12 and inserting “(a) ELIGIBILITY.—(1) Except as pro-
13 vided in paragraph (2), a member”;

14 (2) by striking “after the member completes”
15 and all that follows through “one or more whole
16 years following such date”; and

17 (3) by adding at the end the following new
18 paragraph:

19 “(2) Paragraph (1) does not apply to a member who
20 is enrolled, or is eligible to enroll, in a health benefits plan
21 under chapter 89 of title 5.”.

22 (b) CONDITION FOR TERMINATION OF ELIGI-
23 BILITY.—Subsection (b) of such section is amended—

24 (1) by striking “(b) PERIOD OF COVERAGE.—

25 (1) TRICARE Standard” and all that follows

1 through “(4) Eligibility” and inserting “(b) TERMI-
2 NATION OF ELIGIBILITY UPON TERMINATION OF
3 SERVICE.—Eligibility”; and

4 (2) by striking paragraph (5).

5 (c) CONFORMING AMENDMENTS.—

6 (1) Such section is further amended—

7 (A) by striking subsection (e);

8 (B) by redesignating subsection (g) as sub-
9 section (e) and transferring such subsection
10 within such section so as to appear following
11 subsection (d); and

12 (C) by striking paragraph (3) of subsection
13 (f).

14 (2) The heading for such section is amended to
15 read as follows:

16 **“§ 1076d. TRICARE program: TRICARE standard cov-
17 erage for members of the Selected Re-
18 serve”.**

19 (d) REPEAL OF OBSOLETE PROVISION.—Effective
20 October 1, 2007, section 1076b of title 10, United States
21 Code, is repealed.

22 (e) CLERICAL AMENDMENTS.—Effective October 1,
23 2007, the table of sections at the beginning of chapter 55
24 of title 10, United States Code, is amended—

1 **“§ 1097c. TRICARE program: relationship with em-**
2 **ployer-sponsored group health plans**

3 “(a) PROHIBITION ON FINANCIAL INCENTIVES NOT
4 TO ENROLL IN A GROUP HEALTH PLAN.—(1) Except as
5 provided in this subsection, the provisions of section
6 1862(b)(3)(C) of the Social Security Act shall apply with
7 respect to financial or other incentives for a TRICARE-
8 eligible employee not to enroll (or to terminate enrollment)
9 under a health plan which would (in the case of such en-
10 rollment) be a primary plan under sections 1079(j)(1) and
11 1086(g) of this title in the same manner as such section
12 1862(b)(3)(C) applies to financial or other incentives for
13 an individual entitled to benefits under title XVIII of the
14 Social Security Act not to enroll (or to terminate enroll-
15 ment) under a group health plan or a large group health
16 plan which would (in the case of enrollment) be a primary
17 plan (as defined in section 1862(b)(2)(A) of such Act).

18 “(2)(A) The Secretary of Defense may by regulation
19 adopt such additional exceptions to the prohibition ref-
20 erenced and applied under paragraph (1) as the Secretary
21 deems appropriate and such paragraph (1) shall be imple-
22 mented taking into account the adoption of such excep-
23 tions.

24 “(B) The Secretary of Defense and the Secretary of
25 Health and Human Services are authorized to enter into
26 agreements for carrying out this subsection. Any such

1 agreement shall provide that any expenses incurred by the
2 Secretary of Health and Human Services pertaining to
3 carrying out this subsection shall be reimbursed by the
4 Secretary of Defense.

5 “(C) Authorities of the Inspector General of the De-
6 partment of Defense shall be available for oversight and
7 investigations of responsibilities of employers and other
8 entities under this subsection.

9 “(D) Information obtained under section 1095(k) of
10 this title may be used in carrying out this subsection in
11 the same manner as information obtained under section
12 1862(b)(5) of the Social Security may be used in carrying
13 out section 1862(b) of such Act.

14 “(E) Any amounts collected in carrying out para-
15 graph (1) shall be handled in accordance with section
16 1079a of this title.

17 “(b) ELECTION OF TRICARE-ELIGIBLE EMPLOYEES
18 TO PARTICIPATE IN GROUP HEALTH PLAN.—A
19 TRICARE-eligible employee shall have the opportunity to
20 elect to participate in the group health plan offered by
21 the employer of the employee and receive primary coverage
22 for health care services under the plan in the same manner
23 and to the same extent as similarly situated employees of
24 such employer who are not TRICARE-eligible employees.

1 “(c) INAPPLICABILITY TO CERTAIN EMPLOYERS.—
2 The provisions of this section do not apply to any employer
3 who has fewer than 20 employees.

4 “(d) RETENTION OF ELIGIBILITY FOR COVERAGE
5 UNDER TRICARE.—Nothing in this section, including an
6 election made by a TRICARE-eligible employee under sub-
7 section (b), shall be construed to affect, modify, or termi-
8 nate the eligibility of a TRICARE-eligible employee or
9 spouse of such employee for health care or dental services
10 under this chapter in accordance with the other provisions
11 of this chapter.

12 “(e) OUTREACH.—The Secretary of Defense shall, in
13 coordination with the other administering Secretaries,
14 conduct outreach to inform covered beneficiaries who are
15 entitled to health care benefits under the TRICARE pro-
16 gram of the rights and responsibilities of such bene-
17 ficiaries and employers under this section.

18 “(f) DEFINITIONS.—In this section:

19 “(1) The term ‘employer’ includes a State or
20 unit of local government.

21 “(2) The term ‘group health plan’ means a
22 group health plan (as that term is defined in section
23 5000(b)(1) of the Internal Revenue Code of 1986
24 without regard to section 5000(d) of the Internal
25 Revenue Code of 1986).

1 “(3) The term ‘TRICARE-eligible employee’
2 means a covered beneficiary under section 1086 of
3 this title entitled to health care benefits under the
4 TRICARE program.

5 “(g) EFFECTIVE DATE.—This section shall take ef-
6 fect on January 1, 2008.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of chapter 55 of such title is amended
9 by inserting after the item relating to section 1097b the
10 following new item:

 “1097c. TRICARE program: relationship with employer-sponsored group health
 plans.”.

11 **SEC. 708. TEMPORARY PROHIBITION ON INCREASE IN CO-**
12 **PAYMENTS UNDER RETAIL PHARMACY SYS-**
13 **TEM OF PHARMACY BENEFITS PROGRAM.**

14 (a) TEMPORARY PROHIBITION.—During the period
15 beginning on October 1, 2006, and ending on September
16 30, 2007, the cost sharing requirements established under
17 paragraph (6) of section 1074g of title 10, United States
18 Code, for pharmaceutical agents available through retail
19 pharmacies covered by paragraph (2)(E)(ii) of such sec-
20 tion may not exceed amounts as follows:

21 (1) In the case of generic agents, \$3.

22 (2) In the case of formulary agents, \$9.

23 (3) In the case of nonformulary agents, \$22.

1 (b) TRANSFER OF FUNDS.—The Secretary of De-
2 fense shall transfer \$186,000,000 from the unobligated
3 balances of the National Defense Stockpile Transaction
4 Fund to the Department of Defense Medicare-Eligible Re-
5 tiree Health Care Fund.

6 **Subtitle B—Studies and Reports**

7 **SEC. 711. DEPARTMENT OF DEFENSE TASK FORCE ON THE** 8 **FUTURE OF MILITARY HEALTH CARE.**

9 (a) REQUIREMENT TO ESTABLISH.—The Secretary
10 of Defense shall establish within the Department of De-
11 fense a task force to examine matters relating to the fu-
12 ture of military health care.

13 (b) COMPOSITION.—

14 (1) MEMBERS.—The task force shall consist of
15 not more than 14 members appointed by the Sec-
16 retary of Defense from among individuals described
17 in paragraph (2) who have demonstrated expertise in
18 the area of health care programs and costs.

19 (2) RANGE OF MEMBERS.—The individuals ap-
20 pointed to the task force shall include—

21 (A) at least one member of each of the
22 Medical Departments of the Army, Navy, and
23 Air Force;

24 (B) a number of persons from outside the
25 Department of Defense equal to the total num-

1 ber of personnel from within the Department of
2 Defense (whether members of the Armed
3 Forces or civilian personnel) who are appointed
4 to the task force;

5 (C) persons who have experience in—

6 (i) health care actuarial forecasting;

7 (ii) health care program and budget
8 development;

9 (iii) health care information tech-
10 nology;

11 (iv) health care performance measure-
12 ment;

13 (v) health care quality improvement
14 including evidence-based medicine; and

15 (vi) women's health;

16 (D) the senior medical advisor to the
17 Chairman of the Joint Chiefs of Staff;

18 (E) the Director of Defense Procurement
19 and Acquisition Policy in the Office of the
20 Under Secretary of Defense for Acquisition,
21 Technology, and Logistics;

22 (F) at least one member from the Defense
23 Business Board;

24 (G) at least one representative from an or-
25 ganization that advocates on behalf of active

1 duty and retired members of the Armed Forces
2 who has experience in health care; and

3 (H) at least one member from the Institute
4 of Medicine.

5 (3) INDIVIDUALS APPOINTED OUTSIDE THE DE-
6 PARTMENT OF DEFENSE.—

7 (A) Individuals appointed to the task force
8 from outside the Department of Defense may
9 include officers or employees of other depart-
10 ments or agencies of the Federal Government,
11 officers or employees of State and local govern-
12 ments, or individuals from the private sector.

13 (B) Individuals appointed to the task force
14 from outside the Department of Defense shall
15 include—

16 (i) an officer or employee of the De-
17 partment of Veterans Affairs; and

18 (ii) an officer or employee of the De-
19 partment of Health and Human Services.

20 (4) DEADLINE FOR APPOINTMENT.—All ap-
21 pointments of individuals to the task force shall be
22 made not later than 90 days after the date of the
23 enactment of this Act.

24 (5) CO-CHAIRS OF TASK FORCE.—There shall
25 be two co-chairs of the task force. One of the co-

1 chairs shall be designated by the Secretary of De-
2 fense at the time of appointment from among the
3 Department of Defense personnel appointed to the
4 task force. The other co-chair shall be selected from
5 among the members appointed from outside the De-
6 partment of Defense by members so appointed.

7 (c) ASSESSMENT AND RECOMMENDATIONS ON THE
8 FUTURE OF MILITARY HEALTH CARE.—

9 (1) IN GENERAL.—Not later than 12 months
10 after the date on which all members of the task
11 force have been appointed, the task force shall sub-
12 mit to the Secretary a report containing an assess-
13 ment of, and recommendations for, sustaining the
14 military health care services being provided to mem-
15 bers of the Armed Forces, retirees, and their fami-
16 lies.

17 (2) UTILIZATION OF OTHER EFFORTS.—In pre-
18 paring the report, the task force shall take into con-
19 sideration the findings and recommendations in-
20 cluded in the Healthcare for Military Retirees Task
21 Group of the Defense Business Board, previous Gov-
22 ernment Accountability Office reports, studies and
23 reviews by the Assistant Secretary of Defense for
24 Health Affairs, and any other studies or research
25 conducted by organizations regarding program and

1 organizational improvements to the military health
2 care system.

3 (3) ELEMENTS.—The assessment and rec-
4 ommendations (including recommendations for legis-
5 lative or administrative action) shall include meas-
6 ures to address the following:

7 (A) Wellness initiatives and disease man-
8 agement programs of the Department of De-
9 fense, including health risk tracking and the
10 use of rewards for wellness.

11 (B) Education programs focused on pre-
12 vention awareness and patient-initiated health
13 care.

14 (C) The ability to account for the true and
15 accurate cost of health care in the military
16 health system.

17 (D) Alternative health care initiatives to
18 manage patient behavior and costs, including
19 options and costs and benefits of a universal en-
20 rollment system for all TRICARE users.

21 (E) The appropriate command and control
22 structure within the Department of Defense
23 and the Armed Forces to manage the military
24 health system.

1 (F) The adequacy of the military health
2 care procurement system, including methods to
3 streamline existing procurement activities.

4 (G) The appropriate mix of military and
5 civilian personnel to meet future readiness and
6 high-quality health care service requirements.

7 (H) The beneficiary and Government cost
8 sharing structure required to sustain military
9 health benefits over the long term.

10 (I) Programs focused on managing the
11 health care needs of Medicare-eligible military
12 beneficiaries.

13 (J) Efficient and cost effective contracts
14 for health care support and staffing services, in-
15 cluding performance-based requirements for
16 health care provider reimbursement.

17 (d) ADMINISTRATIVE MATTERS.—

18 (1) COMPENSATION.—Each member of the task
19 force who is a member of the Armed Forces or a ci-
20 vilian officer or employee of the United States shall
21 serve without compensation (other than compensa-
22 tion to which entitled as a member of the Armed
23 Forces or an officer or employee of the United
24 States, as the case may be). Other members of the
25 task force shall be treated for purposes of section

1 3161 of title 5, United States Code, as having been
2 appointed under subsection (b) of such section.

3 (2) OVERSIGHT.—The Under Secretary of De-
4 fense for Personnel and Readiness shall oversee the
5 activities of the task force.

6 (3) ADMINISTRATIVE SUPPORT.—The Wash-
7 ington Headquarters Services of the Department of
8 Defense shall provide the task force with personnel,
9 facilities, and other administrative support as nec-
10 essary for the performance of the duties of the task
11 force.

12 (4) ACCESS TO FACILITIES.—The Under Sec-
13 retary of Defense for Personnel and Readiness shall,
14 in coordination with the Secretaries of the military
15 departments, ensure appropriate access by the task
16 force to military installations and facilities for pur-
17 poses of the discharge of the duties of the task force.

18 (e) REPORTS.—

19 (1) INTERIM REPORT.—Not later than May 31,
20 2007, the task force shall submit to the Secretary of
21 Defense and the Committees on Armed Services of
22 the Senate and the House of Representatives an in-
23 terim report on the activities of the task force. At
24 a minimum, the report shall include interim findings
25 and recommendations regarding subsection

1 (c)(3)(H), particularly with regard to cost sharing
2 under the pharmacy benefits program.

3 (2) FINAL REPORT.—(A) The task force shall
4 submit to the Secretary of Defense a final report on
5 its activities under this section. The report shall in-
6 clude—

7 (i) a description of the activities of the
8 task force;

9 (ii) the assessment and recommendations
10 required by subsection (c); and

11 (iii) such other matters relating to the ac-
12 tivities of the task force that the task force con-
13 siders appropriate.

14 (B) Not later than 90 days after receipt of the
15 report under subparagraph (A), the Secretary shall
16 transmit the report to the Committees on Armed
17 Services of the Senate and the House of Representa-
18 tives. The Secretary may include in the transmittal
19 such comments on the report as the Secretary con-
20 siders appropriate

21 (f) TERMINATION.—The task force shall terminate
22 90 days after the date on which the final report of the
23 task force is transmitted to Congress under subsection
24 (e)(2).

1 **SEC. 712. STUDY RELATING TO CHIROPRACTIC HEALTH**
2 **CARE SERVICES.**

3 (a) STUDY REQUIRED.—

4 (1) GROUPS COVERED.—The Secretary of De-
5 fense shall conduct a study of providing chiropractic
6 health care services and benefits to the following
7 groups:

8 (A) All members of the uniformed services
9 on active duty and entitled to care under sec-
10 tion 1074(a) of title 10, United States Code.

11 (B) All members described in subpara-
12 graph (A) and their eligible dependents, and all
13 members of the Selected Reserves and their eli-
14 gible dependents.

15 (C) All members or former members of the
16 uniformed services who are entitled to retired or
17 retainer pay or equivalent pay and their eligible
18 dependents.

19 (2) MATTERS EXAMINED.—

20 (A) For each group listed in subpara-
21 graphs (A), (B), and (C) of paragraph (1), the
22 study shall examine the following with respect
23 to chiropractic health care services and benefits:

24 (i) The cost of providing such services
25 and benefits.

1 (ii) The feasibility of providing such
2 services and benefits.

3 (iii) An assessment of the health care
4 benefits of providing such services and
5 benefits.

6 (iv) An estimate of the potential cost
7 savings of providing such services and ben-
8 efits in lieu of other medical services.

9 (v) The identification of existing and
10 planned health care infrastructure, includ-
11 ing personnel, equipment, and facilities, to
12 accommodate the provision of chiropractic
13 health care services.

14 (B) For the members of the group listed in
15 subparagraph (A) of paragraph (1), the study
16 shall also examine the effects of providing
17 chiropractic health care services and benefits—

18 (i) on the readiness of such members;

19 and

20 (ii) on the acceleration of the return
21 to duty of such members following an iden-
22 tified injury or other malady that can be
23 appropriately treated with chiropractic
24 health care services.

1 manage future medical benefits available through
2 the Department known as “Sustain the Benefit”.

3 (2) ELEMENTS.—The audit required by para-
4 graph (1) shall examine the following:

5 (A) The basis for the calculation by the
6 Department of Defense of the portion of the
7 costs of health care benefits provided by the
8 Department to beneficiaries that were paid by
9 such beneficiaries in each of 1995 and 2005, in-
10 cluding—

11 (i) a comparison of the cost to the De-
12 partment of providing such benefits in
13 each of 1995 and 2005;

14 (ii) the explanation for any increases
15 in the costs of the Department of pro-
16 viding such benefits between 1995 and
17 2005; and

18 (iii) a comparison of the amounts
19 paid, by category of beneficiaries, for
20 health care benefits in 1995 with the
21 amounts paid, by category of beneficiaries,
22 for such benefits in 2005.

23 (B) The calculations and assumptions uti-
24 lized by the Department in estimating the sav-
25 ings anticipated through the implementation of

1 proposed increases in cost-sharing for health
2 care benefits beginning in 2007.

3 (C) The average annual rate of increase,
4 based on inflation, of medical costs for the De-
5 partment under the Defense Health Program.

6 (D) The annual rate of growth in the cost
7 of the Defense Health Program that is attrib-
8 utable to inflation in the cost of medical serv-
9 ices over the last five years and how such rate
10 of growth compares with annual rates of in-
11 creases in health care premiums under the Fed-
12 eral Employee Health Benefit Program and
13 other health care programs as well as rates of
14 growth of other health care cost indices over
15 that time.

16 (E) The assumptions utilized by the De-
17 partment in estimating savings associated with
18 adjustments in copayments for pharmaceuticals.

19 (F) The costs of the administration of the
20 Defense Health Program and the TRICARE
21 program for all categories of beneficiaries.

22 (b) AUDIT OF TRICARE RESERVE SELECT PRO-
23 GRAM.—

24 (1) IN GENERAL.—In addition to the audit re-
25 quired by subsection (a), the Comptroller General

1 shall conduct an audit of the costs of the Depart-
2 ment of Defense in implementing the TRICARE Re-
3 serve Select Program.

4 (2) ELEMENTS.—The audit required by para-
5 graph (1) shall include an examination of the fol-
6 lowing:

7 (A) A comparison of the annual premium
8 amounts established by the Department of De-
9 fense for the TRICARE Reserve Select Pro-
10 gram with the actual costs of the Department
11 in providing benefits under that program in fis-
12 cal years 2004 and 2005.

13 (B) The rate of inflation of health care
14 costs of the Department during fiscal years
15 2004 and 2005, and a comparison of that rate
16 of inflation with the annual increase in pre-
17 miums under the TRICARE Reserve Select
18 Program in January 2006.

19 (C) A comparison of the financial and
20 health-care utilization assumptions utilized by
21 the Department in establishing premiums under
22 the TRICARE Reserve Select Program with ac-
23 tual experiences under that program in the first
24 year of the implementation of that program.

1 (3) TRICARE RESERVE SELECT PROGRAM DE-
2 FINED.—In this section, the term “TRICARE Re-
3 serve Select Program” means the program carried
4 out under section 1076d of title 10, United States
5 Code.

6 (c) USE OF INDEPENDENT EXPERTS.—Notwith-
7 standing any other provision of law, in conducting the au-
8 dits required by this section, the Comptroller General may
9 engage the services of appropriate independent experts, in-
10 cluding actuaries.

11 (d) REPORT.—Not later than June 1, 2007, the
12 Comptroller General shall submit to the congressional de-
13 fense committees a report on the audits conducted under
14 this section. The report shall include—

15 (1) the findings of the Comptroller General as
16 a result of the audits; and

17 (2) such recommendations as the Comptroller
18 General considers appropriate in light of such find-
19 ings to ensure maximum efficiency in the adminis-
20 tration of the health care benefits programs of the
21 Department of Defense.

22 **SEC. 714. TRANSFER OF CUSTODY OF THE AIR FORCE**
23 **HEALTH STUDY ASSETS TO MEDICAL FOL-**
24 **LOW-UP AGENCY.**

25 (a) TRANSFER.—

1 (1) NOTIFICATION OF PARTICIPANTS.—The
2 Secretary of the Air Force shall notify the partici-
3 pants of the Air Force Health Study that the study
4 as currently constituted is ending as of September
5 30, 2006. In consultation with the Medical Follow-
6 up Agency (in this section referred to as the “Agen-
7 cy”) of the Institute of Medicine of the National
8 Academy of Sciences, the Secretary of the Air Force
9 shall request the written consent of the participants
10 to transfer their data and biological specimens to the
11 Agency during fiscal year 2007 and written consent
12 for the Agency to maintain the data and specimens
13 and make them available for additional studies.

14 (2) COMPLETION OF TRANSFER.—Custodian-
15 ship of the Air Force Health Study shall be com-
16 pletely transferred to the Agency on or before Sep-
17 tember 30, 2007. Assets to be transferred shall in-
18 clude electronic data files and biological specimens of
19 all the study participants.

20 (3) COPIES TO ARCHIVES.—The Air Force shall
21 send paper copies of all study documents to the Na-
22 tional Archives.

23 (b) REPORT ON TRANSFER.—

24 (1) REQUIREMENT.—Not later than 30 days
25 after completion of the transfer of the assets of the

1 Air Force Health Study under subsection (a), the
2 Secretary of the Air Force shall submit to the Com-
3 mittees on Armed Services of the Senate and the
4 House of Representatives a report on the transfer.

5 (2) MATTERS COVERED.—At a minimum, the
6 report shall include information on the number of
7 study participants whose data and biological speci-
8 mens were not transferred, the efforts that were
9 taken to contact such participants, and the reasons
10 why the transfer of their data and specimens did not
11 occur.

12 (c) DISPOSITION OF ASSETS NOT TRANSFERRED.—
13 The Secretary of the Air Force may not destroy any data
14 or biological specimens not transferred under subsection
15 (a) until the expiration of the one-year period following
16 submission of the report under subsection (b).

17 (d) FUNDING.—

18 (1) COSTS OF TRANSFER.—The Secretary of
19 Defense shall make available to the Air Force
20 \$850,000 for preparation, transfer of the assets of
21 the Air Force Health Study, and shipment of data
22 and specimens to the Medical Follow-up Agency and
23 the National Archives during fiscal year 2007 from
24 amounts available from the Department of Defense
25 for that fiscal year. The Secretary of Defense is au-

1 thorized to transfer the freezers and other physical
2 assets assigned to the Air Force Health Study to the
3 Agency without charge.

4 (2) COSTS OF COLLABORATION.—The Secretary
5 of Defense may reimburse the National Academy of
6 Sciences up to \$200,000 for costs of the Medical
7 Follow-up Agency to collaborate with the Air Force
8 in the transfer and receipt of the assets of the Air
9 Force Health Study to the Agency during fiscal year
10 2007 from amounts available from the Department
11 of Defense for that fiscal year.

12 **SEC. 715. STUDY ON ALLOWING DEPENDENTS OF ACTI-**
13 **VATED MEMBERS OF RESERVE COMPONENTS**
14 **TO RETAIN CIVILIAN HEALTH CARE COV-**
15 **ERAGE.**

16 (a) STUDY REQUIREMENT.—The Secretary of De-
17 fense shall conduct a study on the feasibility of allowing
18 family members of members of the reserve components of
19 the Armed Forces who are called or ordered to active duty
20 in support of a contingency operation to continue health
21 care coverage under a civilian health care program and
22 provide reimbursement for such health care.

23 (b) ELEMENTS.—The study required by subsection
24 (a) shall include the following:

1 (1) An assessment of the number of military
2 dependents with special health care needs (such as
3 ongoing chemotherapy or physical therapy) who
4 would benefit from continued coverage under the
5 member's civilian health care plan instead of enroll-
6 ing in the TRICARE program.

7 (2) An assessment of the feasibility of providing
8 reimbursement to the member or the sponsor of the
9 civilian health coverage.

10 (3) A recommendation on the appropriate rate
11 of reimbursement for members or sponsors of civil-
12 ian health coverage.

13 (4) The feasibility of including dependents who
14 do not have access to health care providers that ac-
15 cept payment under the TRICARE program.

16 (c) REPORT REQUIRED.—Not later than 180 days
17 after the date of the enactment of this Act, the Secretary
18 of Defense shall submit to the Committees on Armed Serv-
19 ices of the Senate and the House of Representatives a re-
20 port on the study required under subsection (a).

21 **SEC. 716. STUDY OF HEALTH EFFECTS OF EXPOSURE TO**
22 **DEPLETED URANIUM.**

23 (a) STUDY.—The Secretary of Defense, in consulta-
24 tion with the Secretary for Veterans Affairs and the Sec-
25 retary of Health and Human Services, shall conduct a

1 comprehensive study of the health effects of exposure to
2 depleted uranium munitions on uranium-exposed soldiers
3 and on children of uranium-exposed soldiers who were
4 born after the exposure of the uranium-exposed soldiers
5 to depleted uranium.

6 (b) URANIUM-EXPOSED SOLDIERS.—In this section,
7 the term “uranium-exposed soldiers” means a member or
8 former member of the Armed Forces who handled, came
9 in contact with, or had the likelihood of contact with de-
10 pleted uranium munitions while on active duty, including
11 members and former members who—

12 (1) were exposed to smoke from fires resulting
13 from the burning of vehicles containing depleted ura-
14 nium munitions or fires at depots at which depleted
15 uranium munitions were stored;

16 (2) worked within environments containing de-
17 pleted uranium dust or residues from depleted ura-
18 nium munitions;

19 (3) were within a structure or vehicle while it
20 was struck by a depleted uranium munition;

21 (4) climbed on or entered equipment or struc-
22 tures struck by a depleted uranium munition; or

23 (5) were medical personnel who provided initial
24 treatment to members of the Armed Forces de-
25 scribed in paragraph (1), (2), (3), or (4).

1 (c) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to Congress a report on the results of the
4 study described in subsection (a).

5 **SEC. 717. REPORT AND PLAN ON SERVICES TO MILITARY**
6 **DEPENDENT CHILDREN WITH AUTISM.**

7 (a) PLAN REQUIRED.—The Secretary of Defense
8 shall, within 180 days after the date of the enactment of
9 this Act, develop a plan to provide services to military de-
10 pendent children with autism pursuant to the authority
11 for an extended health care services program in sub-
12 sections (d) and (e) of section 1079 of title 10, United
13 States Code. Such plan shall include—

14 (1) requirements for the education, training,
15 and supervision of individuals providing services for
16 military dependent children with autism;

17 (2) standards for identifying and measuring the
18 availability, distribution, and training of individuals
19 of various levels of expertise to provide such services;
20 and

21 (3) procedures to ensure that such services are
22 in addition to other publicly provided services to
23 such children.

24 (b) PARTICIPATION OF AFFECTED FAMILIES.—In
25 developing the plan required under subsection (a), the Sec-

1 retary shall ensure the involvement and participation of
2 affected military families or their representatives.

3 (c) REPORT REQUIRED.—Not later than 30 days
4 after completion of the plan required under subsection (a),
5 the Secretary shall submit to the Committees on Armed
6 Services of the Senate and the House of Representatives
7 a report on the plan. The report may include any addi-
8 tional information the Secretary considers relevant.

9 **SEC. 718. COMPTROLLER GENERAL STUDY ON DEPART-**
10 **MENT OF DEFENSE PHARMACY BENEFITS**
11 **PROGRAM.**

12 (a) IN GENERAL.—The Comptroller General of the
13 United States shall conduct a study of the Department
14 of Defense pharmacy benefits program required by section
15 1074g of title 10, United States Code.

16 (b) ELEMENTS.—The study required by subsection
17 (a) shall include an examination of the following:

18 (1) The cost of the Department of Defense
19 pharmacy benefits program since the inception of
20 the program.

21 (2) The relative costs of various options under
22 the program.

23 (3) The copayment structure under the pro-
24 gram.

1 (4) The effectiveness of the rebate system
2 under the program as a way of passing on discounts
3 received by the Federal Government in the purchase
4 of pharmaceutical agents.

5 (5) The uniform formulary under the program,
6 including the success of the formulary in achieving
7 savings anticipated through use of the formulary.

8 (6) Various alternative means of purchasing
9 pharmaceutical agents more efficiently for avail-
10 ability under the program.

11 (7) The composition and decision-making proc-
12 esses of the Pharmacy and Therapeutics Committee.

13 (8) The composition of the Beneficiary Advisory
14 Panel and its history as an advisory panel under the
15 program (including the frequency of the acceptance
16 of its recommendations by the Secretary of De-
17 fense).

18 (9) Quality assurance mechanisms under the
19 program.

20 (10) The role of the program in support of the
21 disease and chronic care management programs of
22 the Department of Defense.

23 (11) Mechanisms for customer service and cus-
24 tomer feedback under the program.

25 (12) Beneficiary satisfaction with the program.

1 (c) REPORT.—Not later than nine months after the
2 date of the enactment of this Act, the Comptroller General
3 shall submit to the congressional defense committees a re-
4 port on the study required by subsection (a). The report
5 shall include such recommendations as the Comptroller
6 General considers appropriate for legislative or adminis-
7 trative action to improve the Department of Defense phar-
8 macy benefits program in light of the study.

9 **SEC. 719. REVIEW OF DEPARTMENT OF DEFENSE MEDICAL**
10 **QUALITY IMPROVEMENT PROGRAM.**

11 (a) REPORT REQUIRED.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense shall submit to the Committees on
15 Armed Services of the Senate and the House of Rep-
16 resentatives a report on actions taken in response to
17 the recommendations of the July 2001 report of the
18 Department of Defense Healthcare Quality Initia-
19 tives Review Panel.

20 (2) MATTERS COVERED.—The report shall ad-
21 dress the status of actions concerning each of the
22 Panel's general and specific recommendations, in-
23 cluding the amount of resources allocated by fiscal
24 year to implement each recommendation. In any in-

1 stance in which no action has been taken, justifica-
2 tion for such inaction shall be provided in the report.

3 (b) REVIEW REQUIRED.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall enter into a contract with the Institute of Med-
6 icine of the National Academy of Sciences, or an-
7 other similarly qualified independent academic med-
8 ical organization, for the purpose of conducting an
9 independent review of the Department of Defense
10 medical quality improvement program.

11 (2) ELEMENTS.—The review required pursuant
12 to paragraph (1) shall include the following:

13 (A) An assessment of the methods used by
14 the Department of Defense to monitor medical
15 quality in services provided in military hospitals
16 and clinics and in services provided in civilian
17 hospitals and providers under the military
18 health care system.

19 (B) An assessment of the transparency
20 and public reporting mechanisms of the Depart-
21 ment on medical quality.

22 (C) An assessment of how the Department
23 incorporates medical quality into performance
24 measures for military and civilian health care

1 providers within the military health care sys-
2 tem.

3 (D) An assessment of the patient safety
4 programs of the Department.

5 (E) A description of the extent to which
6 the Department seeks to address particular
7 medical errors, and an assessment of the ade-
8 quacy of such efforts.

9 (F) An assessment of accountability within
10 the military health care system for preventable
11 negative outcomes involving negligence.

12 (G) An assessment of the performance of
13 the health care safety and quality measures of
14 the Department.

15 (H) An assessment of the collaboration of
16 the Department with national initiatives to de-
17 velop evidence-based quality measures and
18 intervention strategies, especially the initiatives
19 of the Agency for Health Care Research and
20 Quality within the Department of Health and
21 Human Services.

22 (I) A comparison of the methods, mecha-
23 nisms, and programs and activities referred to
24 in subparagraphs (A) through (G) with similar
25 methods, mechanisms, programs, and activities

1 used in other public and private health care sys-
2 tems and organizations.

3 (3) REPORT.—

4 (A) IN GENERAL.—Not later than one year
5 after the date of the enactment of this Act, the
6 Secretary shall submit to the Committees on
7 Armed Services of the Senate and the House of
8 Representatives a report on the review required
9 pursuant to paragraph (1).

10 (B) ELEMENTS.—The report required by
11 subparagraph (A) shall include the following:

12 (i) The results of the review required
13 pursuant to paragraph (1).

14 (ii) A discussion of recent highlights
15 in the accomplishments of the Department
16 of Defense medical quality assurance pro-
17 gram.

18 (iii) Such recommendations for legis-
19 lative or administrative action as the Sec-
20 retary considers appropriate for the im-
21 provement of the program.

22 **SEC. 720. REPORT ON DISTRIBUTION OF HEMOSTATIC**
23 **AGENTS FOR USE IN THE FIELD.**

24 Not later than 60 days after the date of the enact-
25 ment of this Act, the Secretary of Defense shall submit

1 to the congressional defense committees a report on the
2 distribution of hemostatic agents to members of the
3 Armed Forces serving in Iraq and Afghanistan, including
4 a description of any distribution problems and attempts
5 to resolve such problems.

6 **SEC. 721. LONGITUDINAL STUDY ON TRAUMATIC BRAIN IN-**
7 **JURY INCURRED BY MEMBERS OF THE**
8 **ARMED FORCES IN OPERATION IRAQI FREE-**
9 **DOM AND OPERATION ENDURING FREEDOM.**

10 (a) **STUDY REQUIRED.**—The Secretary of Defense
11 shall conduct a longitudinal study on the effects of trau-
12 matic brain injury incurred by members of the Armed
13 Forces serving in Operation Iraqi Freedom or Operation
14 Enduring Freedom on the members who incur such an
15 injury and their families.

16 (b) **DURATION.**—The study required by subsection
17 (a) shall be conducted for a period of 15 years.

18 (c) **ELEMENTS.**—The study required by subsection
19 (a) shall specifically address the following:

20 (1) The long-term physical and mental health
21 effects of traumatic brain injuries incurred by mem-
22 bers of the Armed Forces during service in Oper-
23 ation Iraqi Freedom or Operation Enduring Free-
24 dom.

1 (2) The health care, mental health care, and re-
2 habilitation needs of such members for such injuries
3 after the completion of inpatient treatment through
4 the Department of Defense, the Department of Vet-
5 erans Affairs, or both.

6 (3) The type and availability of long-term care
7 rehabilitation programs and services within and out-
8 side the Department of Defense and the Department
9 of Veterans Affairs for such members for such inju-
10 ries, including community-based programs and serv-
11 ices and in-home programs and services.

12 (4) The effect on family members of a member
13 incurring such an injury.

14 (d) CONSULTATION.—The Secretary of Defense shall
15 conduct the study required by subsection (a) and prepare
16 the reports required by subsection (e) in consultation with
17 the Secretary of Veterans Affairs.

18 (e) PERIODIC AND FINAL REPORTS.—After the third,
19 seventh, eleventh, and fifteenth years of the study required
20 by subsection (a), the Secretary of Defense shall submit
21 to Congress a comprehensive report on the results of the
22 study during the preceding years. Each report shall in-
23 clude the following:

24 (1) Current information on the cumulative out-
25 comes of the study.

1 (2) Such recommendations as the Secretary of
2 Defense and the Secretary of Veterans Affairs joint-
3 ly consider appropriate based on the outcomes of the
4 study, including recommendations for legislative,
5 programmatic, or administrative action to improve
6 long-term care and rehabilitation programs and serv-
7 ices for members of the Armed Forces with trau-
8 matic brain injuries.

9 **Subtitle C—Planning,**
10 **Programming, and Management**

11 **SEC. 731. STANDARDIZATION OF CLAIMS PROCESSING**
12 **UNDER TRICARE PROGRAM AND MEDICARE**
13 **PROGRAM.**

14 (a) **IN GENERAL.**—Effective beginning with the next
15 contract option period for managed care support contracts
16 under the TRICARE program, the claims processing re-
17 quirements under the TRICARE program on the matters
18 described in subsection (b) shall be identical to the claims
19 processing requirements under the Medicare program on
20 such matters.

21 (b) **COVERED MATTERS.**—The matters described in
22 this subsection are as follows:

23 (1) The utilization of single or multiple provider
24 identification numbers for purposes of the payment

1 of health care claims by Department of Defense con-
2 tractors.

3 (2) The documentation required to substantiate
4 medical necessity for items and services that are cov-
5 ered under both the TRICARE program and the
6 Medicare program.

7 (c) REPORT ON COLLECTION OF AMOUNTS OWED.—
8 Not later than March 1, 2007, the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port setting forth a detailed description of the following:

11 (1) All TRICARE policies and directives con-
12 cerning collection of amounts owed to the United
13 States pursuant to section 1095 of title 10, United
14 States Code, from third party payers, including—

15 (A) collection by military treatment facili-
16 ties from third-party payers; and

17 (B) collection by contractors providing
18 managed care support under the TRICARE
19 program from other insurers in cases of private
20 insurance liability for health care costs of a
21 TRICARE beneficiary.

22 (2) An estimate of the outstanding amounts
23 owed from third party payers in each of fiscal years
24 2002, 2003, and 2004.

1 (3) The amounts collected from third party
2 payers in each of fiscal years 2002, 2003, and 2004.

3 (4) A plan of action to streamline the business
4 practices that underlie the policies and directives de-
5 scribed in paragraph (1).

6 (5) A plan of action to accelerate and increase
7 the collections or recoupments of amounts owed
8 from third party payers.

9 (d) ANNUAL REPORTS ON CLAIMS PROCESSING
10 STANDARDIZATION.—

11 (1) IN GENERAL.—Not later than October 1,
12 2007, and annually thereafter, the Secretary of De-
13 fense shall submit to the congressional defense com-
14 mittees a report setting forth a complete list of the
15 claims processing requirements under the TRICARE
16 program that differ from claims processing require-
17 ments under the Medicare program.

18 (2) ELEMENTS.—Each report under paragraph
19 (1) shall include, for each claims processing require-
20 ment listed in such report, a business case that jus-
21 tifies maintaining such requirement under the
22 TRICARE program as a different claims processing
23 requirement than that required under the Medicare
24 program.

25 (e) DEFINITIONS.—In this section:

1 (1) The term “Medicare program” means the
2 program under title XVIII of the Social Security Act
3 (42 U.S.C. 1395 et seq.).

4 (2) The term “TRICARE program” has the
5 meaning given that term in section 1072(7) of title
6 10, United States Code.

7 **SEC. 732. REQUIREMENTS FOR SUPPORT OF MILITARY**
8 **TREATMENT FACILITIES BY CIVILIAN CON-**
9 **TRACTORS UNDER TRICARE.**

10 (a) ANNUAL INTEGRATED REGIONAL REQUIRE-
11 MENTS ON SUPPORT.—The Regional Director of each re-
12 gion under the TRICARE program shall develop each year
13 integrated, comprehensive requirements for the support of
14 military treatment facilities in such region that is provided
15 by contract civilian health care and administrative per-
16 sonnel under the TRICARE program.

17 (b) PURPOSES.—The purposes of the requirements
18 established under subsection (a) shall be as follows:

19 (1) To ensure consistent standards of quality in
20 the support of military treatment facilities by con-
21 tract civilian health care personnel under the
22 TRICARE program.

23 (2) To identify targeted, actionable opportuni-
24 ties throughout each region of the TRICARE pro-
25 gram for the most efficient and cost effective deliv-

1 ery of health care and support of military treatment
2 facilities.

3 (3) To ensure the most effective use of various
4 available contracting methods in securing support of
5 military treatment facilities by civilian health care
6 personnel under the TRICARE program, including
7 resource-sharing and clinical support agreements, di-
8 rect contracting, and venture capital investments.

9 (c) FACILITATION AND ENHANCEMENT OF CON-
10 TRACTOR SUPPORT.—

11 (1) IN GENERAL.—The Secretary of Defense
12 shall take appropriate actions to facilitate and en-
13 hance the support of military treatment facilities
14 under the TRICARE program in order to assure
15 maximum quality and productivity.

16 (2) ACTIONS.—In taking actions under para-
17 graph (1), the Secretary shall—

18 (A) require consistent standards of quality
19 for contract civilian health care personnel pro-
20 viding support of military treatment facilities
21 under the TRICARE program, including—

22 (i) consistent credentialing require-
23 ments among military treatment facilities;

24 (ii) consistent performance standards
25 for private sector companies providing

1 health care staffing services to military
2 treatment facilities and clinics, including,
3 at a minimum, those standards established
4 for accreditation of health care staffing
5 firms by the Joint Commission on the Ac-
6 creditation of Health Care Organizations
7 Health Care Staffing Standards; and

8 (iii) additional standards covering—
9 (I) financial stability;
10 (II) medical management;
11 (III) continuity of operations;
12 (IV) training;
13 (V) employee retention;
14 (VI) access to contractor data;

15 and

16 (VII) fraud prevention;
17 (B) ensure the availability of adequate and
18 sustainable funding support for projects which
19 produce a return on investment to the military
20 treatment facilities;

21 (C) ensure that a portion of any return on
22 investment is returned to the military treatment
23 facility to which such savings are attributable;

24 (D) remove financial disincentives for mili-
25 tary treatment facilities and civilian contractors

1 to initiate and sustain agreements for the sup-
2 port of military treatment facilities by such con-
3 tractors under the TRICARE program;

4 (E) provide for a consistent methodology
5 across all regions of the TRICARE program for
6 developing cost benefit analyses of agreements
7 for the support of military treatment facilities
8 by civilian contractors under the TRICARE
9 program based on actual cost and utilization
10 data within each region of the TRICARE pro-
11 gram; and

12 (F) provide for a system for monitoring
13 the performance of significant projects for sup-
14 port of military treatment facilities by a civilian
15 contractor under the TRICARE program.

16 (d) REPORTS TO CONGRESS.—

17 (1) ANNUAL REPORTS REQUIRED.—Not later
18 than February 1, 2008, and each year thereafter,
19 the Secretary, in coordination with the military de-
20 partments, shall submit to the Committees on
21 Armed Services of the Senate and the House of Rep-
22 resentatives a report on the support of military
23 treatment facilities by civilian contractors under the
24 TRICARE program during the preceding fiscal year.

1 (2) ELEMENTS.—Each report shall set forth,
2 for the fiscal year covered by such report, the fol-
3 lowing:

4 (A) The level of support of military health
5 treatment facilities that is provided by contract
6 civilian health care personnel under the
7 TRICARE program in each region of the
8 TRICARE program.

9 (B) An assessment of the compliance of
10 such support with regional requirements under
11 subsection (a).

12 (C) The number and type of agreements
13 for the support of military treatment facilities
14 by contract civilian health care personnel.

15 (D) The standards of quality in effect
16 under the requirements under subsection (a).

17 (E) The savings anticipated, and any sav-
18 ings achieved, as a result of the implementation
19 of the requirements under subsection (a).

20 (F) An assesment of the compliance of
21 contracts for health care staffing services for
22 Department of Defense facilities with the re-
23 quirements of subsection (c)(2)(A).

24 (e) EFFECTIVE DATE.—This section shall take effect
25 on October 1, 2006.

1 **SEC. 733. STANDARDS AND TRACKING OF ACCESS TO**
2 **HEALTH CARE SERVICES FOR WOUNDED, IN-**
3 **JURED, OR ILL SERVICEMEMBERS RETURN-**
4 **ING TO THE UNITED STATES FROM A COM-**
5 **BAT ZONE.**

6 (a) REPORT ON UNIFORM STANDARDS FOR AC-
7 CESS.—Not later than 90 days after the date of the enact-
8 ment of this Act, the Secretary of Defense shall submit
9 to the Committees on Armed Services of the Senate and
10 the House of Representatives a report on uniform stand-
11 ards for the access of wounded, injured, or ill members
12 of the Armed Forces to health care services in the United
13 States following return from a combat zone.

14 (b) MATTERS COVERED.—The report required by
15 subsection (a) shall describe in detail policies with respect
16 to the following:

17 (1) The access of wounded, injured, or ill mem-
18 bers of the Armed Forces to emergency care.

19 (2) The access of such members to surgical
20 services.

21 (3) Waiting times for referrals and consulta-
22 tions of such members by medical personnel, dental
23 personnel, mental health specialists, and rehabilita-
24 tive service specialists, including personnel and spe-
25 cialists with expertise in prosthetics and in the treat-
26 ment of head, vision, and spinal cord injuries.

1 (4) Waiting times of such members for acute
2 care and for routine follow-up care.

3 (c) REFERRAL TO PROVIDERS OUTSIDE MILITARY
4 HEALTH CARE SYSTEM.—The Secretary shall require
5 that health care services and rehabilitation needs of mem-
6 bers described in subsection (a) be met through whatever
7 means or mechanisms possible, including through the re-
8 ferral of members described in that subsection to health
9 care providers outside the military health care system.

10 (d) UNIFORM SYSTEM FOR TRACKING OF PERFORM-
11 ANCE.—The Secretary shall establish a uniform system
12 for tracking the performance of the military health care
13 system in meeting the requirements for access of wounded,
14 injured, or ill members of the Armed Forces to health care
15 services described in subsection (a).

16 (e) REPORTS.—

17 (1) TRACKING SYSTEM.—Not later than 180
18 days after the date of the enactment of this Act, the
19 Secretary shall submit to the Committees on Armed
20 Services of the Senate and the House of Representa-
21 tives a report on the system established under sub-
22 section (d).

23 (2) ACCESS.—Not later than October 1, 2006,
24 and each quarter thereafter during fiscal year 2007,
25 the Secretary shall submit to such committees a re-

1 port on the performance of the health care system
2 in meeting the access standards described in the re-
3 port required by subsection (a).

4 **SEC. 734. DISEASE AND CHRONIC CARE MANAGEMENT.**

5 (a) PROGRAM DESIGN AND DEVELOPMENT RE-
6 QUIRED.—Not later than October 1, 2007, the Secretary
7 of Defense shall design and develop a fully integrated pro-
8 gram on disease and chronic care management for the
9 military health care system that provides, to the extent
10 practicable, uniform policies and practices on disease man-
11 agement and chronic care management throughout that
12 system, including both military hospitals and clinics and
13 civilian healthcare providers within the TRICARE net-
14 work.

15 (b) PURPOSES OF PROGRAM.—The purposes of the
16 program required by subsection (a) are as follows:

17 (1) To facilitate the improvement of the health
18 status of individuals under care in the military
19 health care system.

20 (2) To ensure the availability of effective health
21 care services in that system for individuals with dis-
22 eases and other chronic conditions.

23 (3) To ensure the proper allocation of health
24 care resources for individuals who need care for dis-
25 ease or other chronic conditions.

1 (c) ELEMENTS OF PROGRAM DESIGN.—The program
2 design required by subsection (a) shall meet the following
3 requirements:

4 (1) Based on uniform policies prescribed by the
5 Secretary, the program shall, at a minimum, address
6 the following chronic diseases and conditions:

7 (A) Diabetes.

8 (B) Cancer.

9 (C) Heart disease.

10 (D) Asthma.

11 (E) Chronic obstructive pulmonary dis-
12 order.

13 (F) Depression and anxiety disorders.

14 (2) The program shall meet nationally recog-
15 nized accreditation standards for disease and chronic
16 care management.

17 (3) The program shall include specific outcome
18 measures and objectives on disease and chronic care
19 management.

20 (4) The program shall include strategies for
21 disease and chronic care management for all bene-
22 ficiaries, including beneficiaries eligible for benefits
23 under the Medicare program under title XVIII of
24 the Social Security Act (42 U.S.C. 1395 et seq.), for

1 whom the TRICARE program is not the primary
2 payer for health care benefits.

3 (5) Activities under the program shall conform
4 to applicable laws and regulations relating to the
5 confidentiality of health care information.

6 (d) IMPLEMENTATION PLAN REQUIRED.—Not later
7 than February 1, 2008, the Secretary of Defense, in co-
8 ordination with the Secretaries of the military depart-
9 ments, shall develop an implementation plan for the dis-
10 ease and chronic care management program. In order to
11 facilitate the carrying out of the program, the plan devel-
12 oped by the Secretary shall—

13 (1) require a comprehensive analysis of the dis-
14 ease and chronic care management opportunities
15 within each region of the TRICARE program, in-
16 cluding within military treatment facilities and
17 through contractors under the TRICARE program;

18 (2) ensure continuous, adequate funding of dis-
19 ease and chronic care management activities
20 throughout the military health care system in order
21 to achieve maximum health outcomes and cost avoid-
22 ance;

23 (3) eliminate, to the extent practicable, any fi-
24 nancial disincentives to sustained investment by mili-
25 tary hospitals and health care services contractors of

1 the Department of Defense in the disease and chron-
2 ic care management activities of the Department;

3 (4) ensure that appropriate clinical and claims
4 data, including pharmacy utilization data, is avail-
5 able for use in implementing the program;

6 (5) ensure outreach to eligible beneficiaries
7 who, on the basis of their clinical conditions, are
8 candidates for the program utilizing print and elec-
9 tronic media, telephone, and personal interaction;
10 and

11 (6) provide a system for monitoring improve-
12 ments in health status and clinical outcomes under
13 the program and savings associated with the pro-
14 gram.

15 (e) REPORT.—

16 (1) IN GENERAL.—Not later than March 1,
17 2008, the Secretary of Defense shall submit to the
18 Committees on Armed Services of the Senate and
19 the House of Representatives a report on the design,
20 development, and implementation of the program on
21 disease and chronic care management required by
22 this section.

23 (2) REPORT ELEMENTS.—The report required
24 by paragraph (1) shall include the following:

1 (A) A description of the design and devel-
2 opment of the program required by subsection
3 (a).

4 (B) A description of the implementation
5 plan required by subsection (d).

6 (C) A description and assessment of im-
7 provements in health status and clinical out-
8 comes that are anticipated as a result of imple-
9 mentation of the program.

10 (D) A description of the savings and re-
11 turn on investment associated with the pro-
12 gram.

13 (E) A description of an investment strat-
14 egy to assure the sustainment of the disease
15 and chronic care management programs of the
16 Department of Defense.

17 **SEC. 735. ADDITIONAL ELEMENTS OF ASSESSMENT OF DE-**
18 **PARTMENT OF DEFENSE TASK FORCE ON**
19 **MENTAL HEALTH RELATING TO MENTAL**
20 **HEALTH OF MEMBERS WHO WERE DEPLOYED**
21 **IN OPERATION IRAQI FREEDOM AND OPER-**
22 **ATION ENDURING FREEDOM.**

23 Section 723(c) of the National Defense Authorization
24 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.

1 3348) is amended by adding at the end the following new
2 paragraph:

3 “(4) MENTAL HEALTH NEEDS OF MEMBERS
4 WHO WERE DEPLOYED IN OIF OR OEF.—As part of
5 the assessment required by paragraph (1) of the ef-
6 ficacy of mental health services provided to members
7 of the Armed Forces by the Department of Defense,
8 the task force shall consider the specific needs with
9 respect to mental health of members who were de-
10 ployed in Operation Iraqi Freedom or Operation En-
11 during Freedom upon their return from such deploy-
12 ment, including the following:

13 “(A) An identification of mental health
14 conditions and disorders (including Post Trau-
15 matic Stress Disorder, suicide attempts, and
16 suicide) occurring among members who have
17 undergone multiple deployments in Operation
18 Iraqi Freedom or Operation Enduring Free-
19 dom.

20 “(B) An evaluation of the availability to
21 members of assessments under the Mental
22 Health Self-Assessment Program of the Depart-
23 ment of Defense to ensure the long-term avail-
24 ability of the diagnostic mechanisms of the as-

1 assessment to detect mental health conditions
2 that may emerge in such members over time.

3 “(C) The availability of programs and
4 services under the Mental Health Self-Assess-
5 ment Program to address the mental health of
6 dependent children of members who were de-
7 ployed in Operation Iraqi Freedom or Oper-
8 ation Enduring Freedom.

9 “(D) Recommendations on mechanisms for
10 improving the mental health services available
11 to members who were deployed in Operation
12 Iraqi Freedom or Operation Enduring Free-
13 dom, including members who have undergone
14 multiple deployments.”.

15 **SEC. 736. ADDITIONAL AUTHORIZED OPTION PERIODS FOR**
16 **EXTENSION OF CURRENT CONTRACTS UNDER**
17 **TRICARE.**

18 (a) ADDITIONAL NUMBER OF AUTHORIZED PERI-
19 ODS.—

20 (1) IN GENERAL.—The Secretary of Defense,
21 after consulting with the other administering Secre-
22 taries, may extend any contract for the delivery of
23 health care entered into under section 1097 of title
24 10, United States Code, that is in force on the date
25 of the enactment of this Act by one year, and upon

1 expiration of such extension by one additional year,
2 if the Secretary determines that such extension—

3 (A) is in the best interests of the Depart-
4 ment of Defense and covered beneficiaries;

5 (B) is cost effective; and

6 (C) will—

7 (i) facilitate the effective administra-
8 tion of the TRICARE program; or

9 (ii) ensure continuity in the delivery
10 of health care under the TRICARE pro-
11 gram.

12 (2) LIMITATION ON NUMBER OF EXTEN-
13 SIONS.—The total number of one-year extensions of
14 a contract that may be granted under paragraph (1)
15 may not exceed two extensions.

16 (3) NOTICE AND WAIT.—The Secretary may
17 not commence the exercise of the authority in para-
18 graph (1) with respect to a contract covered by that
19 paragraph until 30 days after the date on which the
20 Secretary submits to the Committees on Armed
21 Services of the Senate and House of Representatives
22 a report setting forth the following:

23 (A) The minimum level of performance, in-
24 cluding beneficiary satisfaction and cost, by the
25 incumbent contractor under the contract that

1 will be required by the Secretary in order to be
2 eligible for an extension authorized by such
3 paragraph.

4 (B) The justification for such extension
5 based on each of the criteria in paragraph (1).

6 (C) The justification for such extension
7 based on a cost-benefit analysis.

8 (4) DEFINITIONS.—In this subsection, the
9 terms “administering Secretaries”, “covered bene-
10 ficiary”, and “TRICARE program” have the mean-
11 ing given such terms in section 1072 of title 10,
12 United States Code.

13 (b) REPORT ON CONTRACTING MECHANISMS FOR
14 HEALTH CARE SERVICE SUPPORT CONTRACTS.—Not
15 later than 180 days after the date of the enactment of
16 this Act, the Secretary shall submit to the Committees on
17 Armed Services of the Senate and House of Representa-
18 tives a report on contracting mechanisms under consider-
19 ation for future contracts for health care service support
20 under section 1097 of title 10, United States Code. The
21 report shall include an assessment of the advantages and
22 disadvantages for the Department of Defense (including
23 the potential for stimulating competition and the effect on
24 health care beneficiaries of the Department) of providing
25 in such contracts for a single term of 5 years, with a single

1 optional period of extension of an additional 5 years if per-
2 formance under such contract is rated as “excellent”.

3 **SEC. 737. MILITARY VACCINATION MATTERS.**

4 (a) ADDITIONAL ELEMENT FOR COMPTROLLER GEN-
5 ERAL STUDY AND REPORT ON VACCINE HEALTHCARE
6 CENTERS.—Section 736(b) of the National Defense Au-
7 thorization Act for Fiscal Year 2006 (Public Law 109–
8 163; 119 Stat. 3356) is amended by adding at the end
9 the following new paragraph:

10 “(10) The feasibility and advisability of trans-
11 ferring direct responsibility for the Centers from the
12 Army Medical Command to the Under Secretary of
13 Defense for Personnel and Readiness and the Dep-
14 uty Assistant Secretary of Defense for Force Health
15 Protection and Readiness.”.

16 (b) LIMITATION ON RESTRUCTURING OF VACCINE
17 HEALTHCARE CENTERS.—The Secretary of Defense may
18 not downsize or otherwise restructure the Vaccine
19 Healthcare Centers of the Department of Defense during
20 fiscal year 2007. The Secretary shall ensure that the Sec-
21 retary of each military department shall, from amounts
22 allocated during fiscal year 2007 from the Defense Health
23 Program, fund and maintain the Vaccine Healthcare Cen-
24 ter of the military department concerned.

1 **SEC. 738. ENHANCED MENTAL HEALTH SCREENING AND**
2 **SERVICES FOR MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) ADDITIONAL REQUIRED ELEMENTS FOR
5 PREDEPLOYMENT AND POSTDEPLOYMENT MEDICAL EX-
6 AMINATIONS.—Subsection (b) of section 1074f of title 10,
7 United States Code, is amended—

8 (1) by inserting “(1)” before “The system”;
9 and

10 (2) by adding at the end the following new
11 paragraph:

12 “(2) The predeployment and postdeployment medical
13 examination of a member of the armed forces required
14 under paragraph (1) shall include the following:

15 “(A) An assessment of the current treatment of
16 the member and any use of psychotropic medications
17 by the member for a mental health condition or dis-
18 order.

19 “(B) An assessment of traumatic brain in-
20 jury.”.

21 (b) CRITERIA FOR REFERRAL FOR FURTHER EVAL-
22 UATIONS.—Such section is further amended by adding at
23 the end the following:

24 “(e) CRITERIA FOR REFERRAL FOR FURTHER EVAL-
25 UATIONS.—The system described in subsection (a) shall
26 include—

1 “(1) development of clinical practice guidelines
2 to be utilized by healthcare providers in determining
3 whether to refer a member of the armed forces for
4 further evaluation relating to mental health (includ-
5 ing traumatic brain injury);

6 “(2) mechanisms to ensure that healthcare pro-
7 viders are trained in the application of such clinical
8 practice guidelines; and

9 “(3) mechanisms for oversight to ensure that
10 healthcare providers apply such guidelines consist-
11 ently.”.

12 (c) MINIMUM MENTAL HEALTH STANDARDS FOR
13 DEPLOYMENT.—Such section is further amended by add-
14 ing at the end the following:

15 “(f) MINIMUM MENTAL HEALTH STANDARDS FOR
16 DEPLOYMENT.—(1) The Secretary of Defense shall pre-
17 scribe in regulations minimum standards for mental
18 health for the eligibility of a member of the armed forces
19 for deployment to a combat operation or contingency oper-
20 ation.

21 “(2) The standards required by paragraph (1) shall
22 include the following:

23 “(A) A specification of the mental health condi-
24 tions, treatment for such conditions, and receipt of
25 psychotropic medications for such conditions that

1 preclude deployment of a member of the armed
2 forces to a combat operation or contingency oper-
3 ation, or to a specified type of such operation.

4 “(B) Guidelines for the deployability and treat-
5 ment of members of the armed forces diagnosed with
6 a severe mental illness or post traumatic stress dis-
7 order.

8 “(3) The Secretary shall take appropriate actions to
9 ensure the utilization of the standards prescribed under
10 paragraph (1) in the making of determinations regarding
11 the deployability of members of the armed forces to a com-
12 bat operation or contingency operation.”.

13 (d) QUALITY ASSURANCE.—Subsection (d) of such
14 section is amended—

15 (1) by inserting “(1)” before “The Secretary of
16 Defense”; and

17 (2) by adding at the end the following new
18 paragraphs:

19 “(2) The quality assurance program established
20 under paragraph (1) shall also include the following ele-
21 ments:

22 “(A) The types of healthcare providers con-
23 ducting postdeployment health assessments.

24 “(B) The training received by such providers
25 applicable to the conduct of such assessments, in-

1 including training on assessments and referrals relat-
2 ing to mental health.

3 “(C) The guidance available to such providers
4 on how to apply the clinical practice guidelines devel-
5 oped under subsection (e)(1) in determining whether
6 to make a referral for further evaluation of a mem-
7 ber of the armed forces relating to mental health.

8 “(D) The effectiveness of the tracking mecha-
9 nisms required under this section in ensuring that
10 members who receive referrals for further evalua-
11 tions relating to mental health receive such evalua-
12 tions and obtain such care and services as are war-
13 ranted.

14 “(E) Programs established for monitoring the
15 mental health of each member who, after deployment
16 to a combat operation or contingency operations, is
17 known—

18 “(i) to have a mental health condition or
19 disorder; or

20 “(ii) to be receiving treatment, including
21 psychotropic medications, for a mental health
22 condition or disorder.”.

23 (e) COMPTROLLER GENERAL REPORTS ON IMPLE-
24 MENTATION OF REQUIREMENTS.—

1 (1) STUDY ON IMPLEMENTATION.—The Comp-
2 troller General of the United States shall carry out
3 a study of the implementation of the requirements of
4 the amendments made by this section.

5 (2) REPORTS.—Not later than March 1, 2008,
6 the Comptroller General shall submit to the Commit-
7 tees on Armed Services of the Senate and the House
8 of Representatives a report on the study carried out
9 under paragraph (1).

10 (f) IMPLEMENTATION.—The Secretary of Defense
11 shall implement the requirements of the amendments
12 made by this section not later than six months after the
13 date of the enactment of this Act.

14 (g) REPORT REQUIRED.—The Secretary of Defense
15 shall submit to the Committees on Armed Services of the
16 Senate and the House of Representatives a report on the
17 actions taken to implement the requirements of the
18 amendments made by this section not later than June 1,
19 2007.

1 **Subtitle D—Other Matters**

2 **SEC. 741. PILOT PROJECTS ON EARLY DIAGNOSIS AND**
3 **TREATMENT OF POST TRAUMATIC STRESS**
4 **DISORDER AND OTHER MENTAL HEALTH**
5 **CONDITIONS.**

6 (a) **PILOT PROJECTS REQUIRED.**—The Secretary of
7 Defense shall carry out not less than three pilot projects
8 to evaluate the efficacy of various approaches to improving
9 the capability of the military and civilian health care sys-
10 tems to provide early diagnosis and treatment of post
11 traumatic stress disorder and other mental health condi-
12 tions.

13 (b) **DURATION.**—Any pilot project carried out under
14 this section shall begin not later than October 1, 2007,
15 and cease on September 30, 2008.

16 (c) **PILOT PROJECT REQUIREMENTS.**—

17 (1) **DIAGNOSTIC AND TREATMENT AP-**
18 **PROACHES.**—One of the pilot projects under this
19 section shall be designed to evaluate effective diag-
20 nostic and treatment approaches for use by primary
21 care providers in the military health care system in
22 order to improve the capability of such providers to
23 diagnose and treat post traumatic stress disorder.

24 (2) **NATIONAL GUARD OR RESERVE MEM-**
25 **BERS.**—

1 (A) One of the pilot projects under this
2 section shall be focused on members of the Na-
3 tional Guard or Reserves who are located more
4 than 40 miles from a military medical facility
5 and who are served primarily by civilian com-
6 munity health resources.

7 (B) The pilot project described in subpara-
8 graph (A) shall be designed to develop edu-
9 cational materials and other tools for use by
10 members of the National Guard or Reserves
11 who come into contact with other members of
12 the National Guard or Reserves who may suffer
13 from post traumatic stress disorder in order to
14 encourage and facilitate early reporting and re-
15 ferral for treatment.

16 (3) OUTREACH.—One of the pilot projects
17 under this section shall be designed to provide out-
18 reach to the family members of the members of the
19 Armed Forces on post traumatic stress disorder and
20 other mental health conditions.

21 (d) EVALUATION OF PILOT PROJECTS.—The Sec-
22 retary shall evaluate each pilot project carried out under
23 this section in order to assess the effectiveness of the ap-
24 proaches taken under such pilot project—

1 (1) to improve the capability of the military and
2 civilian health care systems to provide early diag-
3 nosis and treatment of post traumatic stress dis-
4 order and other mental health conditions among
5 members of the regular components of the Armed
6 Forces, and among members of the National Guard
7 and Reserves, who have returned from deployment;
8 and

9 (2) to provide outreach to the family members
10 of the members of the Armed Forces described in
11 paragraph (1) on post traumatic stress disorder and
12 other mental health conditions among such members
13 of the Armed Forces.

14 (e) REPORT TO CONGRESS.—

15 (1) REPORT REQUIRED.—Not later than De-
16 cember 31, 2008, the Secretary shall submit to the
17 congressional defense committees a report on the
18 pilot projects carried out under this section.

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

21 (A) A description of each pilot project car-
22 ried out under this section.

23 (B) An assessment of the effectiveness of
24 the approaches taken under each pilot project
25 to improve the capability of the military and ci-

1 vilian health care systems to provide early diag-
2 nosis and treatment of post traumatic stress
3 disorder and other mental health conditions
4 among members of the Armed Forces.

5 (C) Any recommendations for legislative or
6 administrative action that the Secretary con-
7 siders appropriate in light of the pilot projects,
8 including recommendations on—

9 (i) the training of health care pro-
10 viders in the military and civilian health
11 care systems on early diagnosis and treat-
12 ment of post traumatic stress disorder and
13 other mental health conditions; and

14 (ii) the provision of outreach on post
15 traumatic stress disorder and other mental
16 health conditions to members of the Na-
17 tional Guard and Reserves who have re-
18 turned from deployment.

19 (D) A plan, in light of the pilot projects,
20 for the improvement of the health care services
21 provided to members of the Armed Forces in
22 order to better assure the early diagnosis and
23 treatment of post traumatic stress disorder and
24 other mental health conditions among members
25 of the Armed Forces, including a specific plan

1 for outreach on post traumatic stress disorder
2 and other mental health conditions to members
3 of the National Guard and Reserves who have
4 returned from deployment in order to facilitate
5 and enhance the early diagnosis and treatment
6 of post traumatic stress disorder and other
7 mental health conditions among such members
8 of the National Guard and Reserves.

9 **SEC. 742. REQUIREMENT TO CERTIFY AND REPORT ON**
10 **CONVERSION OF MILITARY MEDICAL AND**
11 **DENTAL POSITIONS TO CIVILIAN MEDICAL**
12 **AND DENTAL POSITIONS.**

13 (a) PROHIBITION ON CONVERSIONS.—

14 (1) SUBMISSION OF CERTIFICATION.—The Sec-
15 retary of a military department may not convert any
16 military medical or dental position to a civilian med-
17 ical or dental position in a fiscal year until the Sec-
18 retary submits to the congressional defense commit-
19 tees with respect to that fiscal year a certification
20 that the conversions within that department will not
21 increase cost or decrease quality of care or access to
22 care.

23 (2) REPORT ON CERTIFICATION.—Each certifi-
24 cation under paragraph (1) shall include a written
25 report setting forth the following:

1 (A) The methodology used by the Sec-
2 retary in making the determinations necessary
3 for the certification.

4 (B) The number of military medical or
5 dental positions, by grade or band and spe-
6 cialty, planned for conversion to civilian medical
7 or dental positions.

8 (C) The results of a market survey in each
9 affected area of the availability of civilian med-
10 ical and dental care providers in such area in
11 order to determine whether the civilian medical
12 and dental care providers available in such area
13 are adequate to fill the civilian positions created
14 by the conversion of military medical and dental
15 positions to civilian positions in such area.

16 (D) An analysis, by affected area, showing
17 the extent to which access to health care and
18 cost of health care will be affected in both the
19 direct care and purchased care systems, includ-
20 ing an assessment of the effect of any increased
21 shifts in patient load from the direct care to the
22 purchased care system, or any delays in receipt
23 of care in either the direct or purchased care
24 system because of the planned conversions.

1 (E) The extent to which military medical
2 and dental positions planned for conversion to
3 civilian medical or dental positions will affect
4 recruiting and retention of uniformed medical
5 and dental personnel.

6 (F) A comparison of the full costs for the
7 military medical and dental positions planned
8 for conversion with the estimated full costs for
9 civilian medical and dental positions, including
10 expenses such as recruiting, salary, benefits,
11 training, and any other costs the Department
12 identifies.

13 (G) An assessment showing that the mili-
14 tary medical or dental positions planned for
15 conversion are in excess of the military medical
16 and dental positions needed to meet medical
17 and dental readiness requirements of the uni-
18 formed services, as determined jointly by all the
19 uniformed services.

20 (H) An identification of each medical and
21 dental position scheduled to be converted to a
22 civilian position in the subsequent fiscal year,
23 including the location of each position scheduled
24 for conversion, the estimated cost of such con-
25 version, and whether or not civilian personnel

1 are available in the location for filling a con-
2 verted military medical or dental position.

3 (3) SUBMISSION DEADLINE.—A certification
4 and report with respect to any fiscal year after fiscal
5 year 2007 shall be submitted at the same time the
6 budget of the President for such fiscal year is sub-
7 mitted to Congress pursuant to section 1105(a) of
8 title 31, United States Code.

9 (b) REQUIREMENT FOR COMPTROLLER GENERAL
10 REVIEW.—Not later than 120 days after the submission
11 of the budget of the President for a fiscal year, the Comp-
12 troller General shall submit to the congressional defense
13 committees a report on any certifications and reports sub-
14 mitted with respect to that fiscal year under subsection
15 (a).

16 (c) REQUIREMENT TO RESUBMIT CERTIFICATION
17 AND REPORT REQUIRED BY PUBLIC LAW 109–163.—The
18 Secretary of each military department shall resubmit the
19 certification and report required by section 744(a) of the
20 National Defense Authorization Act for Fiscal Year 2006
21 (Public Law 109–163; 119 Stat. 3360; 10 U.S.C. 129c
22 note). Such resubmissions shall address in their entirety
23 the elements required by section 744(a)(2) of such Act.

24 (d) SPECIAL REQUIREMENTS FOR FISCAL YEAR
25 2007 CERTIFICATION.—

1 (1) LIST OF 2007 PLANNED CONVERSIONS.—

2 The report required by paragraph (2) of subsection
3 (a) with respect to fiscal year 2007 shall contain, in
4 addition to the elements required by that paragraph,
5 a list of each military medical or dental position
6 scheduled to be converted to a civilian medical or
7 dental position in fiscal year 2007.

8 (2) RESUBMISSION REQUIRED FIRST.—The cer-
9 tification and report required by subsection (a) with
10 respect to fiscal year 2007 may not be submitted
11 prior to the resubmission required by subsection (c).

12 (3) PROHIBITION ON CONVERSIONS DURING
13 FISCAL YEAR 2007.—No conversions of a military
14 medical or dental position may occur during fiscal
15 year 2007 prior to both the resubmission required
16 by subsection (c) and the submission of the certifi-
17 cation and report required by subsection (a).

18 (e) REPORT ON FISCAL YEAR 2008 CONVERSION.—
19 Not later than 90 days after the date of the enactment
20 of this Act, the Secretary of Defense shall submit to the
21 Committees on Armed Services of the Senate and House
22 of Representatives a report that identifies the military
23 medical or dental positions scheduled to be converted to
24 civilian medical or dental positions in fiscal year 2008.
25 Such report shall include the location of the positions

1 scheduled for conversion, the estimated cost of such con-
2 version, and whether or not civilian personnel are available
3 in the location for filling the proposed converted military
4 medical or dental position.

5 (f) DEFINITIONS.—In this section:

6 (1) The term “military medical or dental posi-
7 tion” means a position for the performance of health
8 care functions within the Armed Forces held by a
9 member of the Armed Forces.

10 (2) The term “civilian medical or dental posi-
11 tion” means a position for the performance of health
12 care functions within the Department of Defense
13 held by an employee of the Department or of a con-
14 tractor of the Department.

15 (3) The term “affected area” means an area in
16 which military medical or dental positions were con-
17 verted to civilian medical or dental positions before
18 October 1, 2004, or in which such conversions are
19 scheduled to occur in the future.

20 (4) The term “uniformed services” has the
21 meaning given that term in section 1072(1) of title
22 10, United States Code.

23 (5) The term “conversion”, with respect to a
24 military medical or dental position, means a change,
25 effective as of the date of the documentation by the

1 Department of Defense making the change, of the
2 position to a civilian medical or dental position.

3 **SEC. 743. THREE-YEAR EXTENSION OF JOINT INCENTIVES**
4 **PROGRAM ON SHARING OF HEALTH CARE RE-**
5 **SOURCES BY THE DEPARTMENT OF DEFENSE**
6 **AND DEPARTMENT OF VETERANS AFFAIRS.**

7 Section 8111(d)(3) of title 38, United States Code,
8 is amended by striking “September 30, 2007” and insert-
9 ing “September 30, 2010”.

10 **SEC. 744. TRAINING CURRICULA FOR FAMILY CAREGIVERS**
11 **ON CARE AND ASSISTANCE FOR MEMBERS**
12 **AND FORMER MEMBERS OF THE ARMED**
13 **FORCES WITH TRAUMATIC BRAIN INJURY.**

14 (a) TRAUMATIC BRAIN INJURY FAMILY CAREGIVER
15 PANEL.—

16 (1) ESTABLISHMENT.—The Secretary of De-
17 fense shall establish a panel within the Department
18 of Defense, to be known as the “Traumatic Brain
19 Injury Family Caregiver Panel”, to develop coordi-
20 nated, uniform, and consistent training curricula to
21 be used in training family members in the provision
22 of care and assistance to members and former mem-
23 bers of the Armed Forces with traumatic brain inju-
24 ries.

1 (2) MEMBERS.—The Traumatic Brain Injury
2 Family Caregiver Panel shall consist of 15 members
3 appointed by the Secretary of Defense from among
4 the following:

5 (A) Physicians, nurses, rehabilitation
6 therapists, and other individuals with an exper-
7 tise in caring for and assisting individuals with
8 traumatic brain injury, including persons who
9 specialize in caring for and assisting individuals
10 with traumatic brain injury incurred in combat.

11 (B) Representatives of family caregivers or
12 family caregiver associations.

13 (C) Health and medical personnel of the
14 Department of Defense and the Department of
15 Veterans Affairs with expertise in traumatic
16 brain injury and personnel and readiness rep-
17 resentatives of the Department of Defense with
18 expertise in traumatic brain injury.

19 (D) Psychologists or other individuals with
20 expertise in the mental health treatment and
21 care of individuals with traumatic brain injury.

22 (E) Experts in the development of training
23 curricula.

24 (F) Family members of members of the
25 Armed Forces with traumatic brain injury.

1 (G) Such other individuals the Secretary
2 considers appropriate.

3 (3) CONSULTATION.—In establishing the Trau-
4 matic Brain Injury Family Caregiver Panel and ap-
5 pointing the members of the Panel, the Secretary of
6 Defense shall consult with the Secretary of Veterans
7 Affairs.

8 (b) DEVELOPMENT OF CURRICULA.—

9 (1) DEVELOPMENT.—The Traumatic Brain In-
10 jury Family Caregiver Panel shall develop training
11 curricula to be used by family members of members
12 and former members of the Armed Forces on tech-
13 niques, strategies, and skills for care and assistance
14 for such members and former members with trau-
15 matic brain injury.

16 (2) SCOPE OF CURRICULA.—The curricula
17 shall—

18 (A) be based on empirical research and
19 validated techniques; and

20 (B) shall provide for training that permits
21 recipients to tailor caregiving to the unique cir-
22 cumstances of the member or former member of
23 the Armed Forces receiving care.

1 (3) PARTICULAR REQUIREMENTS.—In devel-
2 oping the curricula, the Traumatic Brain Injury
3 Family Caregiver Panel shall—

4 (A) specify appropriate training commen-
5 surate with the severity of traumatic brain in-
6 jury; and

7 (B) identify appropriate care and assist-
8 ance to be provided for the degree of severity of
9 traumatic brain injury for caregivers of various
10 levels of skill and capability.

11 (4) USE OF EXISTING MATERIALS.—In devel-
12 oping the curricula, the Traumatic Brain Injury
13 Family Caregiver Panel shall use and enhance any
14 existing training curricula, materials, and resources
15 applicable to such curricula as the Panel considers
16 appropriate.

17 (5) DEADLINE FOR DEVELOPMENT.—The
18 Traumatic Brain Injury Family Caregiver Panel
19 shall develop the curricula not later than one year
20 after the date of the enactment of this Act.

21 (c) DISSEMINATION OF CURRICULA.—

22 (1) DISSEMINATION MECHANISMS.—The Sec-
23 retary of Defense shall develop mechanisms for the
24 dissemination of the curricula developed under sub-
25 section (b)—

1 (A) to health care professionals who treat
2 or otherwise work with members and former
3 members of the Armed Forces with traumatic
4 brain injury;

5 (B) to family members affected by the
6 traumatic brain injury of such members and
7 former members; and

8 (C) to other care or support personnel who
9 may provide service to members or former
10 members affected by traumatic brain injury.

11 (2) USE OF EXISTING MECHANISMS.—In devel-
12 oping such mechanisms, the Secretary may use and
13 enhance existing mechanisms, including the Military
14 Severely Injured Center (authorized under section
15 564 of this Act) and the programs for service to se-
16 verely injured members established by the military
17 departments.

18 (d) REPORT.—Not later than one year after the de-
19 velopment of the curricula required by subsection (b), the
20 Secretary of Defense and the Secretary of Veterans Af-
21 fairs shall submit to the Committees on Armed Services
22 and Veterans Affairs of the Senate and the House of Rep-
23 resentatives a report on the following:

24 (1) The actions undertaken under this section.

1 (2) Recommendations for the improvement or
2 updating of training curriculum developed and pro-
3 vided under this section.

4 **SEC. 745. RECOGNITION OF REPRESENTATIVE LANE EVANS**
5 **UPON HIS RETIREMENT FROM THE HOUSE**
6 **OF REPRESENTATIVES.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) Representative Lane Evans was elected to
10 the House of Representatives in 1982 and is com-
11 pleting his 12th term representing the people of Illi-
12 nois' 17th Congressional district.

13 (2) As a member of the Committee on Armed
14 Services of the House of Representatives since 1988,
15 Representative Evans has worked to bring common
16 sense priorities to defense spending and strengthen
17 the military's conventional readiness.

18 (3) Representative Evans has served as the
19 ranking member of the Committee on Veterans' Af-
20 fairs of the House of Representatives since 1997 and
21 has been a tireless advocate for military veterans,
22 ensuring that veterans receive the medical care they
23 need and advocating for individuals suffering from
24 post-traumatic stress disorder and Gulf War Syn-
25 drome.

1 (5) Drawing on his own experience as a mem-
2 ber of the Marine Corps, Representative Evans has
3 tirelessly fought for both current members of the
4 Armed Forces and veterans and has been a leader
5 in legislative efforts to assist members exposed to
6 Agent Orange.

7 (4) Representative Evans' efforts to improve
8 the transition of individuals from military service to
9 the care of the Department of Veterans Affairs will
10 continue to benefit generations of veterans long into
11 the future.

12 (6) Representative Evans is credited with bring-
13 ing new services to veterans living in his Congres-
14 sional district, including outpatient clinics in the
15 Quad Cities and Quincy and the Quad-Cities Vet
16 Center.

17 (7) Representative Evans has worked with local
18 leaders to promote the Rock Island Arsenal and has
19 seen it win new jobs and missions through his sup-
20 port.

21 (b) RECOGNITION.—Congress recognizes and com-
22 mends Representative Lane Evans for his 24 years of
23 service to benefit the people of Illinois, members of the
24 Armed Forces and their families, veterans, and the United
25 States.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

- Sec. 801. Requirements management certification training program.
- Sec. 802. Additional requirements relating to technical data rights.
- Sec. 803. Study and report on revisions to Selected Acquisition Report requirements.
- Sec. 804. Biannual updates on implementation of acquisition reform in the Department of Defense.
- Sec. 805. Additional certification requirements for major defense acquisition programs before proceeding to Milestone B.
- Sec. 806. Original baseline estimate for major defense acquisition programs.
- Sec. 807. Lead system integrators.

Subtitle B—Acquisition Policy and Management

- Sec. 811. Time-certain development for Department of Defense information technology business systems.
- Sec. 812. Pilot program on time-certain development in acquisition of major weapon systems.
- Sec. 813. Establishment of Panel on Contracting Integrity.
- Sec. 814. Linking of award and incentive fees to acquisition outcomes.
- Sec. 815. Report on defense instruction relating to contractor personnel authorized to accompany Armed Forces.
- Sec. 816. Major automated information system programs.
- Sec. 817. Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies.
- Sec. 818. Determination of contract type for development programs.
- Sec. 819. Three-year extension of requirement for reports on commercial price trend analyses of the Department of Defense.
- Sec. 820. Government performance of critical acquisition functions.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

- Sec. 831. One-year extension of special temporary contract closeout authority.
- Sec. 832. Limitation on contracts for the acquisition of certain services.
- Sec. 833. Use of Federal supply schedules by State and local governments for goods and services for recovery from natural disasters, terrorism, or nuclear, biological, chemical, or radiological attack.
- Sec. 834. Waivers to extend task order contracts for advisory and assistance services.

Subtitle D—United States Defense Industrial Base Provisions

- Sec. 841. Assessment and annual report of United States defense industrial base capabilities and acquisitions of articles, materials, and supplies manufactured outside the United States.

Sec. 842. Protection of strategic materials critical to national security.

Sec. 843. Strategic Materials Protection Board.

Subtitle E—Other Matters

Sec. 851. Report on former Department of Defense officials employed by contractors of the Department of Defense.

Sec. 852. Report and regulations on excessive pass-through charges.

Sec. 853. Program manager empowerment and accountability.

Sec. 854. Joint policies on requirements definition, contingency program management, and contingency contracting.

Sec. 855. Clarification of authority to carry out certain prototype projects.

Sec. 856. Contracting with employers of persons with disabilities.

Sec. 857. Enhanced access for small business.

Sec. 858. Procurement goal for Hispanic-serving institutions.

1 **Subtitle A—Provisions Relating to** 2 **Major Defense Acquisition Pro-** 3 **grams**

4 **SEC. 801. REQUIREMENTS MANAGEMENT CERTIFICATION** 5 **TRAINING PROGRAM.**

6 (a) TRAINING PROGRAM.—

7 (1) REQUIREMENT.—The Under Secretary of
8 Defense for Acquisition, Technology, and Logistics,
9 in consultation with the Defense Acquisition Univer-
10 sity, shall develop a training program to certify mili-
11 tary and civilian personnel of the Department of De-
12 fense with responsibility for generating requirements
13 for major defense acquisition programs (as defined
14 in section 2430(a) of title 10, United States Code).

15 (2) COMPETENCY AND OTHER REQUIRE-
16 MENTS.—The Under Secretary shall establish com-
17 petency requirements for the personnel undergoing
18 the training program. The Under Secretary shall de-

1 fine the target population for such training program
2 by identifying which military and civilian personnel
3 should have responsibility for generating require-
4 ments. The Under Secretary also may establish
5 other training programs for personnel not subject to
6 chapter 87 of title 10, United States Code, who con-
7 tribute significantly to other types of acquisitions by
8 the Department of Defense.

9 (b) APPLICABILITY.—Effective on and after Sep-
10 tember 30, 2008, a member of the Armed Forces or an
11 employee of the Department of Defense with authority to
12 generate requirements for a major defense acquisition pro-
13 gram may not continue to participate in the requirements
14 generation process unless the member or employee suc-
15 cessfully completes the certification training program de-
16 veloped under this section.

17 (c) REPORTS.—The Secretary of Defense shall sub-
18 mit to the Committees on Armed Services of the Senate
19 and House of Representatives an interim report, not later
20 than March 1, 2007, and a final report, not later than
21 March 1, 2008, on the implementation of the training pro-
22 gram required under this section.

1 **SEC. 802. ADDITIONAL REQUIREMENTS RELATING TO**
2 **TECHNICAL DATA RIGHTS.**

3 (a) ADDITIONAL REQUIREMENTS RELATING TO
4 TECHNICAL DATA RIGHTS.—Section 2320 of title 10,
5 United States Code, is amended by adding at the end the
6 following new subsection:

7 “(e) The Secretary of Defense shall require program
8 managers for major weapon systems and subsystems of
9 major weapon systems to assess the long-term technical
10 data needs of such systems and subsystems and establish
11 corresponding acquisition strategies that provide for tech-
12 nical data rights needed to sustain such systems and sub-
13 systems over their life cycle. Such strategies may include
14 the development of maintenance capabilities within the
15 Department of Defense or competition for contracts for
16 sustainment of such systems or subsystems. Assessments
17 and corresponding acquisition strategies developed under
18 this section with respect to a weapon system or subsystem
19 shall—

20 “(1) be developed before issuance of a contract
21 solicitation for the weapon system or subsystem;

22 “(2) address the merits of including a priced
23 contract option for the future delivery of technical
24 data that were not acquired upon initial contract
25 award;

1 “(3) address the potential for changes in the
2 sustainment plan over the life cycle of the weapon
3 system or subsystem; and

4 “(4) apply to weapon systems and subsystems
5 that are to be supported by performance-based logis-
6 tics arrangements as well as to weapons systems and
7 subsystems that are to be supported by other
8 sustainment approaches.”.

9 (b) MODIFICATION OF PRESUMPTION OF DEVELOP-
10 MENT EXCLUSIVELY AT PRIVATE EXPENSE.—Section
11 2321(f) of title 10, United States Code, is amended—

12 (1) by striking “EXPENSE FOR COMMERCIAL
13 ITEMS CONTRACTS.—In” and inserting “EX-
14 PENSE.—(1) Except as provided in paragraph (2),
15 in”; and

16 (2) by adding at the end the following new
17 paragraph:

18 “(2) In the case of a challenge to a use or release
19 restriction that is asserted with respect to technical data
20 of a contractor or subcontractor (whether or not under
21 a contract for commercial items) for a major system or
22 a subsystem or component thereof on the basis that the
23 major system, subsystem or component was developed ex-
24 clusively at private expense, the challenge to the use or
25 release restriction shall be sustained unless information

1 provided by the contractor or subcontractor demonstrates
2 that the item was developed exclusively at private ex-
3 pense.”.

4 (c) REGULATIONS.—Not later than 180 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense shall revise regulations under section 2320 of title
7 10, United States Code, to implement subsection (e) of
8 such section (as added by this section), including incor-
9 porating policy changes developed under such subsection
10 into Department of Defense Directive 5000.1 and Depart-
11 ment of Defense Instruction 5000.2.

12 **SEC. 803. STUDY AND REPORT ON REVISIONS TO SELECTED**
13 **ACQUISITION REPORT REQUIREMENTS.**

14 (a) STUDY REQUIREMENT.—The Secretary of De-
15 fense, acting through the Under Secretary of Defense for
16 Acquisition, Technology, and Logistics in coordination
17 with the service acquisition executives of each military de-
18 partment, shall conduct a study on revisions to require-
19 ments relating to Selected Acquisition Reports, as set
20 forth in section 2432 of title 10, United States Code.

21 (b) MATTERS COVERED.—The study required under
22 subsection (a) shall—

23 (1) focus on incorporating into the Selected Ac-
24 quisition Report those elements of program progress
25 that the Department of Defense considers most rel-

1 evant to evaluating the performance and progress of
2 major defense acquisition programs, with particular
3 reference to the cost estimates and program sched-
4 ule established when a major defense acquisition
5 program receives Milestone B approval;

6 (2) address the need to ensure that data pro-
7 vided through the Selected Acquisition Report is
8 consistent with data provided through internal De-
9 partment of Defense reporting systems for manage-
10 ment purposes; and

11 (3) include any recommendations to add to,
12 modify, or delete elements of the Selected Acquisi-
13 tion Report, consistent with the findings of the
14 study.

15 (c) REPORT.—Not later than March 1, 2007, the
16 Secretary shall submit to the Committees on Armed Serv-
17 ices of the Senate and the House of Representatives a re-
18 port on the results of the study, including such rec-
19 ommendations as the Secretary considers appropriate.

20 **SEC. 804. BIENNIAL UPDATES ON IMPLEMENTATION OF**
21 **ACQUISITION REFORM IN THE DEPARTMENT**
22 **OF DEFENSE.**

23 (a) BIENNIAL UPDATES REQUIREMENT.—Not later
24 than January 1 and July 1 of each year, beginning with
25 January 1, 2007, the Secretary of Defense shall provide

1 to the Committees on Armed Services of the Senate and
2 the House of Representatives a report containing an up-
3 date on the implementation of plans to reform the acquisi-
4 tion system in the Department of Defense.

5 (b) MATTERS COVERED.—Each report provided
6 under subsection (a) shall cover the implementation of re-
7 forms of the processes for acquisition, including genera-
8 tion of requirements, award of contracts, and financial
9 management. At a minimum, the reports shall take into
10 account the recommendations made by the following:

11 (1) The Defense Acquisition Performance As-
12 sessment Panel.

13 (2) The Defense Science Board Summer Study
14 on Transformation, issued in February 2006.

15 (3) The Beyond Goldwater-Nichols Study of the
16 Center for Strategic and International Studies.

17 (4) The Quadrennial Defense Review, issued
18 February 6, 2006.

19 (c) RECOMMENDATIONS.—Each report submitted
20 under subsection (a) shall include such recommendations
21 as the Secretary considers appropriate, and implementa-
22 tion plans for the recommendations.

23 (d) TERMINATION OF REPORT REQUIREMENT.—The
24 requirement to submit reports under subsection (a) shall
25 terminate on December 31, 2008.

1 **SEC. 805. ADDITIONAL CERTIFICATION REQUIREMENTS**
2 **FOR MAJOR DEFENSE ACQUISITION PRO-**
3 **GRAMS BEFORE PROCEEDING TO MILESTONE**
4 **B.**

5 (a) ADDITIONAL CERTIFICATION REQUIREMENTS.—

6 Subsection (a) of section 2366a of title 10, United States
7 Code, is amended—

8 (1) by redesignating paragraph (7) as para-
9 graph (10);

10 (2) by redesignating paragraphs (1) through
11 (6) as paragraphs (2) through (7), respectively;

12 (3) by inserting before paragraph (2) (as so re-
13 designated) the following new paragraph (1):

14 “(1) appropriate market research has been con-
15 ducted prior to technology development to reduce
16 duplication of existing technology and products;”;

17 (4) in paragraph (7) (as so redesignated), by
18 striking “and” at the end; and

19 (5) by inserting after such paragraph (7) the
20 following new paragraphs:

21 “(8) reasonable cost and schedule estimates
22 have been developed to execute the product develop-
23 ment and production plan under the program;

24 “(9) funding is available to execute the product
25 development and production plan under the pro-
26 gram, through the period covered by the future-

1 years defense program submitted during the fiscal
2 year in which the certification is made, consistent
3 with the estimates described in paragraph (8) for
4 the program; and”.

5 (b) WAIVER FOR NATIONAL SECURITY.—Subsection
6 (c) of such section is amended by striking “(5), or (6)”
7 and inserting “(5), (6), (7), (8), or (9)”.

8 **SEC. 806. ORIGINAL BASELINE ESTIMATE FOR MAJOR DE-**
9 **FENSE ACQUISITION PROGRAMS.**

10 Section 2435(d)(1) of title 10, United States Code,
11 is amended by inserting after “with respect to the pro-
12 gram under subsection (a)” the following: “prepared be-
13 fore the program enters system development and dem-
14 onstration, or at program initiation, whichever occurs
15 later”.

16 **SEC. 807. LEAD SYSTEM INTEGRATORS.**

17 (a) LIMITATIONS ON CONTRACTORS ACTING AS LEAD
18 SYSTEM INTEGRATORS.—

19 (1) IN GENERAL.—Chapter 141 of title 10,
20 United States Code, is amended by adding at the
21 end the following new section:

22 **“§ 2410p. Contracts: limitations on lead system inte-**
23 **grators**

24 “(a) IN GENERAL.—Except as provided in subsection
25 (b), no entity performing lead system integrator functions

1 in the acquisition of a major system by the Department
2 of Defense may have any direct financial interest in the
3 development or construction of any individual system or
4 element of any system of systems.

5 “(b) EXCEPTION.—An entity described in subsection
6 (a) may have a direct financial interest in the development
7 or construction of an individual system or element of a
8 system of systems if—

9 “(1) the Secretary of Defense certifies to the
10 Committees on Armed Services of the Senate and
11 the House of Representatives that—

12 “(A) the entity was selected by the Depart-
13 ment of Defense as a contractor to develop or
14 construct the system or element concerned
15 through the use of competitive procedures; and

16 “(B) the Department took appropriate
17 steps to prevent any organizational conflict of
18 interest in the selection process; or

19 “(2) the entity was selected by a subcontractor
20 to serve as a lower-tier subcontractor, through a
21 process over which the entity exercised no control.

22 “(c) CONSTRUCTION.—Nothing in this section shall
23 be construed to preclude an entity described in subsection
24 (a) from performing work necessary to integrate two or

1 more individual systems or elements of a system of sys-
2 tems with each other.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of chapter 141 of such title
5 is amended by adding at the end the following new
6 item:

“2410p. Contracts: limitations on lead system integrators”.

7 (3) EFFECTIVE DATE.—Section 2410p of title
8 10, United States Code, as added by paragraph (1),
9 shall apply with respect to contracts entered into
10 after December 31, 2006.

11 (b) UPDATE OF REGULATIONS ON LEAD SYSTEM IN-
12 TEGRATORS.—Not later than December 31, 2006, the
13 Secretary of Defense shall update the acquisition regula-
14 tions of the Department of Defense in order to specify
15 fully in such regulations the matters with respect to lead
16 system integrators set forth in section 805(b) of the Na-
17 tional Defense Authorization Act for Fiscal Year 2006
18 (Public Law 109–163; 119 Stat. 3372) and the amend-
19 ments made by subsection (a).

20 (c) ADDITIONAL REPORT REQUIREMENTS.—The
21 Secretary of Defense shall include in the report required
22 by section 805 of such Act—

23 (1) a precise and comprehensive definition of
24 the term “lead system integrator”, as that term is
25 used in such section; and

1 2445c(d) of title 10, United States Code (as added by sec-
2 tion 816 of this Act).

3 (c) COVERED SYSTEMS.—An information system de-
4 scribed in this subsection is any Department of Defense
5 information technology business system that is not a na-
6 tional security system, as defined in 3542(b)(2) of title
7 44, United States Code.

8 (d) DEFINITIONS.—In this section:

9 (1) MILESTONE DECISION AUTHORITY.—The
10 term “milestone decision authority” has the meaning
11 given that term in Department of Defense Instruc-
12 tion 5000.2, dated May 12, 2003.

13 (2) MILESTONE A.—The term “Milestone A”
14 has the meaning given that term in Department of
15 Defense Instruction 5000.2, dated May 12, 2003.

16 **SEC. 812. PILOT PROGRAM ON TIME-CERTAIN DEVELOP-**
17 **MENT IN ACQUISITION OF MAJOR WEAPON**
18 **SYSTEMS.**

19 (a) PILOT PROGRAM AUTHORIZED.—The Secretary
20 of Defense may carry out a pilot program on the use of
21 time-certain development in the acquisition of major weap-
22 on systems.

23 (b) PURPOSE OF PILOT PROGRAM.—The purpose of
24 the pilot program authorized by subsection (a) is to assess
25 the feasibility and advisability of utilizing time-certain de-

1 velopment in the acquisition of major weapon systems in
2 order to deliver new capabilities to the warfighter more
3 rapidly through—

- 4 (1) disciplined decision-making;
- 5 (2) emphasis on technological maturity; and
- 6 (3) appropriate trade-offs between—
 - 7 (A) cost and system performance; and
 - 8 (B) program schedule.

9 (c) INCLUSION OF SYSTEMS IN PILOT PROGRAM.—

10 (1) IN GENERAL.—The Secretary of Defense
11 may include a major weapon system in the pilot pro-
12 gram only if—

13 (A) the major weapon system meets the
14 criteria under paragraph (2) in accordance with
15 that paragraph; and

16 (B) the Milestone Decision Authority
17 nominates such program to the Secretary of
18 Defense for inclusion in the program.

19 (2) CRITERIA.—For purposes of paragraph (1)
20 a major weapon system meets the criteria under this
21 paragraph only if the Milestone Decision Authority
22 determines, in consultation with the service acquisi-
23 tion executive for the military department carrying
24 out the acquisition program for the system and one

1 or more combatant commanders responsible for
2 fielding the system, that—

3 (A) the certification requirements of sec-
4 tion 2366a of title 10, United States Code (as
5 amended by section 805 of this Act), have been
6 met, and no waivers have been granted from
7 such requirements;

8 (B) a preliminary design has been reviewed
9 using systems engineering, and the system, as
10 so designed, will meet battlefield needs identi-
11 fied by the relevant combatant commanders
12 after appropriate requirements analysis;

13 (C) a representative model or prototype of
14 the system, or key subsystems, has been dem-
15 onstrated in a relevant environment, such as a
16 well-simulated operational environment;

17 (D) an independent cost estimate has been
18 conducted and used as the basis for funding re-
19 quirements for the acquisition program for the
20 system;

21 (E) the budget of the military department
22 responsible for carrying out the acquisition pro-
23 gram for the system provides the funding nec-
24 essary to execute the product development and

1 production plan consistent with the require-
2 ments identified pursuant to subparagraph (D);

3 (F) an appropriately qualified program
4 manager has entered into a performance agree-
5 ment with the Milestone Decision Authority
6 that establishes expected parameters for the
7 cost, schedule, and performance of the acquisi-
8 tion program for the system, consistent with a
9 business case for such acquisition program;

10 (G) the service acquisition executive and
11 the program manager have developed a strategy
12 to ensure stability in program management
13 until, at a minimum, the delivery of the initial
14 operational capability under the acquisition pro-
15 gram for the system has occurred;

16 (H) the service acquisition executive, the
17 relevant combatant commanders, and the pro-
18 gram manager have agreed that no additional
19 requirements that would be inconsistent with
20 the agreed-upon program schedule will be added
21 during the development phase of the acquisition
22 program for the system; and

23 (I) a planned initial operational capability
24 will be delivered to the relevant combatant com-
25 manders within a defined period of time as pre-

1 scribed in regulations by the Secretary of De-
2 fense.

3 (3) TIMING OF DECISION.—The decision wheth-
4 er to include a major weapon system in the pilot
5 program shall be made at the time of milestone ap-
6 proval for the acquisition program for the system.

7 (d) LIMITATION ON NUMBER OF WEAPONS SYSTEMS
8 IN PILOT PROGRAM.—The number of major weapon sys-
9 tems included in the pilot program at any time may not
10 exceed six major weapon systems.

11 (e) LIMITATION ON COST OF WEAPONS SYSTEMS IN
12 PILOT PROGRAM.—The Secretary of Defense may include
13 a major weapon system in the pilot program only if, at
14 the time a major weapon system is proposed for inclusion,
15 the total cost for system design and development of the
16 weapon system, as set forth in the cost estimate referred
17 to in subsection (c)(2)(D), does not exceed
18 \$1,000,000,000 during the period covered by the current
19 future-years defense program.

20 (f) SPECIAL FUNDING AUTHORITY.—

21 (1) AUTHORITY FOR RESERVE ACCOUNT.—Not-
22 withstanding any other provision of law, the Sec-
23 retary of Defense may establish a special reserve ac-
24 count utilizing funds made available for the major
25 weapon systems included in the pilot program.

1 (2) ELEMENTS.—The special reserve account
2 may include—

3 (A) funds made available for any major
4 weapon system included in the pilot program to
5 cover termination liability;

6 (B) funds made available for any major
7 weapon system included in the pilot program
8 for award fees that may be earned by contrac-
9 tors; and

10 (C) funds appropriated to the special re-
11 serve account.

12 (3) AVAILABILITY OF FUNDS.—Funds in the
13 special reserve account may be used, in accordance
14 with guidance issued by the Secretary for purposes
15 of this section, for the following purposes:

16 (A) To cover termination liability for any
17 major weapon system included in the pilot pro-
18 gram.

19 (B) To pay award fees that are earned by
20 any contractor for a major weapon system in-
21 cluded in the pilot program.

22 (C) To address unforeseen contingencies
23 that could prevent a major weapon system in-
24 cluded in the pilot program from meeting crit-
25 ical schedule or performance requirements.

1 (4) REPORTS ON USE OF FUNDS.—Not later
2 than 30 days after the use of funds in the special
3 reserve account for the purpose specified in para-
4 graph (3)(C), the Secretary shall submit to the con-
5 gressional defense committees a report on the use of
6 funds in the account for such purpose. The report
7 shall set forth the purposes for which the funds were
8 used and the reasons for the use of the funds for
9 such purposes.

10 (5) RELATIONSHIP TO APPROPRIATIONS.—
11 Nothing in this subsection may be construed as ex-
12 tending any period of time for which appropriated
13 funds are made available.

14 (g) ADMINISTRATION OF PILOT PROGRAM.—The
15 Secretary of Defense shall prescribe policies and proce-
16 dures on the administration of the pilot program. Such
17 policies and procedures shall—

18 (1) provide for the use of program status re-
19 ports based on earned value data to track progress
20 on a major weapon system under the pilot program
21 against baseline estimates applicable to such system
22 at each systems engineering technical review point;
23 and

24 (2) grant authority, to the maximum extent
25 practicable, to the program manager for the acquisi-

1 tion program for a major weapon system to make
2 key program decisions and trade-offs, subject to
3 management reviews only if cost or schedule devi-
4 ations exceed the baselines for such acquisition pro-
5 gram by 10 percent or more.

6 (h) REMOVAL OF WEAPONS SYSTEMS FROM PILOT
7 PROGRAM.—The Secretary of Defense shall remove a
8 major weapon system from the pilot program if—

9 (1) the weapon system receives Milestone C ap-
10 proval; or

11 (2) the Secretary determines that the weapon
12 system is no longer in substantial compliance with
13 the criteria in subsection (c)(2) or is otherwise no
14 longer appropriate for inclusion in the pilot program.

15 (i) EXPIRATION OF AUTHORITY TO INCLUDE ADDI-
16 TIONAL SYSTEMS IN PILOT PROGRAM.—

17 (1) EXPIRATION.—A major weapon system may
18 not be included in the pilot program after September
19 30, 2012.

20 (2) RETENTION OF SYSTEMS.—A major weapon
21 system included in the pilot program before the date
22 specified in paragraph (1) in accordance with the re-
23 quirements of this section may remain in the pilot
24 program after that date.

25 (j) ANNUAL REPORT.—

1 (1) IN GENERAL.—Not later than one year
2 after including the first major weapon system in the
3 pilot program, and annually thereafter, the Sec-
4 retary shall submit to the congressional defense com-
5 mittees a report on the pilot program, and the major
6 weapon systems included in the pilot program, dur-
7 ing the one-year period ending on the date of such
8 report.

9 (2) ELEMENTS.—Each report under this sub-
10 section shall include—

11 (A) a description of progress under the
12 pilot program, and on each major weapon sys-
13 tem included in the pilot program, during the
14 period covered by such report;

15 (B) a description of the use of all funds in
16 the special reserve account established under
17 subsection (f); and

18 (C) such other matters as the Secretary
19 considers appropriate.

20 (k) MAJOR WEAPON SYSTEM DEFINED.—In this sec-
21 tion, the term “major weapon system” means a weapon
22 system that is treatable as a major system under section
23 2302(5) of title 10, United States Code.

1 **SEC. 813. ESTABLISHMENT OF PANEL ON CONTRACTING IN-**
2 **TEGRITY.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall establish a panel to be known as the “Panel on
6 Contracting Integrity”.

7 (2) COMPOSITION.—The panel shall be com-
8 posed of the following:

9 (A) A representative of the Under Sec-
10 retary of Defense for Acquisition, Technology,
11 and Logistics, who shall be the chairman of the
12 panel.

13 (B) A representative of the service acqui-
14 sition executive of each military department.

15 (C) A representative of the Inspector Gen-
16 eral of the Department of Defense.

17 (D) A representative of the Inspector Gen-
18 eral of each military department.

19 (E) A representative of each Defense
20 Agency involved with contracting, as determined
21 appropriate by the Secretary of Defense.

22 (F) Such other representatives as may be
23 determined appropriate by the Secretary of De-
24 fense.

25 (b) DUTIES.—In addition to other matters assigned
26 to it by the Secretary of Defense, the panel shall—

1 (1) conduct reviews of progress made by the
2 Department of Defense to eliminate areas of vulner-
3 ability of the defense contracting system that allow
4 fraud, waste, and abuse to occur;

5 (2) review the report by the Comptroller Gen-
6 eral required by section 841 of the National Defense
7 Authorization Act for Fiscal Year 2006 (Public Law
8 109–163; 119 Stat. 3389), relating to areas of vul-
9 nerability of Department of Defense contracts to
10 fraud, waste, and abuse; and

11 (3) recommend changes in law, regulations, and
12 policy that it determines necessary to eliminate such
13 areas of vulnerability.

14 (c) MEETINGS.—The panel shall meet as determined
15 necessary by the Secretary of Defense but not less often
16 than once every six months.

17 (d) REPORT.—

18 (1) REQUIREMENT.—The panel shall prepare
19 and submit to the Secretary of Defense and the con-
20 gressional defense committees an annual report on
21 its activities. The report shall be submitted not later
22 than December 31 of each year and contain a sum-
23 mary of the panel’s findings and recommendations
24 for the year covered by the report.

1 (2) **FIRST REPORT.**—The first report under this
2 subsection shall be submitted not later than Decem-
3 ber 31, 2007, and shall contain an examination of
4 the current structure in the Department of Defense
5 for contracting integrity and recommendations for
6 any changes needed to the system of administrative
7 safeguards and disciplinary actions to ensure ac-
8 countability at the appropriate level for any viola-
9 tions of appropriate standards of behavior in con-
10 tracting.

11 (3) **INTERIM REPORTS.**—The panel may submit
12 such interim reports to the congressional defense
13 committees as the Secretary of Defense considers
14 appropriate.

15 (e) **TERMINATION.**—The panel shall terminate on De-
16 cember 31, 2009.

17 **SEC. 814. LINKING OF AWARD AND INCENTIVE FEES TO AC-**
18 **QUISITION OUTCOMES.**

19 (a) **GUIDANCE ON LINKING OF AWARD AND INCEN-**
20 **TIVE FEES TO ACQUISITION OUTCOMES.**—Not later than
21 180 days after the date of the enactment of this Act, the
22 Secretary of Defense shall issue guidance, with detailed
23 implementation instructions (including definitions), for
24 the Department of Defense on the appropriate use of

1 award and incentive fees in Department of Defense acqui-
2 sition programs.

3 (b) ELEMENTS.—The guidance under subsection (a)
4 shall—

5 (1) ensure that all new contracts using award
6 fees link such fees to acquisition outcomes (which
7 shall be defined in terms of program cost, schedule,
8 and performance);

9 (2) establish standards for identifying the ap-
10 propriate level of officials authorized to approve the
11 use of award and incentive fees in new contracts;

12 (3) provide guidance on the circumstances in
13 which contractor performance may be judged to be
14 “excellent” or “superior” and the percentage of the
15 available award fee which contractors should be paid
16 for such performance;

17 (4) establish standards for determining the per-
18 centage of the available award fee, if any, which con-
19 tractors should be paid for performance that is
20 judged to be “acceptable”, “average”, “expected”,
21 “good”, or “satisfactory”;

22 (5) ensure that no award fee may be paid for
23 contractor performance that is judged to be below
24 satisfactory performance or performance that does
25 not meet the basic requirements of the contract;

1 (6) provide specific direction on the cir-
2 cumstances, if any, in which it may be appropriate
3 to roll over award fees that are not earned in one
4 award fee period to a subsequent award fee period
5 or periods;

6 (7) ensure consistent use of guidelines and defi-
7 nitions relating to award and incentive fees across
8 the military departments and Defense Agencies;

9 (8) ensure that the Department of Defense—

10 (A) collects relevant data on award and in-
11 centive fees paid to contractors; and

12 (B) has mechanisms in place to evaluate
13 such data on a regular basis;

14 (9) include performance measures to evaluate
15 the effectiveness of award and incentive fees as a
16 tool for improving contractor performance and
17 achieving desired program outcomes; and

18 (10) provide mechanisms for sharing proven in-
19 centive strategies for the acquisition of different
20 types of products and services among contracting
21 and program management officials.

22 (c) ASSESSMENT OF INDEPENDENT EVALUATION
23 MECHANISMS.—

24 (1) IN GENERAL.—The Secretary of Defense
25 shall select a federally funded research and develop-

1 ment center to assess various mechanisms that could
2 be used to ensure an independent evaluation of con-
3 tractor performance for the purpose of making de-
4 terminations applicable to the judging and payment
5 of award fees.

6 (2) CONSIDERATIONS.—The assessment con-
7 ducted pursuant to paragraph (1) shall include con-
8 sideration of the advantages and disadvantages of a
9 system in which award fees are—

10 (A) held in a separate fund or funds of the
11 Department of Defense; and

12 (B) allocated to a specific program only
13 upon a determination by an independent board,
14 charged with comparing contractor performance
15 across programs, that such fees have been
16 earned by the contractor for such program.

17 (3) REPORT.—The Secretary shall submit to
18 the congressional defense committees a report on the
19 assessment conducted pursuant to paragraph (1) not
20 later than one year after the date of the enactment
21 of this Act.

1 **SEC. 815. REPORT ON DEFENSE INSTRUCTION RELATING**
2 **TO CONTRACTOR PERSONNEL AUTHORIZED**
3 **TO ACCOMPANY ARMED FORCES.**

4 (a) REPORT ON IMPLEMENTATION OF INSTRU-
5 TION.—The Secretary of Defense shall submit to Congress
6 a report on the Department of Defense instruction de-
7 scribed in subsection (c).

8 (b) MATTERS COVERED.—The report shall include
9 the following:

10 (1) Information on the status of the implemen-
11 tation of the instruction.

12 (2) A discussion of how the instruction is being
13 applied to—

14 (A) contracts in existence on the date the
15 instruction was issued, including contracts with
16 respect to which an option to extend is exer-
17 cised after such date;

18 (B) task orders issued under such con-
19 tracts after the date referred to in subpara-
20 graph (A); and

21 (C) contracts entered into after the date
22 referred to in subparagraph (A).

23 (3) An analysis of the effectiveness of the in-
24 struction.

25 (4) A review of compliance with the instruction.

1 (c) INSTRUCTION DESCRIBED.—The instruction re-
2 ferred to in this section is Department of Defense Instruc-
3 tion Number 3020.14, titled “Contractor Personnel Au-
4 thorized to Accompany the United States Armed Forces”.

5 **SEC. 816. MAJOR AUTOMATED INFORMATION SYSTEM PRO-**
6 **GRAMS.**

7 (a) REPORTS AND INFORMATION ON PROGRAM COST
8 AND PERFORMANCE.—

9 (1) IN GENERAL.—Part IV of subtitle A of title
10 10, United States Code, is amended by inserting
11 after chapter 144 the following new chapter:

12 **“CHAPTER 144A—MAJOR AUTOMATED**
13 **INFORMATION SYSTEM PROGRAMS**

“Sec.

“2445a. Major automated information system program defined.

“2445b. Cost, schedule, and performance information.

“2445c. Reports: quarterly reports; reports on program changes.

“2445d. Construction with other reporting requirements.

14 **“§ 2445a. Major automated information system pro-**
15 **gram defined**

16 “(a) IN GENERAL.—In this chapter, the term ‘major
17 automated information system program’ means a Depart-
18 ment of Defense program for the acquisition of an auto-
19 mated information system (either as a product or a serv-
20 ice) if—

21 “(1) the program is designated by the Secretary
22 of Defense, or a designee of the Secretary, as a
23 major automated information system program; or

1 “(2) the dollar value of the program is esti-
2 mated to exceed—

3 “(A) \$32,000,000 in fiscal year 2000 con-
4 stant dollars for all program costs in a single
5 fiscal year;

6 “(B) \$126,000,000 in fiscal year 2000
7 constant dollars for all program acquisition
8 costs for the entire program; or

9 “(C) \$378,000,000 in fiscal year 2000 con-
10 stant dollars for the total life-cycle costs of the
11 program (including operation and maintenance
12 costs).

13 “(b) ADJUSTMENT.—The Secretary of Defense may
14 adjust the amounts (and base fiscal year) set forth in sub-
15 section (a) on the basis of Department of Defense esca-
16 lation rates. An adjustment under this subsection shall be
17 effective after the Secretary transmits a written notifica-
18 tion of the adjustment to the congressional defense com-
19 mittees.

20 “(c) INCREMENTS.—In the event any increment of a
21 major automated information system program separately
22 meets the requirements for treatment as a major auto-
23 mated information system program, the provisions of this
24 chapter shall apply to such increment as well as to the

1 overall major automated information system program of
2 which such increment is a part.

3 **“§ 2445b. Cost, schedule, and performance informa-**
4 **tion**

5 “(a) SUBMITTAL OF COST, SCHEDULE, AND PER-
6 FORMANCE INFORMATION.—The Secretary of Defense
7 shall submit to Congress each calendar year, not later
8 than 45 days after the President submits to Congress the
9 budget for a fiscal year under section 1105 of title 31,
10 budget justification documents regarding cost, schedule,
11 and performance for each major automated information
12 system program for which funds are requested by the
13 President in the budget.

14 “(b) ELEMENTS.—The documents submitted under
15 subsection (a) with respect to a major automated informa-
16 tion system program shall include detailed and summa-
17 rized information with respect to the automated informa-
18 tion system to be acquired under the program, and shall
19 specifically include each of the following:

20 “(1) The development schedule, including major
21 milestones.

22 “(2) The implementation schedule, including es-
23 timates of milestone dates, initial operational capa-
24 bility, and full operational capability.

1 “(3) Estimates of development costs and full
2 life-cycle costs.

3 “(4) A summary of key performance param-
4 eters.

5 “(c) BASELINE.—(1) For purposes of this chapter,
6 the initial submittal to Congress of the documents re-
7 quired by subsection (a) with respect to a major auto-
8 mated information system program shall constitute the
9 original estimate or information originally submitted on
10 such program for purposes of the reports and determina-
11 tions on program changes in section 2445c of this title.

12 “(2) An adjustment or revision of the original esti-
13 mate or information originally submitted on a program
14 may be treated as the original estimate or information
15 originally submitted on the program if the adjustment or
16 revision is the result of a critical change in the program
17 covered by section 2445c(d) of this title.

18 “(3) In the event of an adjustment or revision to the
19 original estimate or information originally submitted on
20 a program under paragraph (2), the Secretary of Defense
21 shall include in the next budget justification documents
22 submitted under subsection (a) after such adjustment or
23 revision a notification to the congressional defense com-
24 mittees of such adjustment or revision, together with the
25 reasons for such adjustment or revision.

1 **“§ 2445c. Reports: quarterly reports; reports on pro-**
2 **gram changes**

3 “(a) QUARTERLY REPORTS BY PROGRAM MAN-
4 AGERS.—The program manager of a major automated in-
5 formation system program shall, on a quarterly basis, sub-
6 mit to the senior Department of Defense official respon-
7 sible for the program a written report identifying any vari-
8 ance in the projected development schedule, implementa-
9 tion schedule, life-cycle costs, or key performance param-
10 eters for the major automated information system to be
11 acquired under the program from such information as
12 originally submitted to Congress under section 2445b of
13 this title.

14 “(b) SENIOR OFFICIALS RESPONSIBLE FOR PRO-
15 GRAMS.—For purposes of this section, the senior Depart-
16 ment of Defense official responsible for a major automated
17 information system program is—

18 “(1) in the case of an automated information
19 system to be acquired for a military department, the
20 senior acquisition executive for the military depart-
21 ment; or

22 “(2) in the case of any other automated infor-
23 mation system to be acquired for the Department of
24 Defense or any component of the Department of De-
25 fense, the Under Secretary of Defense for Acquisi-
26 tion, Technology, and Logistics.

1 “(c) REPORT ON SIGNIFICANT CHANGES IN PRO-
2 GRAM.—

3 “(1) IN GENERAL.—If, based on a quarterly re-
4 port submitted by the program manager of a major
5 automated information system program pursuant to
6 subsection (a), the senior Department of Defense of-
7 ficial responsible for the program makes a deter-
8 mination described in paragraph (2), the official
9 shall, not later than 45 days after receiving such re-
10 port, notify the congressional defense committees in
11 writing of such determination.

12 “(2) COVERED DETERMINATION.—A determina-
13 tion described in this paragraph with respect to a
14 major automated information system program is a
15 determination that—

16 “(A) there has been a schedule change that
17 will cause a delay of more than six months but
18 less than a year in any program schedule mile-
19 stone or significant event from the schedule
20 originally submitted to Congress under para-
21 graph (1) or (2) of section 2445b(b) of this
22 title;

23 “(B) the estimated program development
24 cost or full life-cycle cost for the program has
25 increased by at least 15 percent, but less than

1 25 percent, over the original estimate submitted
2 to Congress under paragraph (3) of section
3 2445b(b) of this title; or

4 “(C) there has been a significant, adverse
5 change in the expected performance of the
6 major automated information system to be ac-
7 quired under the program from the parameters
8 originally submitted to Congress under para-
9 graph (4) of section 2445b(b) of this title.

10 “(d) REPORT ON CRITICAL CHANGES IN PRO-
11 GRAM.—

12 “(1) IN GENERAL.—If, based on a quarterly re-
13 port submitted by the program manager of a major
14 automated information system program pursuant to
15 subsection (a), the senior Department of Defense of-
16 ficial responsible for the program makes a deter-
17 mination described in paragraph (2), the official
18 shall, not later than 60 days after receiving such re-
19 port—

20 “(A) carry out an evaluation of the pro-
21 gram under subsection (e); and

22 “(B) submit, through the Secretary of De-
23 fense, to the congressional defense committees a
24 report meeting the requirements of subsection
25 (f).

1 “(2) COVERED DETERMINATION.—A determina-
2 tion described in this paragraph with respect to a
3 major automated information system program is a
4 determination that—

5 “(A) the system failed to achieve initial
6 operational capability within five years of mile-
7 stone A approval;

8 “(B) there has been a schedule change
9 that will cause a delay of one year or more in
10 any program schedule milestone or significant
11 event from the schedule originally submitted to
12 Congress under paragraph (1) or (2) of section
13 2445b(b) of this title;

14 “(C) the estimated program development
15 cost or full life-cycle cost for the program has
16 increased by 25 percent or more over the origi-
17 nal estimate submitted to Congress under para-
18 graph (3) of section 2445b(b) of this title; or

19 “(D) there has been a change in the ex-
20 pected performance of the major automated in-
21 formation system to be acquired under the pro-
22 gram that will undermine the ability of the sys-
23 tem to perform the functions anticipated at the
24 time information on the program was originally

1 submitted to Congress under section 2445b(b)
2 of this title.

3 “(e) PROGRAM EVALUATION.—The evaluation of a
4 major automated information system program conducted
5 under this subsection for purposes of subsection (d)(1)(A)
6 shall include an assessment of—

7 “(1) the projected cost and schedule for com-
8 pleting the program if current requirements are not
9 modified;

10 “(2) the projected cost and schedule for com-
11 pleting the program based on reasonable modifica-
12 tion of such requirements; and

13 “(3) the rough order of magnitude of the cost
14 and schedule for any reasonable alternative system
15 or capability.

16 “(f) REPORT ON CRITICAL PROGRAM CHANGES.—A
17 report on a major automated information system program
18 conducted under this subsection for purposes of subsection
19 (d)(1)(B) shall include a written certification (with sup-
20 porting explanation) stating that—

21 “(1) the automated information system to be
22 acquired under the program is essential to the na-
23 tional security or to the efficient management of the
24 Department of Defense;

1 the requirements of this chapter with respect to the pro-
2 gram are met.”.

3 (2) CLERICAL AMENDMENTS.—The tables of
4 chapters the beginning of subtitle A of such title,
5 and of part IV of subtitle A of such title, are each
6 amended by inserting after the item relating to
7 chapter 144 the following new item:

“144A. Major Automated Information System Programs 2445a”.

8 (b) REPORT ON REPORTING REQUIREMENTS APPLI-
9 CABLE TO MAJOR AUTOMATED INFORMATION SYSTEM
10 PROGRAMS.—Not later than 180 days after the date of
11 enactment of this Act, the Secretary of Defense shall sub-
12 mit to the congressional defense committees a report set-
13 ting forth the reporting requirements applicable to major
14 automated information system programs as of the date of
15 the report, including a specification of such reporting re-
16 quirements considered by the Secretary to be duplicative
17 or redundant.

18 (c) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendments made by
20 subsection (a) shall take effect on January 1, 2008,
21 and shall apply with respect to any major automated
22 information system program for which amounts are
23 requested in the budget of the President (as sub-
24 mitted to Congress under section 1105 of title 31,
25 United States Code) for a fiscal year after fiscal

1 year 2008, regardless of whether the acquisition of
2 the automated information system to be acquired
3 under the program was initiated before, on, or after
4 January 1, 2008.

5 (2) REPORT REQUIREMENT.—Subsection (b)
6 shall take effect on the date of the enactment of this
7 Act.

8 **SEC. 817. INTERNAL CONTROLS FOR PROCUREMENTS ON**
9 **BEHALF OF THE DEPARTMENT OF DEFENSE**
10 **BY CERTAIN NON-DEFENSE AGENCIES.**

11 (a) INSPECTOR GENERAL REVIEWS AND DETER-
12 MINATIONS.—

13 (1) IN GENERAL.—For each covered non-de-
14 fense agency, the Inspector General of the Depart-
15 ment of Defense and the Inspector General of such
16 non-defense agency shall, not later than March 15,
17 2007, jointly—

18 (A) review—

19 (i) the procurement policies, proce-
20 dures, and internal controls of such non-
21 defense agency that are applicable to the
22 procurement of property and services on
23 behalf of the Department by such non-de-
24 fense agency; and

1 (ii) the administration of those poli-
2 cies, procedures, and internal controls; and
3 (B) determine in writing whether—

4 (i) such non-defense agency is compli-
5 ant with defense procurement require-
6 ments;

7 (ii) such non-defense agency is not
8 compliant with defense procurement re-
9 quirements, but has a program or initiative
10 to significantly improve compliance with
11 defense procurement requirements;

12 (iii) neither of the conclusions stated
13 in clauses (i) and (ii) is correct in the case
14 of such non-defense agency; or

15 (iv) such non-defense agency is not
16 compliant with defense procurement re-
17 quirements to such an extent that the in-
18 terests of the Department of Defense are
19 at risk in procurements conducted by such
20 non-defense agency.

21 (2) ACTIONS FOLLOWING CERTAIN DETERMINA-
22 TIONS.—If the Inspectors General determine under
23 paragraph (1) that a conclusion stated in clause (ii),
24 (iii), or (iv) of subparagraph (B) of that paragraph
25 is correct in the case of a covered non-defense agen-

1 cy, such Inspectors General shall, not later than
2 June 15, 2008, jointly—

3 (A) conduct a second review, as described
4 in subparagraph (A) of that paragraph, regard-
5 ing such non-defense agency's procurement of
6 property or services on behalf of the Depart-
7 ment of Defense in fiscal year 2007; and

8 (B) determine in writing whether such
9 non-defense agency is or is not compliant with
10 defense procurement requirements.

11 (b) COMPLIANCE WITH DEFENSE PROCUREMENT
12 REQUIREMENTS.—For the purposes of this section, a cov-
13 ered non-defense agency is compliant with defense pro-
14 curement requirements if such non-defense agency's pro-
15 curement policies, procedures, and internal controls appli-
16 cable to the procurement of products and services on be-
17 half of the Department of Defense, and the manner in
18 which they are administered, are adequate to ensure such
19 non-defense agency's compliance with the requirements of
20 laws and regulations that apply to procurements of prop-
21 erty and services made directly by the Department of De-
22 fense.

23 (c) MEMORANDA OF UNDERSTANDING BETWEEN IN-
24 SPECTORS GENERAL.—

1 (1) IN GENERAL.—Not later than 60 days after
2 the date of the enactment of this Act, the Inspector
3 General of the Department of Defense and the In-
4 spector General of each covered non-defense agency
5 shall enter into a memorandum of understanding
6 with each other to carry out the reviews and make
7 the determinations required by this section.

8 (2) SCOPE OF MEMORANDA.—The Inspector
9 General of the Department of Defense and the In-
10 spector General of a covered non-defense agency
11 may by mutual agreement conduct separate reviews
12 of the procurement of property and services on be-
13 half of the Department of Defense that are con-
14 ducted by separate business units, or under separate
15 governmentwide acquisition contracts, of such non-
16 defense agency. In any case where such separate re-
17 views are conducted, the Inspectors General shall
18 make separate determinations under paragraph (1)
19 or (2) of subsection (a), as applicable, with respect
20 to each such separate review.

21 (d) LIMITATIONS ON PROCUREMENTS ON BEHALF OF
22 DEPARTMENT OF DEFENSE.—

23 (1) LIMITATION DURING REVIEW PERIOD.—
24 After March 15, 2007, and before June 16, 2008,
25 no official of the Department of Defense may, except

1 as provided in subsection (e) or (f), order, purchase,
2 or otherwise procure property or services in an
3 amount in excess of \$100,000 through a covered
4 non-defense agency for which a determination de-
5 scribed in clause (iii) or (iv) of paragraph (1)(B) of
6 subsection (a) has been made under subsection (a).

7 (2) LIMITATION AFTER REVIEW PERIOD.—After
8 June 15, 2008, no official of the Department of De-
9 fense may, except as provided in subsection (e) or
10 (f), order, purchase, or otherwise procure property
11 or services in an amount in excess of \$100,000
12 through a covered non-defense agency that, having
13 been subject to review under this section, has not
14 been determined under this section as being compli-
15 ant with defense procurement requirements.

16 (3) LIMITATION FOLLOWING FAILURE TO
17 REACH MOU.—Commencing on the date that is 60
18 days after the date of the enactment of this Act, if
19 a memorandum of understanding between the In-
20 spector General of the Department of Defense and
21 the Inspector General of a covered non-defense agen-
22 cy cannot be attained causing the review required by
23 this section to not be performed, no official of the
24 Department of Defense, except as provided in sub-
25 section (e) or (f), may order, purchase or otherwise

1 procure property or services in an amount in excess
2 of \$100,000 through such non-defense agency.

3 (e) EXCEPTION FROM APPLICABILITY OF LIMITA-
4 TIONS.—

5 (1) EXCEPTION.—No limitation applies under
6 subsection (d) with respect to the procurement of
7 property and services on behalf of the Department
8 of Defense by a covered non-defense agency during
9 any period that there is in effect a determination of
10 the Under Secretary of Defense for Acquisition,
11 Technology, and Logistics, made in writing, that it
12 is necessary in the interest of the Department of De-
13 fense to continue to procure property and services
14 through such non-defense agency.

15 (2) APPLICABILITY OF DETERMINATION.—A
16 written determination with respect to a covered non-
17 defense agency under paragraph (1) is in effect for
18 the period, not in excess of one year, that the Under
19 Secretary shall specify in the written determination.
20 The Under Secretary may extend from time to time,
21 for up to one year at a time, the period for which
22 the written determination remains in effect.

23 (f) TERMINATION OF APPLICABILITY OF LIMITA-
24 TIONS.—Subsection (d) shall cease to apply to a covered
25 non-defense agency on the date on which the Inspector

1 General of the Department of Defense and the Inspector
2 General of such non-defense agency jointly—

3 (1) determine that such non-defense agency is
4 compliant with defense procurement requirements;
5 and

6 (2) notify the Secretary of Defense of that de-
7 termination.

8 (g) IDENTIFICATION OF PROCUREMENTS MADE
9 DURING A PARTICULAR FISCAL YEAR.—For the purposes
10 of subsection (a), a procurement shall be treated as being
11 made during a particular fiscal year to the extent that
12 funds are obligated by the Department of Defense for that
13 procurement in that fiscal year.

14 (h) RESOLUTION OF DISAGREEMENTS.—If the In-
15 spector General of the Department of Defense and the In-
16 spector General of a covered non-defense agency are un-
17 able to agree on a joint determination under subsection
18 (a) or (f), a determination by the Inspector General of
19 the Department of Defense under such subsection shall
20 be conclusive for the purposes of this section.

21 (i) DEFINITIONS.—In this section:

22 (1) The term “covered non-defense agency”
23 means each of the following:

24 (A) The Department of Veterans Affairs.

25 (B) The National Institutes of Health.

1 (2) The term “governmentwide acquisition con-
2 tract”, with respect to a covered non-defense agency,
3 means a task or delivery order contract that—

4 (A) is entered into by the non-defense
5 agency; and

6 (B) may be used as the contract under
7 which property or services are procured for one
8 or more other departments or agencies of the
9 Federal Government.

10 **SEC. 818. DETERMINATION OF CONTRACT TYPE FOR DE-**
11 **VELOPMENT PROGRAMS.**

12 (a) **REPEAL OF SUPERSEDED REQUIREMENTS.**—Sec-
13 tion 807 of the National Defense Authorization Act, Fiscal
14 Year 1989 (10 U.S.C. 2304 note) is repealed.

15 (b) **MODIFICATION OF REGULATIONS.**—Not later
16 than 120 days after the date of the enactment of this Act,
17 the Secretary of Defense shall modify the regulations of
18 the Department of Defense regarding the determination
19 of contract type for development programs.

20 (c) **ELEMENTS.**—As modified under subsection (b),
21 the regulations shall require the Milestone Decision Au-
22 thority for a major defense acquisition program to select
23 the contract type for a development program at the time
24 of a decision on Milestone B approval (or Key Decision
25 Point B approval in the case of a space program) that

1 is consistent with the level of program risk for the pro-
2 gram. The Milestone Decision Authority may select—

- 3 (1) a fixed-price type contract (including a fixed
4 price incentive contract); or
- 5 (2) a cost type contract.

6 (d) CONDITIONS WITH RESPECT TO AUTHORIZATION
7 OF COST TYPE CONTRACT.—As modified under sub-
8 section (b), the regulations shall provide that the Mile-
9 stone Decision Authority may authorize the use of a cost
10 type contract under subsection (c) for a development pro-
11 gram only upon a written determination that—

- 12 (1) the program is so complex and technically
13 challenging that it would not be practicable to re-
14 duce program risk to a level that would permit the
15 use of a fixed-price type contract; and

- 16 (2) the complexity and technical challenge of
17 the program is not the result of a failure to meet the
18 requirements established in section 2366a of title
19 10, United States Code.

20 (e) JUSTIFICATION FOR SELECTION OF CONTRACT
21 TYPE.—As modified under subsection (b), the regulations
22 shall require the Milestone Decision Authority to docu-
23 ment the basis for the contract type selected for a pro-
24 gram. The documentation shall include an explanation of
25 the level of program risk for the program and, if the Mile-

1 stone Decision Authority determines that the level of pro-
2 gram risk is high, the steps that have been taken to reduce
3 program risk and reasons for proceeding with Milestone
4 B approval despite the high level of program risk.

5 **SEC. 819. THREE-YEAR EXTENSION OF REQUIREMENT FOR**
6 **REPORTS ON COMMERCIAL PRICE TREND**
7 **ANALYSES OF THE DEPARTMENT OF DE-**
8 **FENSE.**

9 Section 803(c)(4) of the Strom Thurmond National
10 Defense Authorization Act for Fiscal Year 1999 (10
11 U.S.C. 2306a note) is amended by striking “2006” and
12 inserting “2009”.

13 **SEC. 820. GOVERNMENT PERFORMANCE OF CRITICAL AC-**
14 **QUISITION FUNCTIONS.**

15 (a) GOAL.—It shall be the goal of the Department
16 of Defense and each of the military departments to ensure
17 that, within five years after the date of the enactment of
18 this Act, for each major defense acquisition program and
19 each major automated information system program, each
20 of the following positions is performed by a properly quali-
21 fied member of the Armed Forces or full-time employee
22 of the Department of Defense:

- 23 (1) Program manager.
24 (2) Deputy program manager.
25 (3) Chief engineer.

1 (4) Systems engineer.

2 (5) Cost estimator.

3 (b) PLAN OF ACTION.—Not later than six months
4 after the date of enactment of this Act, the Secretary of
5 Defense shall develop and begin implementation of a plan
6 of action for recruiting, training, and ensuring appropriate
7 career development of military and civilian personnel to
8 achieved the objective established in subsection (a). The
9 plan of action required by this subsection shall include
10 specific, measurable interim milestones.

11 (c) REPORTS.—Not later than one year after the date
12 of the enactment of this Act and each year thereafter, the
13 Secretary of Defense shall submit to the congressional de-
14 fense committees a report on the progress made by the
15 Department of Defense and the military departments to-
16 ward achieving the goal established in subsection (a).

17 (d) DEFINITIONS.—In this section:

18 (1) The term “major defense acquisition pro-
19 gram” has the meaning given such term in section
20 2430(a) of title 10, United States Code.

21 (2) The term “major automated information
22 system program” has the meaning given such term
23 in section 2445a(a) of title 10, United States Code
24 (as added by section 816 of this Act).

1 **Subtitle C—Amendments to Gen-**
2 **eral Contracting Authorities,**
3 **Procedures, and Limitations**

4 **SEC. 831. ONE-YEAR EXTENSION OF SPECIAL TEMPORARY**
5 **CONTRACT CLOSEOUT AUTHORITY.**

6 Section 804(d) of the National Defense Authorization
7 Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat.
8 1542) is amended by striking “September 30, 2006” and
9 inserting “September 30, 2007”.

10 **SEC. 832. LIMITATION ON CONTRACTS FOR THE ACQUISSI-**
11 **TION OF CERTAIN SERVICES.**

12 (a) **LIMITATION.**—Except as provided in subsection
13 (b), the Secretary of Defense may not enter into a service
14 contract to acquire a military flight simulator.

15 (b) **WAIVER.**—The Secretary of Defense may waive
16 subsection (a) with respect to a contract if the Secretary—

17 (1) determines that a waiver is necessary for
18 national security purposes; and

19 (2) provides to the congressional defense com-
20 mittees an economic analysis as described in sub-
21 section (c) at least 30 days before the waiver takes
22 effect.

23 (c) **ECONOMIC ANALYSIS.**—The economic analysis
24 provided under subsection (b) shall include, at a minimum,
25 the following:

1 (1) A clear explanation of the need for the con-
2 tract.

3 (2) An examination of at least two alternatives
4 for fulfilling the requirements that the contract is
5 meant to fulfill, including the following with respect
6 to each alternative:

7 (A) A rationale for including the alter-
8 native.

9 (B) A cost estimate of the alternative and
10 an analysis of the quality of each cost estimate.

11 (C) A discussion of the benefits to be real-
12 ized from the alternative.

13 (D) A best value determination of each al-
14 ternative and a detailed explanation of the life-
15 cycle cost calculations used in the determina-
16 tion.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “military flight simulator” means
19 any major system to simulate the form, fit, and
20 function of a military aircraft that has no commonly
21 available commercial variant.

22 (2) The term “service contract” means any con-
23 tract entered into by the Department of Defense the
24 principal purpose of which is to furnish services in

1 the United States through the use of service employ-
2 ees.

3 (3) The term “service employees” has the
4 meaning provided in section 8(b) of the Service Con-
5 tract Act of 1965 (41 U.S.C. 357(b)).

6 **SEC. 833. USE OF FEDERAL SUPPLY SCHEDULES BY STATE**
7 **AND LOCAL GOVERNMENTS FOR GOODS AND**
8 **SERVICES FOR RECOVERY FROM NATURAL**
9 **DISASTERS, TERRORISM, OR NUCLEAR, BIO-**
10 **LOGICAL, CHEMICAL, OR RADIOLOGICAL AT-**
11 **TACK.**

12 (a) AUTHORITY TO USE SUPPLY SCHEDULES FOR
13 CERTAIN GOODS AND SERVICES.—Section 502 of title 40,
14 United States Code, is amended by adding at the end the
15 following new subsection:

16 “(d) USE OF SUPPLY SCHEDULES FOR CERTAIN
17 GOODS AND SERVICES.—

18 “(1) IN GENERAL.—The Administrator may
19 provide for the use by State or local governments of
20 Federal supply schedules of the General Services Ad-
21 ministration for goods or services that are to be used
22 to facilitate recovery from a major disaster declared
23 by the President under the Robert T. Stafford Dis-
24 aster Relief and Emergency Assistance Act (42
25 U.S.C. 5121 et seq.) or to facilitate recovery from

1 terrorism or nuclear, biological, chemical, or radio-
2 logical attack.

3 “(2) DETERMINATION BY SECRETARY OF
4 HOMELAND SECURITY.—The Secretary of Homeland
5 Security shall determine which goods and services
6 qualify as goods and services described in paragraph
7 (1) before the Administrator provides for the use of
8 the Federal supply schedule relating to such goods
9 and services.

10 “(3) VOLUNTARY USE.—In the case of the use
11 by a State or local government of a Federal supply
12 schedule pursuant to paragraph (1), participation by
13 a firm that sells to the Federal Government through
14 the supply schedule shall be voluntary with respect
15 to a sale to the State or local government through
16 such supply schedule.

17 “(4) DEFINITIONS.—The definitions in sub-
18 section (c)(3) shall apply for purposes of this sub-
19 section.”.

20 (b) PROCEDURES.—Not later than 30 days after the
21 date of the enactment of this Act, the Administrator of
22 General Services shall establish procedures to implement
23 subsection (d) of section 502 of title 40, United States
24 Code (as added by subsection (a)).

1 **SEC. 834. WAIVERS TO EXTEND TASK ORDER CONTRACTS**
2 **FOR ADVISORY AND ASSISTANCE SERVICES.**

3 (a) DEFENSE CONTRACTS.—

4 (1) WAIVER AUTHORITY.—The head of an
5 agency may issue a waiver to extend a task order
6 contract entered into under section 2304b of title
7 10, United States Code, for a period not exceeding
8 10 years, through five one-year options, if the head
9 of the agency determines in writing—

10 (A) that the contract provides engineering
11 or technical services of such a unique and sub-
12 stantial technical nature that award of a new
13 contract would be harmful to the continuity of
14 the program for which the services are per-
15 formed;

16 (B) that award of a new contract would
17 create a large disruption in services provided to
18 the Department of Defense; and

19 (C) that the Department of Defense would,
20 through award of a new contract, endure pro-
21 gram risk during critical program stages due to
22 loss of program corporate knowledge of ongoing
23 program activities.

24 (2) DELEGATION.— The authority of the head
25 of an agency under paragraph (1) may be delegated

1 only to the senior procurement executive of the
2 agency.

3 (3) REPORT.—Not later than April 1, 2007, the
4 Secretary of Defense shall submit to the Committees
5 on Armed Services of the Senate and the House of
6 Representatives a report on advisory and assistance
7 services. The report shall include the following infor-
8 mation:

9 (A) The methods used by the Department
10 of Defense to identify a contract as an advisory
11 and assistance services contract, as defined in
12 section 2304b of title 10, United States Code.

13 (B) The number of such contracts awarded
14 by the Department during the five-year period
15 preceding the date of the enactment of this Act.

16 (C) The average annual expenditures by
17 the Department for such contracts.

18 (D) The average length of such contracts.

19 (E) The number of such contracts recom-
20 peted and awarded to the previous award win-
21 ner.

22 (4) PROHIBITION ON USE OF AUTHORITY BY
23 DEPARTMENT OF DEFENSE IF REPORT NOT SUB-
24 MITTED.—The head of an agency may not issue a
25 waiver under paragraph (1) if the report required by

1 paragraph (3) is not submitted by the date set forth
2 in that paragraph.

3 (b) CIVILIAN AGENCY CONTRACTS.—

4 (1) WAIVER AUTHORITY.—The head of an execu-
5 tive agency may issue a waiver to extend a task
6 order contract entered into under section 303I of the
7 Federal Property and Administrative Services Act of
8 1949 (41 U.S.C. 253i) for a period not exceeding 10
9 years, through five one-year options, if the head of
10 the agency determines in writing—

11 (A) that the contract provides engineering
12 or technical services of such a unique and sub-
13 stantial technical nature that award of a new
14 contract would be harmful to the continuity of
15 the program for which the services are per-
16 formed;

17 (B) that award of a new contract would
18 create a large disruption in services provided to
19 the executive agency; and

20 (C) that the executive agency would,
21 through award of a new contract, endure pro-
22 gram risk during critical program stages due to
23 loss of program corporate knowledge of ongoing
24 program activities.

1 (2) DELEGATION.— The authority of the head
2 of an executive agency under paragraph (1) may be
3 delegated only to the Chief Acquisition Officer of the
4 agency (or the senior procurement executive in the
5 case of an agency for which a Chief Acquisition Offi-
6 cer has not been appointed or designated under sec-
7 tion 16(a) of the Office of Federal Procurement Pol-
8 icy Act (41 U.S.C. 414(a))).

9 (3) REPORT.—Not later than April 1, 2007, the
10 Administrator for Federal Procurement Policy shall
11 submit to the Committee on Homeland Security and
12 Governmental Affairs of the Senate and the Com-
13 mittee on Government Reform of the House of Rep-
14 resentatives a report on advisory and assistance
15 services. The report shall include the following infor-
16 mation:

17 (A) The methods used by executive agen-
18 cies to identify a contract as an advisory and
19 assistance services contract, as defined in sec-
20 tion 303I(i) of the Federal Property and Ad-
21 ministrative Services Act of 1949 (41 U.S.C.
22 253i(i)).

23 (B) The number of such contracts awarded
24 by each executive agency during the five-year

1 period preceding the date of the enactment of
2 this Act.

3 (C) The average annual expenditures by
4 each executive agency for such contracts.

5 (D) The average length of such contracts.

6 (E) The number of such contracts recom-
7 peted and awarded to the previous award win-
8 ner.

9 (4) PROHIBITION ON USE OF AUTHORITY BY
10 EXECUTIVE AGENCIES IF REPORT NOT SUB-
11 MITTED.—The head of an executive agency may not
12 issue a waiver under paragraph (1) if the report re-
13 quired by paragraph (3) is not submitted by the
14 date set forth in that paragraph.

15 (c) TERMINATION OF AUTHORITY.—A waiver may
16 not be issued under this section after December 31, 2011.

17 (d) COMPTROLLER GENERAL REVIEW.—

18 (1) REPORT REQUIREMENT.—Not later than
19 one year after the date of the enactment of this Act,
20 the Comptroller General shall submit to the commit-
21 tees described in paragraph (3) a report on the use
22 of advisory and assistance services contracts by the
23 Federal Government.

1 (2) DEFENSE AND CIVILIAN AGENCY CON-
2 TRACTS COVERED.—The report shall cover both of
3 the following:

4 (A) Advisory and assistance services con-
5 tracts as defined in section 2304b of title 10,
6 United States Code.

7 (B) Advisory and assistance services con-
8 tracts as defined in section 303I(i) of the Fed-
9 eral Property and Administrative Services Act
10 of 1949 (41 U.S.C. 253i(i)).

11 (3) MATTERS COVERED.—The report shall ad-
12 dress the following issues:

13 (A) The extent to which executive agencies
14 and elements of the Department of Defense re-
15 quire advisory and assistance services for peri-
16 ods of greater than five years.

17 (B) The extent to which such advisory and
18 assistance services are provided by the same
19 contractors under recurring contracts.

20 (C) The rationale for contracting for advi-
21 sory and assistance services that will be needed
22 on a continuing basis, rather than performing
23 the services inside the Federal Government.

24 (D) The contract types and oversight
25 mechanisms used by the Federal Government in

1 contracts for advisory and assistance services
2 and the extent to which such contract types and
3 oversight mechanisms are adequate to protect
4 the interests of the Government and taxpayers.

5 (E) The actions taken by the Federal Gov-
6 ernment to prevent organizational conflicts of
7 interest and improper personal services con-
8 tracts in its contracts for advisory and assist-
9 ance services.

10 (4) COMMITTEES.—The committees described
11 in this paragraph are the following:

12 (A) The Committees on Armed Services
13 and on Homeland Security and Governmental
14 Affairs of the Senate.

15 (B) The Committees on Armed Services
16 and on Government Reform of the House of
17 Representatives.

1 **Subtitle D—United States Defense**
2 **Industrial Base Provisions**

3 **SEC. 841. ASSESSMENT AND ANNUAL REPORT OF UNITED**
4 **STATES DEFENSE INDUSTRIAL BASE CAPA-**
5 **BILITIES AND ACQUISITIONS OF ARTICLES,**
6 **MATERIALS, AND SUPPLIES MANUFACTURED**
7 **OUTSIDE THE UNITED STATES.**

8 Section 812 of the National Defense Authorization
9 Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat.
10 1542) is amended—

11 (1) by amending the heading to read as follows:

12 **“SEC. 812. ASSESSMENT AND ANNUAL REPORT OF UNITED**
13 **STATES DEFENSE INDUSTRIAL BASE CAPA-**
14 **BILITIES AND ACQUISITIONS OF ARTICLES,**
15 **MATERIALS, AND SUPPLIES MANUFACTURED**
16 **OUTSIDE THE UNITED STATES.”;**

17 (2) by adding at the end of subsection (c)(2)(A)
18 the following new clauses:

19 “(v) The dollar value of any articles, materials,
20 or supplies purchased that were manufactured out-
21 side of the United States.

22 “(vi) An itemized list of all waivers granted
23 with respect to such articles, materials, or supplies
24 under the Buy American Act (41 U.S.C. 10a et
25 seq.).

1 “(vii) A summary of—

2 “(I) the total procurement funds expended
3 on articles, materials, and supplies manufac-
4 tured inside the United States; and

5 “(II) the total procurement funds ex-
6 pended on articles, materials, and supplies man-
7 ufactured outside the United States.”; and

8 (3) by adding at the end the following new sub-
9 sections:

10 “(d) PUBLIC AVAILABILITY.—The Secretary of De-
11 fense shall make the report submitted under subsection
12 (c) publicly available to the maximum extent practicable.

13 “(e) APPLICABILITY.—This section shall not apply to
14 acquisitions made by an agency, or component thereof,
15 that is an element of the intelligence community as set
16 forth in or designated under section 3(4) of the National
17 Security Act of 1947 (50 U.S.C. 401a(4)).”.

18 **SEC. 842. PROTECTION OF STRATEGIC MATERIALS CRIT-**
19 **ICAL TO NATIONAL SECURITY.**

20 (a) REQUIREMENT TO BUY FROM AMERICAN
21 SOURCES.—

22 (1) IN GENERAL.—Subchapter V of chapter
23 148 of title 10, United States Code, is amended by
24 inserting after section 2533a the following new sec-
25 tion:

1 **“§ 2533b. Requirement to buy strategic materials crit-**
2 **ical to national security from American**
3 **sources; exceptions**

4 “(a) REQUIREMENT.—Except as provided in sub-
5 sections (b) through (j), funds appropriated or otherwise
6 available to the Department of Defense may not be used
7 for procurement of—

8 “(1) the following types of end items, or compo-
9 nents thereof, containing a specialty metal not melt-
10 ed or produced in the United States: aircraft, missile
11 and space systems, ships, tank and automotive
12 items, weapon systems, or ammunition; or

13 “(2) a specialty metal that is not melted or pro-
14 duced in the United States and that is to be pur-
15 chased directly by the Department of Defense or a
16 prime contractor of the Department.

17 “(b) AVAILABILITY EXCEPTION.—(1) Subsection (a)
18 does not apply to the extent that the Secretary of Defense
19 or the Secretary of the military department concerned de-
20 termines that compliant specialty metal of satisfactory
21 quality and sufficient quantity, and in the required form,
22 cannot be procured as and when needed. For purposes of
23 the preceding sentence, the term ‘compliant specialty
24 metal’ means specialty metal melted or produced in the
25 United States.

1 “(2) This subsection applies to prime contracts and
2 subcontracts at any tier under such contracts.

3 “(c) EXCEPTION FOR CERTAIN PROCUREMENTS.—
4 Subsection (a) does not apply to the following:

5 “(1) Procurements outside the United States in
6 support of combat operations or in support of con-
7 tingency operations.

8 “(2) Procurements for which the use of proce-
9 dures other than competitive procedures has been
10 approved on the basis of section 2304(c)(2) of this
11 title, relating to unusual and compelling urgency of
12 need.

13 “(d) EXCEPTION RELATING TO AGREEMENTS WITH
14 FOREIGN GOVERNMENTS.—Subsection (a)(1) does not
15 preclude the procurement of a specialty metal if—

16 “(1) the procurement is necessary—

17 “(A) to comply with agreements with for-
18 eign governments requiring the United States
19 to purchase supplies from foreign sources for
20 the purposes of offsetting sales made by the
21 United States Government or United States
22 firms under approved programs serving defense
23 requirements; or

24 “(B) in furtherance of agreements with
25 foreign governments in which both such govern-

1 ments agree to remove barriers to purchases of
2 supplies produced in the other country or serv-
3 ices performed by sources of the other country;
4 and

5 “(2) any such agreement with a foreign govern-
6 ment complies, where applicable, with the require-
7 ments of section 36 of the Arms Export Control Act
8 (22 U.S.C. 2776) and with section 2457 of this title.

9 “(e) EXCEPTION FOR COMMISSARIES, EXCHANGES,
10 AND OTHER NONAPPROPRIATED FUND INSTRUMENTAL-
11 ITIES.—Subsection (a) does not apply to items purchased
12 for resale purposes in commissaries, exchanges, and non-
13 appropriated fund instrumentalities operated by the De-
14 partment of Defense.

15 “(f) EXCEPTION FOR SMALL PURCHASES.—Sub-
16 section (a) does not apply to procurements in amounts not
17 greater than the simplified acquisition threshold referred
18 to in section 2304(g) of this title.

19 “(g) EXCEPTION FOR PURCHASES OF ELECTRONIC
20 COMPONENTS.—Subsection (a) does not apply to procure-
21 ments of commercially available electronic components
22 whose specialty metal content is de minimis in value com-
23 pared to the overall value of the lowest level electronic
24 component produced that contains such specialty metal.

1 “(h) APPLICABILITY TO PROCUREMENTS OF COM-
2 MERCIAL ITEMS.—This section applies to procurements of
3 commercial items notwithstanding section 34 of the Office
4 of Federal Procurement Policy Act (41 U.S.C. 430).

5 “(i) SPECIALTY METAL DEFINED.—In this section,
6 the term ‘specialty metal’ means any of the following:

7 “(1) Steel—

8 “(A) with a maximum alloy content ex-
9 ceeding one or more of the following limits:
10 manganese, 1.65 percent; silicon, 0.60 percent;
11 or copper, 0.60 percent; or

12 “(B) containing more than 0.25 percent of
13 any of the following elements: aluminum, chro-
14 mium, cobalt, columbium, molybdenum, nickel,
15 titanium, tungsten, or vanadium.

16 “(2) Metal alloys consisting of nickel, iron-nick-
17 el, and cobalt base alloys containing a total of other
18 alloying metals (except iron) in excess of 10 percent.

19 “(3) Titanium and titanium alloys.

20 “(4) Zirconium and zirconium base alloys.

21 “(j) ADDITIONAL DEFINITIONS.—In this section:

22 “(1) The term ‘United States’ includes posses-
23 sions of the United States.

1 “(2) The term ‘component’ has the meaning
2 provided in section 4 of the Office of Federal Pro-
3 curement Policy Act (41 U.S.C. 403).”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of such subchapter is amend-
6 ed by adding at the end the following new item:

 “2533b. Requirement to buy strategic materials critical to national security from
 American sources; exceptions.”.

7 (3) CONFORMING AMENDMENTS.—Section
8 2533a of title 10, United States Code, is amended—

9 (A) by striking paragraph (2) of subsection
10 (b) and redesignating paragraph (3) of such
11 subsection as paragraph (2);

12 (B) in subsection (c), by striking “or spe-
13 cialty metals (including stainless steel flat-
14 ware)”; and

15 (C) in subsection (e)—

16 (i) by striking “SPECIALTY METALS
17 AND” in the heading; and

18 (ii) by striking “specialty metals or”.

19 (4) EFFECTIVE DATES.—

20 (A) Section 2533b of title 10, United
21 States Code, as added by paragraph (1), shall
22 apply with respect to contracts entered into
23 after the date occurring 30 days after the date
24 of the enactment of this Act.

1 (B) The amendments made by paragraph
2 (3) shall take effect on the date occurring 30
3 days after the date of the enactment of this
4 Act.

5 (b) ONE-TIME WAIVER OF SPECIALTY METALS DO-
6 MESTIC SOURCE REQUIREMENT.—

7 (1) AUTHORITY.—The Secretary of Defense or
8 the Secretary of a military department may accept
9 specialty metals if such metals were incorporated
10 into items produced, manufactured, or assembled in
11 the United States before the date of the enactment
12 of this Act with respect to which the contracting of-
13 ficer for the contract determines that the contractor
14 is not in compliance with section 2533b of title 10,
15 United States Code (as added by subsection (a)(1)),
16 if—

17 (A) the contracting officer for the contract
18 determines in writing that—

19 (i) it would not be practical or eco-
20 nomical to remove or replace the specialty
21 metals incorporated in such items or to
22 substitute items containing compliant ma-
23 terials;

24 (ii) the prime contractor and subcon-
25 tractor responsible for providing items con-

1 taining non-compliant materials have in
2 place an effective plan to ensure compli-
3 ance with section 2533b of title 10, United
4 States Code (as so added), with regard to
5 items containing specialty metals if such
6 metals were incorporated into items pro-
7 duced, manufactured, or assembled in the
8 United States after the date of the enact-
9 ment of this Act; and

10 (iii) the non-compliance is not know-
11 ing or willful; and

12 (B) the Under Secretary of Defense for
13 Acquisition, Technology, and Logistics or the
14 service acquisition executive of the military de-
15 partment concerned approves the determina-
16 tion.

17 (2) NOTICE.—Not later than 15 days after a
18 contracting officer makes a determination under
19 paragraph (1)(A) with respect to a contract, the
20 contracting officer shall post a notice on
21 FedBizOpps.gov that a waiver has been granted for
22 the contract under this subsection.

23 (3) DEFINITION.—In this subsection, the term
24 “FedBizOpps.gov” means the website maintained by

1 the General Services Administration known as
2 FedBizOpps.gov (or any successor site).

3 (4) TERMINATION OF AUTHORITY.—A con-
4 tracting officer may exercise the authority under this
5 subsection only with respect to the delivery of items
6 the final acceptance of which takes place after the
7 date of the enactment of this Act and before Sep-
8 tember 30, 2010.

9 **SEC. 843. STRATEGIC MATERIALS PROTECTION BOARD.**

10 (a) IN GENERAL.—Chapter 7 of title 10, United
11 States Code, is amended by adding at the end the fol-
12 lowing new section:

13 **“§ 187. Strategic Materials Protection Board**

14 “(a) ESTABLISHMENT.—(1) The Secretary of De-
15 fense shall establish a Strategic Materials Protection
16 Board.

17 “(2) The Board shall be composed of representatives
18 of the following:

19 “(A) The Secretary of Defense, who shall be
20 the chairman of the Board.

21 “(B) The Under Secretary of Defense for Ac-
22 quisition, Technology, and Logistics.

23 “(C) The Under Secretary of Defense for Intel-
24 ligence.

25 “(D) The Secretary of the Army.

1 “(E) The Secretary of the Navy.

2 “(F) The Secretary of the Air Force.

3 “(b) DUTIES.—In addition to other matters assigned
4 to it by the Secretary of Defense, the Board shall—

5 “(1) determine the need to provide a long term
6 domestic supply of materials designated as critical to
7 national security to ensure that national defense
8 needs are met;

9 “(2) analyze the risk associated with each mate-
10 rial designated as critical to national security and
11 the effect on national defense that the nonavail-
12 ability of such material from a domestic source
13 would have;

14 “(3) recommend a strategy to the President to
15 ensure the domestic availability of materials des-
16 igned as critical to national security;

17 “(4) recommend such other strategies to the
18 President as the Board considers appropriate to
19 strengthen the industrial base with respect to mate-
20 rials critical to national security; and

21 “(5) publish not less frequently than once every
22 two years in the Federal Register recommendations
23 regarding materials critical to national security, in-
24 cluding a list of specialty metals, if any, rec-
25 ommended for addition to, or removal from, the defi-

1 nition of ‘specialty metal’ for purposes of section
2 2533b of this title.

3 “(c) MEETINGS.—The Board shall meet as deter-
4 mined necessary by the Secretary of Defense but not less
5 frequently than once every two years to make rec-
6 ommendations regarding materials critical to national se-
7 curity as described in subsection (b)(5).

8 “(d) REPORTS.—After each meeting of the Board,
9 the Board shall prepare and submit to Congress a report
10 containing the results of the meeting and such rec-
11 ommendations as the Board determines appropriate.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of such chapter is amended by adding
14 at the end the following new item:

“187. Strategic Materials Protection Board.”.

15 (c) FIRST MEETING OF BOARD.—The first meeting
16 of the Strategic Materials Protection Board, established
17 by section 187 of title 10, United States Code (as added
18 by subsection (a)) shall be not later than 180 days after
19 the date of the enactment of this Act.

20 **Subtitle E—Other Matters**

21 **SEC. 851. REPORT ON FORMER DEPARTMENT OF DEFENSE** 22 **OFFICIALS EMPLOYED BY CONTRACTORS OF** 23 **THE DEPARTMENT OF DEFENSE.**

24 (a) REPORT REQUIRED.—Not later than December
25 1, 2007, the Comptroller General shall submit to the Com-

1 mittees on Armed Services of the Senate and House of
2 Representatives a report on the employment of former of-
3 ficials of the Department of Defense by major defense con-
4 tractors during the most recent calendar year for which,
5 in the judgment of the Comptroller General, data are rea-
6 sonably available. The report shall assess the extent to
7 which former officials of the Department of Defense who
8 served in acquisition-related positions were provided com-
9 pensation by major defense contractors during such cal-
10 endar year.

11 (b) OBJECTIVES OF REPORT.—The objectives of the
12 report required by subsection (a) shall be to determine the
13 effectiveness of existing statutes and regulations governing
14 the employment of former Department of Defense officials
15 by defense contractors, including section 207 of title 18,
16 United States Code, and section 27 of the Office of Fed-
17 eral Procurement Policy Act (41 U.S.C. 423). At a min-
18 imum, the report shall assess the extent to which such
19 former officials who receive compensation from defense
20 contractors have been assigned by those contractors to
21 work on—

22 (1) Department of Defense contracts or pro-
23 grams for which such former officials personally had
24 program oversight responsibility or decision-making

1 authority when they served in the Department of
2 Defense; or

3 (2) Department of Defense contracts or pro-
4 grams which are the responsibility of the agency, of-
5 fice, or command in which such former officials
6 served in the Department of Defense.

7 (c) CONFIDENTIALITY REQUIREMENT.—The report
8 required by subsection (a) shall not include the names of
9 specific former Department of Defense officials who re-
10 ceive compensation from defense contractors or informa-
11 tion from which such individuals could be identified.

12 (d) ACCESS TO INFORMATION.—In accordance with
13 the contract clause required pursuant to section 2313(c)
14 of title 10, United States Code, a major defense contractor
15 shall provide the Comptroller General access to informa-
16 tion requested by the Comptroller General for the purpose
17 of this review regarding former officials of the Department
18 of Defense who have received compensation from the con-
19 tractor during the relevant calendar year.

20 (e) DEFINITIONS.—In this section:

21 (1) MAJOR DEFENSE CONTRACTOR.—The term
22 “major defense contractor” includes any company
23 that received more than \$500,000,000 in contract
24 awards from the Department of Defense in fiscal
25 year 2005.

1 (2) FORMER DEPARTMENT OF DEFENSE OFFI-
2 CIAL.—The term “former Department of Defense of-
3 ficial” means either of the following:

4 (A) A former Department of Defense em-
5 ployee.

6 (B) A former or retired member of the
7 Armed Forces.

8 **SEC. 852. REPORT AND REGULATIONS ON EXCESSIVE PASS-**
9 **THROUGH CHARGES.**

10 (a) COMPTROLLER GENERAL REPORT ON EXCESSIVE
11 PASS-THROUGH CHARGES.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the
14 Comptroller General shall issue a report on pass-
15 through charges on contracts or subcontracts (or
16 task or delivery orders) that are entered into for or
17 on behalf of the Department of Defense.

18 (2) MATTERS COVERED.—The report issued
19 under this subsection—

20 (A) shall assess the extent to which the
21 Department of Defense has paid excessive pass-
22 through charges to contractors who provided lit-
23 tle or no value to the performance of the con-
24 tract;

1 (B) shall assess the extent to which the
2 Department has been particularly vulnerable to
3 excessive pass-through charges on any specific
4 category of contracts or by any specific category
5 of contractors (including any category of small
6 business); and

7 (C) shall determine the extent to which
8 any prohibition on excessive pass-through
9 charges would be inconsistent with existing
10 commercial practices for any specific category
11 of contracts or have an unjustified adverse ef-
12 fect on any specific category of contractors (in-
13 cluding any category of small business).

14 (b) REGULATIONS REQUIRED.—

15 (1) IN GENERAL.—Not later than May 1, 2007,
16 the Secretary of Defense shall prescribe regulations
17 to ensure that pass-through charges on contracts or
18 subcontracts (or task or delivery orders) that are en-
19 tered into for or on behalf of the Department of De-
20 fense are not excessive in relation to the cost of
21 work performed by the relevant contractor or sub-
22 contractor.

23 (2) SCOPE OF REGULATIONS.—The regulations
24 prescribed under this subsection—

1 (A) shall not apply to any firm, fixed-price
2 contract or subcontract (or task or delivery
3 order) that is—

4 (i) awarded on the basis of adequate
5 price competition; or

6 (ii) for the acquisition of a commercial
7 item, as defined in section 4(12) of the Of-
8 fice of Federal Procurement Policy Act (41
9 U.S.C. 403(12)); and

10 (B) may include such additional exceptions
11 as the Secretary determines to be necessary in
12 the interest of the national defense.

13 (3) DEFINITION.—In this section, the term “ex-
14 cessive pass-through charge”, with respect to a con-
15 tractor or subcontractor that adds no, or negligible,
16 value to a contract or subcontract, means a charge
17 to the Government by the contractor or subcon-
18 tractor that is for overhead or profit on work per-
19 formed by a lower-tier contractor or subcontractor
20 (other than charges for the direct costs of managing
21 lower-tier contracts and subcontracts and overhead
22 and profit based on such direct costs).

23 (4) REPORT.—Not later than one year after the
24 date of the enactment of this Act, the Secretary of
25 Defense shall submit to the congressional defense

1 committees a report on the steps taken to implement
2 the requirements of this subsection, including—

3 (A) any standards for determining when
4 no, or negligible, value has been added to a con-
5 tract by a contractor or subcontractor;

6 (B) any procedures established for pre-
7 venting excessive pass-through charges; and

8 (C) any exceptions determined by the Sec-
9 retary to be necessary in the interest of the na-
10 tional defense.

11 (5) EFFECTIVE DATE.—The regulations pre-
12 scribed under this subsection shall apply to contracts
13 awarded for or on behalf of the Department of De-
14 fense on or after May 1, 2007.

15 **SEC. 853. PROGRAM MANAGER EMPOWERMENT AND AC-**
16 **COUNTABILITY.**

17 (a) STRATEGY.—The Secretary of Defense shall de-
18 velop a comprehensive strategy for enhancing the role of
19 Department of Defense program managers in developing
20 and carrying out defense acquisition programs.

21 (b) MATTERS TO BE ADDRESSED.—The strategy re-
22 quired by this section shall address, at a minimum—

23 (1) enhanced training and educational opportu-
24 nities for program managers;

1 (2) increased emphasis on the mentoring of cur-
2 rent and future program managers by experienced
3 senior executives and program managers within the
4 Department;

5 (3) improved career paths and career opportu-
6 nities for program managers;

7 (4) additional incentives for the recruitment
8 and retention of highly qualified individuals to serve
9 as program managers;

10 (5) improved resources and support (including
11 systems engineering expertise, cost estimating exper-
12 tise, and software development expertise) for pro-
13 gram managers;

14 (6) improved means of collecting and dissemi-
15 nating best practices and lessons learned to enhance
16 program management throughout the Department;

17 (7) common templates and tools to support im-
18 proved data gathering and analysis for program
19 management and oversight purposes;

20 (8) increased accountability of program man-
21 agers for the results of defense acquisition pro-
22 grams; and

23 (9) enhanced monetary and nonmonetary
24 awards for successful accomplishment of program
25 objectives by program managers.

1 (c) GUIDANCE ON TENURE AND ACCOUNTABILITY OF
2 PROGRAM MANAGERS BEFORE MILESTONE B.—Not later
3 than 180 days after the date of the enactment of this Act,
4 the Secretary of Defense shall revise Department of De-
5 fense guidance for major defense acquisition programs to
6 address the qualifications, resources, responsibilities, ten-
7 ure, and accountability of program managers for the pro-
8 gram development period (before Milestone B approval (or
9 Key Decision Point B approval in the case of a space pro-
10 gram)).

11 (d) GUIDANCE ON TENURE AND ACCOUNTABILITY OF
12 PROGRAM MANAGERS AFTER MILESTONE B.—Not later
13 than 180 days after the date of enactment of this Act,
14 the Secretary of Defense shall revise Department of De-
15 fense guidance for major defense acquisition programs to
16 address the qualifications, resources, responsibilities, ten-
17 ure and accountability of program managers for the pro-
18 gram execution period (from Milestone B approval (or Key
19 Decision Point B approval in the case of a space program)
20 until the delivery of the first production units of a pro-
21 gram). The guidance issued pursuant to this subsection
22 shall address, at a minimum—

23 (1) the need for a performance agreement be-
24 tween a program manager and the milestone deci-
25 sion authority for the program, setting forth ex-

1 pected parameters for cost, schedule, and perform-
2 ance, and appropriate commitments by the program
3 manager and the milestone decision authority to en-
4 sure that such parameters are met;

5 (2) authorities available to the program man-
6 ager, including, to the extent appropriate, the au-
7 thority to object to the addition of new program re-
8 quirements that would be inconsistent with the pa-
9 rameters established at Milestone B (or Key Deci-
10 sion Point B in the case of a space program) and
11 reflected in the performance agreement; and

12 (3) the extent to which a program manager for
13 such period should continue in the position without
14 interruption until the delivery of the first production
15 units of the program.

16 (e) REPORTS.—

17 (1) REPORT BY SECRETARY OF DEFENSE.—Not
18 later than 270 days after the date of enactment of
19 this Act, the Secretary of Defense shall submit to
20 the congressional defense committees a report on the
21 strategy developed pursuant to subsection (a) and
22 the guidance issued pursuant to subsections (b) and
23 (c).

24 (2) REPORT BY COMPTROLLER GENERAL.—Not
25 later than one year after the date of enactment of

1 this Act, the Comptroller General shall submit to the
2 congressional defense committees a report on the ac-
3 tions taken by the Secretary of Defense to imple-
4 ment the requirements of this section.

5 **SEC. 854. JOINT POLICIES ON REQUIREMENTS DEFINITION,**
6 **CONTINGENCY PROGRAM MANAGEMENT,**
7 **AND CONTINGENCY CONTRACTING.**

8 (a) IN GENERAL.—

9 (1) JOINT POLICY REQUIREMENT.—Chapter
10 137 of title 10, United States Code, is amended by
11 adding at the end the following new section:

12 **“§ 2333. Joint policies on requirements definition,**
13 **contingency program management, and**
14 **contingency contracting**

15 “(a) JOINT POLICY REQUIREMENT.—The Secretary
16 of Defense, in consultation with the Chairman of the Joint
17 Chiefs of Staff, shall develop joint policies for require-
18 ments definition, contingency program management, and
19 contingency contracting during combat operations and
20 post-conflict operations.

21 “(b) REQUIREMENTS DEFINITION MATTERS COV-
22 ERED.—The joint policy for requirements definition re-
23 quired by subsection (a) shall, at a minimum, provide for
24 the following:

1 “(1) The assignment of a senior commissioned
2 officer or civilian member of the senior executive
3 service, with appropriate experience and qualifica-
4 tions related to the definition of requirements to be
5 satisfied through acquisition contracts (such as for
6 delivery of products or services, performance of
7 work, or accomplishment of a project), to act as
8 head of requirements definition and coordination
9 during combat operations, post-conflict operations,
10 and contingency operations, if required, including
11 leading a requirements review board involving all or-
12 ganizations concerned.

13 “(2) An organizational approach to require-
14 ments definition and coordination during combat op-
15 erations, post-conflict operations, and contingency
16 operations that is designed to ensure that require-
17 ments are defined in a way that effectively imple-
18 ments United States Government and Department
19 of Defense objectives, policies, and decisions regard-
20 ing the allocation of resources, coordination of inter-
21 agency efforts in the theater of operations, and
22 alignment of requirements with the proper use of
23 funds.

24 “(c) CONTINGENCY PROGRAM MANAGEMENT MAT-
25 TERS COVERED.—The joint policy for contingency pro-

1 gram management required by subsection (a) shall, at a
2 minimum, provide for the following:

3 “(1) The assignment of a senior commissioned
4 officer or civilian member of the senior executive
5 service, with appropriate program management expe-
6 rience and qualifications, to act as head of program
7 management during combat operations, post-conflict
8 operations, and contingency operations, including
9 stabilization and reconstruction operations involving
10 multiple United States Government agencies and
11 international organizations, if required.

12 “(2) A preplanned organizational approach to
13 program management during combat operations,
14 post-conflict operations, and contingency operations
15 that is designed to ensure that the Department of
16 Defense is prepared to conduct such program man-
17 agement.

18 “(3) Identification of a deployable cadre of ex-
19 perts, with the appropriate tools and authority, and
20 trained in processes under paragraph (6).

21 “(4) Utilization of the hiring and appointment
22 authorities necessary for the rapid deployment of
23 personnel to ensure the availability of key personnel
24 for sufficient lengths of time to provide for con-
25 tinuing program and project management.

1 “(5) A requirement to provide training (includ-
2 ing training under a program to be created by the
3 Defense Acquisition University) to program manage-
4 ment personnel in—

5 “(A) the use of laws, regulations, policies,
6 and directives related to program management
7 in combat or contingency environments;

8 “(B) the integration of cost, schedule, and
9 performance objectives into practical acquisition
10 strategies aligned with available resources and
11 subject to effective oversight; and

12 “(C) procedures of the Department of De-
13 fense related to funding mechanisms and con-
14 tingency contract management.

15 “(6) Appropriate steps to ensure that training
16 is maintained for such personnel even when they are
17 not deployed in a contingency operation.

18 “(7) Such steps as may be needed to ensure
19 jointness and cross-service coordination in the area
20 of program management during contingency oper-
21 ations.

22 “(d) CONTINGENCY CONTRACTING MATTERS COV-
23 ERED.—(1) The joint policy for contingency contracting
24 required by subsection (a) shall, at a minimum, provide
25 for the following:

1 “(A) The designation of a senior commissioned
2 officer or civilian member of the senior executive
3 service in each military department with the respon-
4 sibility for administering the policy.

5 “(B) The assignment of a senior commissioned
6 officer with appropriate acquisition experience and
7 qualifications to act as head of contingency con-
8 tracting during combat operations, post-conflict op-
9 erations, and contingency operations, who shall re-
10 port directly to the commander of the combatant
11 command in whose area of responsibility the oper-
12 ations occur.

13 “(C) A sourcing approach to contingency con-
14 tracting that is designed to ensure that each military
15 department is prepared to conduct contingency con-
16 tracting during combat operations, post-conflict op-
17 erations, and contingency operations, including sta-
18 bilization and reconstruction operations involving
19 interagency organizations, if required.

20 “(D) A requirement to provide training (includ-
21 ing training under a program to be created by the
22 Defense Acquisition University) to contingency con-
23 tracting personnel in—

1 “(i) the use of law, regulations, policies,
2 and directives related to contingency con-
3 tracting operations;

4 “(ii) the appropriate use of rapid acquisi-
5 tion methods, including the use of exceptions to
6 competition requirements under section 2304 of
7 this title, sealed bidding, letter contracts, indefi-
8 nite delivery indefinite quantity task orders, set
9 asides under section 8(a) of the Small Business
10 Act (15 U.S.C. 637(a)), undefinitized contract
11 actions, and other tools available to expedite the
12 delivery of goods and services during combat
13 operations or post-conflict operations;

14 “(iii) the appropriate use of rapid acquisi-
15 tion authority, commanders’ emergency re-
16 sponse program funds, and other tools unique
17 to contingency contracting; and

18 “(iv) instruction on the necessity for the
19 prompt transition from the use of rapid acquisi-
20 tion authority to the use of full and open com-
21 petition and other methods of contracting that
22 maximize transparency in the acquisition proc-
23 ess.

1 “(E) Appropriate steps to ensure that training
2 is maintained for such personnel even when they are
3 not deployed in a contingency operation.

4 “(F) Such steps as may be needed to ensure
5 jointness and cross-service coordination in the area
6 of contingency contracting.

7 “(2) To the extent practicable, the joint policy for
8 contingency contracting required by subsection (a) should
9 be taken into account in the development of interagency
10 plans for stabilization and reconstruction operations, con-
11 sistent with the report submitted by the President under
12 section 1035 of this Act on interagency operating proce-
13 dures for the planning and conduct of stabilization and
14 reconstruction operations.

15 “(e) DEFINITIONS.—In this section:

16 “(1) CONTINGENCY CONTRACTING PER-
17 SONNEL.—The term ‘contingency contracting per-
18 sonnel’ means members of the armed forces and ci-
19 vilian employees of the Department of Defense who
20 are members of the defense acquisition workforce
21 and, as part of their duties, are assigned to provide
22 support to contingency operations (whether deployed
23 or not).

24 “(2) CONTINGENCY CONTRACTING.—The term
25 ‘contingency contracting’ means all stages of the

1 process of acquiring property or services by the De-
2 partment of Defense during a contingency operation.

3 “(3) CONTINGENCY OPERATION.—The term
4 ‘contingency operation’ has the meaning provided in
5 section 101(13) of this title.

6 “(4) ACQUISITION SUPPORT AGENCIES.—The
7 term ‘acquisition support agencies’ means Defense
8 Agencies and Department of Defense Field Activities
9 that carry out and provide support for acquisition-
10 related activities.

11 “(5) CONTINGENCY PROGRAM MANAGEMENT.—
12 The term ‘contingency program management’ means
13 the process of planning, organizing, staffing, control-
14 ling, and leading the combined efforts of partici-
15 pating civilian and military personnel and organiza-
16 tions for the management of a specific defense ac-
17 quisition program or programs during combat oper-
18 ations, post-conflict operations, and contingency op-
19 erations.

20 “(6) REQUIREMENTS DEFINITION.—The term
21 ‘requirements definition’ means the process of trans-
22 lating policy objectives and mission needs into spe-
23 cific requirements, the description of which will be
24 the basis for awarding acquisition contracts for

1 projects to be accomplished, work to be performed,
2 or products to be delivered.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such chapter is amended
5 by adding at the end the following new item:

“2333. Joint policies on requirements definition, contingency contracting, and
program management.”.

6 (b) DEADLINE FOR DEVELOPMENT OF JOINT POLI-
7 CIES.—The Secretary of Defense shall develop the joint
8 policies required under section 2333 of title 10, United
9 States Code, as added by subsection (a), not later than
10 18 months after the date of enactment of this Act.

11 (c) REPORTS.—

12 (1) INTERIM REPORT.—

13 (A) REQUIREMENT.—Not later than 365
14 days after the date of the enactment of this
15 Act, the Secretary of Defense shall submit to
16 the Committees on Armed Services of the Sen-
17 ate and the House of Representatives an in-
18 terim report on requirements definition, contin-
19 gency contracting, and program management.

20 (B) MATTERS COVERED.—The report shall
21 include discussions of the following:

22 (i) Progress in the development of the
23 joint policies under section 2333 of title
24 10, United States Code.

1 (ii) The ability of the Armed Forces
2 to support requirements definition, contin-
3 gency contracting, and program manage-
4 ment.

5 (iii) The ability of commanders of
6 combatant commands to request require-
7 ments definition, contingency contracting,
8 or program management support, and the
9 ability of the military departments and the
10 acquisition support agencies to respond to
11 such requests and provide such support,
12 including the availability of rapid acqui-
13 sition personnel for such support.

14 (iv) The ability of the current civilian
15 and military acquisition workforce to de-
16 ploy to combat theaters of operations and
17 to conduct requirements definition, contin-
18 gency contracting, or program manage-
19 ment activities during combat and during
20 post-conflict, reconstruction, or other con-
21 tingency operations.

22 (v) The effect of different periods of
23 deployment on continuity in the acquisition
24 process.

1 (2) FINAL REPORT.—Not later than 18 months
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall submit to the committees re-
4 ferred to in paragraph (1)(A) a final report on re-
5 quirements definition, contingency contracting, and
6 program management, containing a discussion of the
7 implementation of the joint policies developed under
8 section 2333 of title 10, United States Code (as so
9 added), including updated discussions of the matters
10 covered in the interim report. In addition, the report
11 should include a discussion of the actions taken to
12 ensure that the joint policies will be adequately
13 resourced at the time of execution.

14 **SEC. 855. CLARIFICATION OF AUTHORITY TO CARRY OUT**
15 **CERTAIN PROTOTYPE PROJECTS.**

16 Section 845(a) of the National Defense Authorization
17 Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amend-
18 ed—

19 (1) in paragraph (2)(A), by inserting “or, for
20 the Defense Advanced Projects Agency or the Mis-
21 sile Defense Agency, the director of the agency”
22 after “(41 U.S.C. 414(c))”; and

23 (2) in paragraph (3), by inserting “or director
24 of the Defense Advanced Projects Agency or Missile
25 Defense Agency” after “executive”.

1 **SEC. 856. CONTRACTING WITH EMPLOYERS OF PERSONS**
2 **WITH DISABILITIES.**

3 (a) INAPPLICABILITY OF CERTAIN LAWS.—

4 (1) INAPPLICABILITY OF THE RANDOLPH-
5 SHEPPARD ACT TO CONTRACTS AND SUBCONTRACTS
6 FOR MILITARY DINING FACILITY SUPPORT SERVICES
7 COVERED BY JAVITS-WAGNER-O'DAY ACT.—The
8 Randolph-Sheppard Act (20 U.S.C. 107 et seq.)
9 does not apply to full food services, mess attendant
10 services, or services supporting the operation of a
11 military dining facility that, as of the date of the en-
12 actment of this Act, were services on the procure-
13 ment list established under section 2 of the Javits-
14 Wagner-O'Day Act (41 U.S.C. 47).

15 (2) INAPPLICABILITY OF THE JAVITS-WAGNER-
16 O'DAY ACT TO CONTRACTS FOR THE OPERATION OF
17 A MILITARY DINING FACILITY.—(A) The Javits-
18 Wagner-O'Day Act (41 U.S.C. 46 et seq.) does not
19 apply at the prime contract level to any contract en-
20 tered into by the Department of Defense as of the
21 date of the enactment of this Act with a State li-
22 censing agency under the Randolph-Sheppard Act
23 (20 U.S.C. 107 et seq.) for the operation of a mili-
24 tary dining facility.

25 (B) The Javits-Wagner-O'Day Act shall apply
26 to any subcontract entered into by a Department of

1 Defense contractor for full food services, mess at-
2 tendant services, and other services supporting the
3 operation of a military dining facility.

4 (3) REPEAL OF SUPERSEDED LAW.—Sub-
5 sections (a) and (b) of section 853 of the Ronald W.
6 Reagan National Defense Authorization Act for Fis-
7 cal Year 2005 (Public Law 108–375; 118 Stat.
8 2021) are repealed.

9 (b) REVIEW AND REPORT BY COMPTROLLER GEN-
10 ERAL OF RANDOLPH-SHEPPARD AND JAVITS-WAGNER-
11 O'DAY CONTRACTS.—

12 (1) IN GENERAL.—The Comptroller General
13 shall conduct a review of a representative sample of
14 food service contracts described in paragraph (2)
15 and determine in writing the following:

16 (A) Differences in operational procedures
17 and administration of contracts awarded by the
18 Department of Defense under the Randolph-
19 Sheppard Act (20 U.S.C. 107 et seq.) and the
20 Javits-Wagner-O'Day Act (41 U.S.C. 46 et
21 seq.) on a State-by-State basis with regard to
22 the relationship between State licensing agen-
23 cies and blind vendors.

24 (B) Differences in competition, source se-
25 lection, and management processes and proce-

1 dures for contracts awarded by the Department
2 under the Randolph-Sheppard Act and the Javits-Wagner-O'Day Act, including a review of the
3 average total cost of contract awards and com-
4 pensation packages to all beneficiaries.

5 (C) Precise methods used to determine
6 whether a price is fair and reasonable under
7 contracts awarded by the Department under the
8 Randolph-Sheppard Act and the Javits-Wagner-
9 O'Day Act, as required under the Federal Ac-
10 quisition Regulation and the Defense Federal
11 Acquisition Regulation Supplement.

12 (2) CONTRACTS COVERED.—For purposes of
13 the review under paragraph (1), a food service con-
14 tract described in this paragraph is a contract—

15 (A) for full food services, mess attendant
16 services, or services supporting the operation of
17 all or any part of a military dining facility;

18 (B) that was awarded under either the
19 Randolph-Sheppard Act or the Javits-Wagner-
20 O'Day Act; and

21 (C) that is in effect on the date of the en-
22 actment of this Act.

23 (3) REPORT.—Not later than March 1, 2007,
24 the Comptroller General shall submit to the Commit-
25

1 tees on Armed Services of the Senate and the House
2 of Representatives a report on the review conducted
3 under this subsection, with such findings and rec-
4 ommendations as the Comptroller General considers
5 appropriate.

6 (c) REQUIREMENTS FOR INSPECTORS GENERAL OF
7 DEPARTMENT OF DEFENSE AND DEPARTMENT OF EDU-
8 CATION.—

9 (1) REVIEW OF MANAGEMENT PROCEDURES.—

10 Not later than March 1, 2007, the Inspector General
11 of the Department of Defense and the Inspector
12 General of the Department of Education shall jointly
13 review the management procedures under both the
14 Randolph-Sheppard Act (20 U.S.C. 107 et seq.) and
15 the Javits-Wagner-O'Day Act (41 U.S.C. 46 et
16 seq.). In carrying out this paragraph, the Inspectors
17 General shall each have access to the following:

18 (A) Memoranda on program management
19 and the basis for contract award under the pro-
20 grams.

21 (B) Guidance sent to State agencies on ad-
22 ministration of the programs.

23 (C) Names of participating vendors, as
24 well as qualifying experience and educational
25 background of such vendors.

1 (2) MEMORANDUM OF UNDERSTANDING BE-
2 TWEEN INSPECTORS GENERAL.—Not later than 60
3 days after the date of the enactment of this Act, the
4 Inspector General of the Department of Defense and
5 the Inspector General of the Department of Edu-
6 cation shall enter into a memorandum of under-
7 standing with each other to carry out paragraph (1).

8 (3) REPORT.—Not later than one year after the
9 date of enactment of this Act, the Inspector General
10 of the Department of Defense and the Inspector
11 General of the Department of Education shall jointly
12 submit to the Committees on Armed Services of the
13 Senate and the House of Representatives a report on
14 the review required by paragraph (1). The report
15 shall include—

16 (A) findings of the Inspectors General re-
17 garding the management procedures reviewed;
18 and

19 (B) such other information and rec-
20 ommendations as the Inspectors General con-
21 sider appropriate.

22 (d) DEFINITIONS.—In this section:

23 (1) The term “State licensing agency” means
24 any agency designated by the Secretary of Edu-

1 cation under section 2(a)(5) of the Randolph-
2 Sheppard Act (20 U.S.C. 107a(a)(5)).

3 (2) The term “military dining facility” means a
4 facility owned, operated, leased, or wholly controlled
5 by the Department of Defense and used to provide
6 dining services to members of the Armed Forces, in-
7 cluding a cafeteria, military mess hall, military troop
8 dining facility, or any similar dining facility operated
9 for the purpose of providing meals to members of
10 the Armed Forces.

11 **SEC. 857. ENHANCED ACCESS FOR SMALL BUSINESS.**

12 Section 9(a) of the Contract Disputes Act of 1978
13 (41 U.S.C. 608) is amended by striking the period at the
14 end of the first sentence and inserting the following: “or,
15 in the case of a small business concern (as defined in the
16 Small Business Act and regulations under that Act),
17 \$150,000 or less.”.

18 **SEC. 858. PROCUREMENT GOAL FOR HISPANIC-SERVING IN-**
19 **STITUTIONS.**

20 Section 2323 of title 10, United States Code, is
21 amended—

22 (1) in subsection (a)(1)—

23 (A) by striking “and” at the end of sub-
24 paragraph (B);

1 (B) by striking the period at the end of
2 subparagraph (C) and inserting “; and”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(D) Hispanic-serving institutions (as de-
6 fined in section 502(a) of the Higher Education
7 Act of 1965 (20 U.S.C. 1101a(a)).”;

8 (2) in subsection (a)(2)—

9 (A) by inserting after “historically Black
10 colleges and universities” the following: “, His-
11 panic-serving institutions,”; and

12 (B) by inserting after “such colleges and
13 universities” the following: “and institutions”;

14 (3) in subsection (c)(1), by inserting after “his-
15 torically Black colleges and universities” the fol-
16 lowing: “, Hispanic-serving institutions,”; and

17 (4) in subsection (c)(3), by inserting after “his-
18 torically Black colleges and universities” the fol-
19 lowing: “, to Hispanic-serving institutions,”.

20 **TITLE IX—DEPARTMENT OF DE-**
21 **FENSE ORGANIZATION AND**
22 **MANAGEMENT**

Subtitle A—Department of Defense Management

Sec. 901. Increase in authorized number of Assistant Secretaries of Defense.

Sec. 902. Modifications to the Combatant Commander Initiative Fund.

Sec. 903. Addition to membership of specified council.

Sec. 904. Consolidation and standardization of authorities relating to Depart-
ment of Defense Regional Centers for Security Studies.

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- Sec. 905. Oversight by Office of Under Secretary of Defense for Acquisition, Technology, and Logistics of exercise of acquisition authority by combatant commanders and heads of Defense Agencies.
- Sec. 906. Standardization of statutory references to “national security system” within laws applicable to Department of Defense.
- Sec. 907. Correction of reference to predecessor of Defense Information Systems Agency.

Subtitle B—Space Activities

- Sec. 911. Designation of successor organizations for the disestablished Interagency Global Positioning Executive Board.
- Sec. 912. Extension of authority for pilot program for provision of space surveillance network services to non-United States Government entities.
- Sec. 913. Operationally responsive space.
- Sec. 914. Independent review and assessment of Department of Defense organization and management for national security in space.

Subtitle C—Chemical Demilitarization Program

- Sec. 921. Sense of Congress on completion of destruction of United States chemical weapons stockpile.
- Sec. 922. Comptroller General review of cost-benefit analysis of off-site versus on-site treatment and disposal of hydrolysate derived from neutralization of VX nerve gas at Newport Chemical Depot, Indiana.
- Sec. 923. Incentives clauses in chemical demilitarization contracts.
- Sec. 924. Chemical demilitarization program contracting authority.

Subtitle D—Intelligence-Related Matters

- Sec. 931. Four-year extension of authority of Secretary of Defense to engage in commercial activities as security for intelligence collection activities.
- Sec. 932. Annual reports on intelligence oversight activities of the Department of Defense.
- Sec. 933. Collection by National Security Agency of service charges for certification or validation of information assurance products.

Subtitle E—Other Matters

- Sec. 941. Department of Defense policy on unmanned systems.
- Sec. 942. Executive Schedule level IV for Deputy Under Secretary of Defense for Logistics and Materiel Readiness.
- Sec. 943. Study and report on reform of Defense Travel System.
- Sec. 944. Administration of pilot project on Civilian Linguist Reserve Corps.
- Sec. 945. Improvement of authorities on the National Security Education Program.
- Sec. 946. Report on the posture of United States Special Operations Command to conduct the global war on terrorism.

1 **Subtitle A—Department of Defense**
2 **Management**

3 **SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSIST-**
4 **ANT SECRETARIES OF DEFENSE.**

5 (a) INCREASE.—Section 138(a) of title 10, United
6 States Code, is amended by striking “nine” and inserting
7 “ten”.

8 (b) CONFORMING AMENDMENT.—Section 5315 of
9 title 5, United States Code, is amended by striking “(9)”
10 after “Assistant Secretaries of Defense” and inserting
11 “(10)”.

12 **SEC. 902. MODIFICATIONS TO THE COMBATANT COM-**
13 **MANDER INITIATIVE FUND.**

14 (a) ADDITION TO AUTHORIZED ACTIVITIES.—Sub-
15 section (b)(6) of section 166a of title 10, United States
16 Code is amended by striking “civil assistance” and insert-
17 ing “civic assistance, to include urgent and unanticipated
18 humanitarian relief and reconstruction assistance”.

19 (b) ADDITIONAL PRIORITY CONSIDERATION.—Sub-
20 section (c) of such section is amended—

21 (1) by striking “and” at the end of paragraph

22 (1);

23 (2) by striking the period at the end of para-
24 graph (2) and inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(3) the provision of funds to be used for ur-
4 gent and unanticipated humanitarian relief and re-
5 construction assistance, particularly in a foreign
6 country where the armed forces are engaged in a
7 contingency operation.”.

8 **SEC. 903. ADDITION TO MEMBERSHIP OF SPECIFIED COUN-**
9 **CIL.**

10 Section 179(a) of title 10, United States Code, is
11 amended by adding at the end the following new para-
12 graph:

13 “(5) The commander of the United States Stra-
14 tegic Command.”.

15 **SEC. 904. CONSOLIDATION AND STANDARDIZATION OF AU-**
16 **THORITIES RELATING TO DEPARTMENT OF**
17 **DEFENSE REGIONAL CENTERS FOR SECU-**
18 **RITY STUDIES.**

19 (a) BASIC AUTHORITIES FOR REGIONAL CENTERS.—

20 (1) IN GENERAL.—Section 184 of title 10,
21 United States Code, is amended to read as follows:

22 **“§ 184. Regional Centers for Security Studies**

23 “(a) IN GENERAL.—The Secretary of Defense shall
24 administer the Department of Defense Regional Centers
25 for Security Studies in accordance with this section as

1 international venues for bilateral and multilateral re-
2 search, communication, and exchange of ideas involving
3 military and civilian participants.

4 “(b) REGIONAL CENTERS SPECIFIED.—(1) A De-
5 partment of Defense Regional Center for Security Studies
6 is a Department of Defense institution that—

7 “(A) is operated, and designated as such, by
8 the Secretary of Defense for the study of security
9 issues relating to a specified geographic region of
10 the world; and

11 “(B) serves as a forum for bilateral and multi-
12 lateral research, communication, and exchange of
13 ideas involving military and civilian participants.

14 “(2) The Department of Defense Regional Centers
15 for Security Studies are the following:

16 “(A) The George C. Marshall European Center
17 for Security Studies, established in 1993 and located
18 in Garmisch-Partenkirchen, Germany.

19 “(B) The Asia-Pacific Center for Security Stud-
20 ies, established in 1995 and located in Honolulu,
21 Hawaii.

22 “(C) The Center for Hemispheric Defense
23 Studies, established in 1997 and located in Wash-
24 ington, D.C.

1 “(D) The Africa Center for Strategic Studies,
2 established in 1999 and located in Washington, D.C.

3 “(E) The Near East South Asia Center for
4 Strategic Studies, established in 2000 and located in
5 Washington, D.C.

6 “(3) No institution or element of the Department of
7 Defense may be designated as a Department of Defense
8 Regional Center for Security Studies for purposes of this
9 section, other than the institutions specified in paragraph
10 (2), except as specifically provided by law after the date
11 of the enactment of this section.

12 “(c) REGULATIONS.—The administration of the Re-
13 gional Centers under this section shall be carried out
14 under regulations prescribed by the Secretary.

15 “(d) PARTICIPATION.—Participants in activities of
16 the Regional Centers may include United States and for-
17 eign military, civilian, and nongovernmental personnel.

18 “(e) EMPLOYMENT AND COMPENSATION OF FAC-
19 ULTY.—At each Regional Center, the Secretary may, sub-
20 ject to the availability of appropriations—

21 “(1) employ a Director, a Deputy Director, and
22 as many civilians as professors, instructors, and lec-
23 turers as the Secretary considers necessary; and

24 “(2) prescribe the compensation of such per-
25 sons, in accordance with Federal guidelines.

1 “(f) PAYMENT OF COSTS.—(1) Participation in ac-
2 tivities of a Regional Center shall be on a reimbursable
3 basis (or by payment in advance), except in a case in
4 which reimbursement is waived in accordance with para-
5 graph (3).

6 “(2) For a foreign national participant, payment of
7 costs may be made by the participant, the participant’s
8 own government, by a Department or agency of the United
9 States other than the Department of Defense, or by a gift
10 or donation on behalf of one or more Regional Centers
11 accepted under section 2611 of this title on behalf of the
12 participant’s government.

13 “(3) The Secretary of Defense may waive reimburse-
14 ment of the costs of activities of the Regional Centers for
15 foreign military officers and foreign defense and security
16 civilian government officials from a developing country if
17 the Secretary determines that attendance of such per-
18 sonnel without reimbursement is in the national security
19 interest of the United States. Costs for which reimburse-
20 ment is waived pursuant to this paragraph shall be paid
21 from appropriations available to the Regional Centers.

22 “(4) Funds accepted for the payment of costs shall
23 be credited to the appropriation then currently available
24 to the Department of Defense for the Regional Center that
25 incurred the costs. Funds so credited shall be merged with

1 the appropriation to which credited and shall be available
2 to that Regional Center for the same purposes and same
3 period as the appropriation with which merged.

4 “(5) Funds available for the payment of personnel
5 expenses under the Latin American cooperation authority
6 set forth in section 1050 of this title are also available
7 for the costs of the operation of the Center for Hemi-
8 spheric Defense Studies.

9 “(g) SUPPORT TO OTHER AGENCIES.—The Director
10 of a Regional Center may enter into agreements with the
11 Secretaries of the military departments, the heads of the
12 Defense Agencies, and, with the concurrence of the Sec-
13 retary of Defense, the heads of other Federal departments
14 and agencies for the provision of services by that Regional
15 Center under this section. Any such participating depart-
16 ment and agency shall transfer to the Regional Center
17 funds to pay the full costs of the services received.

18 “(h) ANNUAL REPORT.—Not later than February 1
19 of each year, the Secretary of Defense shall submit to the
20 Committee on Armed Services of the Senate and the Com-
21 mittee on Armed Services of the House of Representatives
22 a report on the operation of the Regional Centers for secu-
23 rity studies during the preceding fiscal year. The annual
24 report shall include, for each Regional Center, the fol-
25 lowing information:

1 “(1) The status and objectives of the center.

2 “(2) The budget of the center, including the
3 costs of operating the center.

4 “(3) A description of the extent of the inter-
5 national participation in the programs of the center,
6 including the costs incurred by the United States for
7 the participation of each foreign nation.

8 “(4) A description of the foreign gifts and do-
9 nations, if any, accepted under section 2611 of this
10 title.”.

11 (2) CLERICAL AMENDMENT.—The item relating
12 to such section in the table of sections at the begin-
13 ning of chapter 7 of such title is amended to read
14 as follows:

“184. Regional Centers for Security Studies.”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) EMPLOYMENT AND COMPENSATION AU-
17 THORITY FOR CIVILIAN FACULTY.—Section 1595 of
18 title 10, United States Code, is amended—

19 (A) in subsection (c)—

20 (i) by striking paragraphs (3) and (5);

21 and

22 (ii) by redesignating paragraphs (4)

23 and (6) as paragraphs (3) and (4), respec-

24 tively; and

25 (B) by striking subsection (e).

1 (2) STATUS OF CENTER FOR HEMISPHERIC DE-
2 FENSE STUDIES.—Section 2165 of title 10, United
3 States Code, is amended—

4 (A) in subsection (b)—

5 (i) by striking paragraph (6); and

6 (ii) by redesignating paragraph (7) as
7 paragraph (6); and

8 (B) by striking subsection (c).

9 **SEC. 905. OVERSIGHT BY OFFICE OF UNDER SECRETARY OF**
10 **DEFENSE FOR ACQUISITION, TECHNOLOGY,**
11 **AND LOGISTICS OF EXERCISE OF ACQUI-**
12 **TION AUTHORITY BY COMBATANT COM-**
13 **MANDERS AND HEADS OF DEFENSE AGEN-**
14 **CIES.**

15 (a) DESIGNATION OF OFFICIAL FOR OVERSIGHT.—

16 The Secretary of Defense shall designate a senior acqui-
17 sition official within the Office of the Under Secretary of
18 Defense for Acquisition, Technology, and Logistics to
19 oversee the exercise of acquisition authority by—

20 (1) any commander of a combatant command
21 who is authorized by section 166b, 167, or 167a of
22 title 10, United States Code, to exercise acquisition
23 authority; and

1 (2) any head of a Defense Agency who is des-
2 ignated by the Secretary of Defense to exercise ac-
3 quisition authority.

4 (b) GUIDANCE.—

5 (1) IN GENERAL.—The senior acquisition offi-
6 cial designated under subsection (a) shall develop
7 guidance to ensure that the use of acquisition au-
8 thority by commanders of combatant commands and
9 the heads of Defense Agencies—

10 (A) is in compliance with department-wide
11 acquisition policy; and

12 (B) is coordinated with and mutually sup-
13 portive of acquisition programs of the military
14 departments.

15 (2) URGENT REQUIREMENTS.—Guidance devel-
16 oped under paragraph (1) shall take into account
17 the need to fulfill the urgent requirements of the
18 commanders of combatant commands and the heads
19 of Defense Agencies and to ensure that those re-
20 quirements are addressed expeditiously.

21 (c) CONSULTATION.—The senior acquisition official
22 designated under subsection (a) shall on a regular basis
23 consult on matters related to requirements and acquisition
24 with the commanders of combatant commands and the
25 heads of Defense Agencies referred to in that subsection.

1 (d) DEADLINE FOR DESIGNATION.—The Secretary of
2 Defense shall make the designation required by subsection
3 (a) not later than 180 days after the date of the enactment
4 of this Act.

5 **SEC. 906. STANDARDIZATION OF STATUTORY REFERENCES**
6 **TO “NATIONAL SECURITY SYSTEM” WITHIN**
7 **LAWS APPLICABLE TO DEPARTMENT OF DE-**
8 **FENSE.**

9 (a) DEFENSE BUSINESS SYSTEMS.—Section
10 2222(j)(6) of title 10, United States Code, is amended by
11 striking “in section 2315 of this title” and inserting “in
12 section 3542(b)(2) of title 44”.

13 (b) CHIEF INFORMATION OFFICER RESPONSIBIL-
14 ITIES.—Section 2223(c)(3) of such title is amended by
15 striking “section 11103 of title 40” and inserting “section
16 3542(b)(2) of title 44”.

17 (c) PROCUREMENT OF AUTOMATIC DATA PROC-
18 ESSING EQUIPMENT AND SERVICES.—The text of section
19 2315 of such title is amended to read as follows:

20 “For purposes of subtitle III of title 40, the term ‘na-
21 tional security system’, with respect to a telecommuni-
22 cations and information system operated by the Depart-
23 ment of Defense, has the meaning given that term by sec-
24 tion 3542(b)(2) of title 44.”

1 **SEC. 907. CORRECTION OF REFERENCE TO PREDECESSOR**
2 **OF DEFENSE INFORMATION SYSTEMS AGEN-**
3 **CY.**

4 Paragraph (1) of section 193(f) of title 10, United
5 States Code, is amended to read as follows:

6 “(1) The Defense Information Systems Agen-
7 cy.”.

8 **Subtitle B—Space Activities**

9 **SEC. 911. DESIGNATION OF SUCCESSOR ORGANIZATIONS**
10 **FOR THE DISESTABLISHED INTERAGENCY**
11 **GLOBAL POSITIONING EXECUTIVE BOARD.**

12 (a) **SUCCESSOR ORGANIZATIONS.**— Section 8 of the
13 Commercial Space Transportation Competitiveness Act of
14 2000 (10 U.S.C. 2281 note) is amended by striking “by
15 Congress” and all that follows and inserting “for the func-
16 tions and activities of the following organizations estab-
17 lished pursuant to the United States Space-Based Posi-
18 tion, Navigation, and Timing Policy issued December 8,
19 2004 (and any successor organization, to the extent the
20 successor organization performs the functions of the speci-
21 fied organization):

22 “(1) The interagency committee known as the
23 National Space-Based Positioning, Navigation, and
24 Timing Executive Committee.

25 “(2) The support office for the committee speci-
26 fied in paragraph (1) known as the National Space-

1 Based Positioning, Navigation, and Timing Coordi-
2 nation Office.

3 “(3) The Federal advisory committee known as
4 the National Space-Based Positioning, Navigation,
5 and Timing Advisory Board.”.

6 (b) CLARIFICATION.—Such section is further amend-
7 ed by striking “interagency funding” and inserting “multi-
8 agency funding”.

9 **SEC. 912. EXTENSION OF AUTHORITY FOR PILOT PROGRAM**
10 **FOR PROVISION OF SPACE SURVEILLANCE**
11 **NETWORK SERVICES TO NON-UNITED STATES**
12 **GOVERNMENT ENTITIES.**

13 Section 2274(i) of title 10, United States Code, is
14 amended by striking “shall be conducted” and all that fol-
15 lows and inserting “may be conducted through September
16 30, 2009.”.

17 **SEC. 913. OPERATIONALLY RESPONSIVE SPACE.**

18 (a) UNITED STATES POLICY ON OPERATIONALLY
19 RESPONSIVE SPACE.—It is the policy of the United States
20 to demonstrate, acquire, and deploy an effective capability
21 for operationally responsive space to support military
22 users and operations from space, which shall consist of—

23 (1) responsive satellite payloads and busses
24 built to common technical standards;

1 (2) low-cost space launch vehicles and sup-
2 porting range operations that facilitate the timely
3 launch and on-orbit operations of satellites;

4 (3) responsive command and control capabili-
5 ties; and

6 (4) concepts of operations, tactics, techniques,
7 and procedures that permit the use of responsive
8 space assets for combat and military operations
9 other than war.

10 (b) OPERATIONALLY RESPONSIVE SPACE PROGRAM
11 OFFICE.—

12 (1) ESTABLISHMENT OF OFFICE.—Section
13 2273a of title 10, United States Code, is amended
14 to read as follows:

15 **“§ 2273a. Operationally Responsive Space Program**
16 **Office**

17 “(a) ESTABLISHMENT.—The Secretary of Defense
18 shall establish within the Department of Defense an office
19 to be known as the Operationally Responsive Space Pro-
20 gram Office (in this section referred to as the ‘Office’).

21 “(b) HEAD OF OFFICE.—The head of the Office shall
22 be—

23 “(1) the Department of Defense Executive
24 Agent for Space; or

1 “(2) the designee of the Secretary of Defense,
2 who shall report to the Department of Defense Ex-
3 ecutive Agent for Space.

4 “(c) MISSION.—The mission of the Office shall be—

5 “(1) to contribute to the development of low-
6 cost, rapid reaction payloads, busses, spacelift, and
7 launch control capabilities in order to fulfill joint
8 military operational requirements for on-demand
9 space support and reconstitution; and

10 “(2) to coordinate and execute operationally re-
11 sponsive space efforts across the Department of De-
12 fense with respect to planning, acquisition, and oper-
13 ations.

14 “(d) ELEMENTS.—The Secretary of Defense shall se-
15 lect the elements of the Department of Defense to be in-
16 cluded in the Office so as to contribute to the development
17 of capabilities for operationally responsive space and to
18 achieve a balanced representation of the military depart-
19 ments in the Office to ensure proper acknowledgment of
20 joint considerations in the activities of the Office, except
21 that the Office shall include the following:

22 “(1) A science and technology element that
23 shall pursue innovative approaches to the develop-
24 ment of capabilities for operationally responsive
25 space through basic and applied research focused on

1 (but not limited to) payloads, bus, and launch equip-
2 ment.

3 “(2) An acquisition element that shall under-
4 take the acquisition of systems necessary to inte-
5 grate, sustain, and launch assets for operationally
6 responsive space.

7 “(3) An operations element that shall—

8 “(A) sustain and maintain assets for oper-
9 ationally responsive space prior to launch;

10 “(B) integrate and launch such assets; and

11 “(C) operate such assets in orbit.

12 “(4) A combatant command support element
13 that shall serve as the primary intermediary between
14 the military departments and the combatant com-
15 mands in order to—

16 “(A) ascertain the needs of the com-
17 manders of the combatant commands; and

18 “(B) integrate operationally responsive
19 space capabilities into—

20 “(i) operations plans of the combatant
21 commands;

22 “(ii) techniques, tactics, and proce-
23 dures of the military departments; and

24 “(iii) military exercises, demonstra-
25 tions, and war games.

1 “(5) Such other elements as the Secretary of
2 Defense may consider necessary.

3 “(e) ACQUISITION AUTHORITY.—The acquisition ac-
4 tivities of the Office shall be subject to the following:

5 “(1) The Department of Defense Executive
6 Agent for Space shall be the senior acquisition execu-
7 tive of the Office.

8 “(2) The Joint Capabilities Integration and De-
9 velopment System process shall not apply to acquisi-
10 tions by the Office for operational experimentation.

11 “(3) The commander of the United States Stra-
12 tegic Command, or the designee of the commander,
13 shall—

14 “(A) validate all system requirements for
15 systems to be acquired by the Office; and

16 “(B) participate in the approval of any ac-
17 quisition program initiated by the Office.

18 “(4) To the maximum extent practicable, the
19 procurement unit cost of a launch vehicle procured
20 by the Office for launch to low earth orbit should
21 not exceed \$20,000,000 (in constant dollars).

22 “(5) To the maximum extent practicable, the
23 procurement unit cost of an integrated satellite pro-
24 cured by the Office should not exceed \$40,000,000
25 (in constant dollars).

1 “(f) REQUIRED PROGRAM ELEMENT.—(1) The Sec-
2 retary of Defense shall ensure that, within budget pro-
3 gram elements for space programs of the Department of
4 Defense, that—

5 “(A) there is a separate, dedicated program ele-
6 ment for operationally responsive space;

7 “(B) to the extent applicable, relevant program
8 elements should be consolidated into the program
9 element required by subparagraph (A); and

10 “(C) the Office executes its responsibilities
11 through this program element.

12 “(2) The Office shall manage the program element
13 required by paragraph (1)(A).”.

14 (2) CLERICAL AMENDMENT.—The item relating
15 to that section in the table of sections at the begin-
16 ning of chapter 135 of such title is amended to read
17 as follows:

“2273a.Operationally Responsive Space Program Office.”.

18 (c) PLAN FOR OPERATIONALLY RESPONSIVE
19 SPACE.—

20 (1) PLAN REQUIRED.—Not later than 120 days
21 after the date of the enactment of this Act, the Sec-
22 retary of Defense shall submit to the congressional
23 defense committees a report setting forth a plan for
24 the acquisition by the Department of Defense of ca-

1 pabilities for operationally responsive space to sup-
2 port military users and military operations.

3 (2) ELEMENTS.—The plan required by para-
4 graph (1) shall include the following:

5 (A) An identification of the roles and mis-
6 sions of each military department, Defense
7 Agency, and other component or element of the
8 Department of Defense for the fulfillment of
9 the mission of the Department with respect to
10 operationally responsive space.

11 (B) An identification of the capabilities re-
12 quired by the Department to fulfill such mission
13 during the period covered by the current future-
14 years defense program submitted to Congress
15 pursuant to section 221 of title 10, United
16 States Code, and an additional 10-year period.

17 (C) A description of the chain of command
18 and reporting structure of the Operationally
19 Responsive Space Program Office established
20 under section 2273a of title 10, United States
21 Code, as amended by subsection (b).

22 (D) A description of the classification of
23 information required for the Operationally Re-
24 sponsive Space Program Office in order to en-
25 sure that the Office carries out its responsibil-

1 ities under such section 2273a in a proper and
2 efficient manner.

3 (E) A description of the acquisition policies
4 and procedures applicable to the Operationally
5 Responsive Space Program Office, including a
6 description of any legislative or administrative
7 action necessary to provide the Office additional
8 acquisition authority to carry out its respon-
9 sibilities.

10 (F) A schedule for the implementation of
11 the plan and the establishment of the Oper-
12 ationally Responsive Space Program Office.

13 (G) The funding and personnel required to
14 implement the plan over the course of the cur-
15 rent future-years defense program.

16 (H) A description of any additional au-
17 thorities and programmatic, organizational, or
18 other changes necessary to ensure that the
19 Operationally Responsive Space Program Office
20 can successfully carry out its responsibilities.

21 (d) REPEAL OF SUPERSEDED LAW.—Section 913 of
22 the National Defense Authorization Act for Fiscal Year
23 2006 (Public Law 109–163; 119 Stat. 3408; 10 U.S.C.
24 2273a note) is repealed.

1 **SEC. 914. INDEPENDENT REVIEW AND ASSESSMENT OF DE-**
2 **PARTMENT OF DEFENSE ORGANIZATION AND**
3 **MANAGEMENT FOR NATIONAL SECURITY IN**
4 **SPACE.**

5 (a) INDEPENDENT REVIEW AND ASSESSMENT RE-
6 QUIRED.—The Secretary of Defense shall select an appro-
7 priate entity outside the Department of Defense to con-
8 duct an independent review and assessment of the organi-
9 zation and management of the Department of Defense for
10 national security in space. In selecting the entity to con-
11 duct the review and assessment, the Secretary shall con-
12 sult with the chairman and ranking minority member of
13 the Committee on Armed Services of the Senate and the
14 chairman and ranking minority member of the Committee
15 on Armed Services of the House of Representatives.

16 (b) ELEMENTS.—The review and assessment re-
17 quired by this section shall address the following:

18 (1) The requirements of the Department of De-
19 fense for national security space capabilities, as
20 identified by the Department, and the efforts of the
21 Department to fulfill such requirements.

22 (2) The actions that could be taken by the De-
23 partment to modify the organization and manage-
24 ment of the Department over the near-term, me-
25 dium-term, and long-term in order to strengthen
26 United States national security in space, and the

1 ability of the Department to implement its require-
2 ments and carry out the future space missions, in-
3 cluding the following:

4 (A) Actions to improve or enhance current
5 interagency coordination processes regarding
6 the operation of national security space assets,
7 including improvements or enhancements in
8 interoperability and communications.

9 (B) Actions to improve or enhance the re-
10 lationship between the intelligence aspects of
11 national security space (so-called “black space”)
12 and the non-intelligence aspects of national se-
13 curity space (so-called “white space”).

14 (C) Actions to improve or enhance the
15 manner in which military space issues are ad-
16 dressed by professional military education insti-
17 tutions.

18 (D) Actions to create a specialized career
19 field for military space acquisition personnel, to
20 include an emphasis on long-term assignments,
21 that could help develop and maintain a profes-
22 sional space acquisition cadre with technical ex-
23 pertise and institutional knowledge.

24 (c) LIAISON.—The Secretary of Defense shall des-
25 ignate at least one senior civilian employee of the Depart-

1 ment of Defense, and at least one general or flag officer,
2 to serve as liaison between the Department, the Armed
3 Forces, and the entity conducting the review and assess-
4 ment under this section.

5 (d) REPORT.—Not later than one year after the date
6 of the enactment of this Act, the entity conducting the
7 review and assessment under this section shall submit to
8 the Secretary of Defense and the congressional defense
9 committees a report containing—

10 (1) the results of the review and assessment;

11 and

12 (2) recommendations on the best means by
13 which the Department may improve its organization
14 and management for national security in space.

15 **Subtitle C—Chemical**

16 **Demilitarization Program**

17 **SEC. 921. SENSE OF CONGRESS ON COMPLETION OF DE-**
18 **STRUCTION OF UNITED STATES CHEMICAL**
19 **WEAPONS STOCKPILE.**

20 (a) FINDINGS.—Congress makes the following find-
21 ings:

22 (1) The Convention on the Prohibition of the
23 Development, Production, Stockpiling and Use of
24 Chemical Weapons and on Their Destruction, done
25 at Paris on January 13, 1993 (commonly referred to

1 as the “Chemical Weapons Convention”), requires
2 that destruction of the entire United States chemical
3 weapons stockpile be completed by no later than the
4 extended deadline of April 29, 2012.

5 (2) On April 10, 2006, the Department of De-
6 fense notified Congress that the United States would
7 not meet even the extended deadline under the
8 Chemical Weapons Convention for destruction of the
9 United States chemical weapons stockpile.

10 (3) Destroying existing chemical weapons is a
11 homeland security imperative and an arms control
12 priority and is required by United States law.

13 (4) The elimination and nonproliferation of
14 chemical weapons of mass destruction is of utmost
15 importance to the national security of the United
16 States.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the United States is committed to making
20 every effort to safely dispose of its entire chemical
21 weapons stockpile by the Chemical Weapons Conven-
22 tion extended deadline of April 29, 2012, or as soon
23 thereafter as possible, and will carry out all of its
24 other obligations under that Convention;

1 (2) to prevent further delays in completing the
2 destruction of the United States chemical weapons
3 stockpile, the Secretary of Defense should prepare a
4 comprehensive schedule for the safe destruction of
5 such stockpile and should annually submit that
6 schedule (as currently in effect) to the congressional
7 defense committees, either separately or as part of
8 another required report, until such destruction is
9 completed;

10 (3) the Secretary of Defense should make every
11 effort to ensure adequate funding to complete the
12 elimination of the United States chemical weapons
13 stockpile in the shortest time possible, consistent
14 with the requirement to protect public health, safety,
15 and the environment; and

16 (4) when selecting a site for the treatment or
17 disposal of neutralized chemical agent at a location
18 remote from the location where the agent is stored,
19 the Secretary of Defense should propose a credible
20 process that seeks to gain the support of affected
21 communities.

1 **SEC. 922. COMPTROLLER GENERAL REVIEW OF COST-BEN-**
2 **EFIT ANALYSIS OF OFF-SITE VERSUS ON-SITE**
3 **TREATMENT AND DISPOSAL OF HYDROLY-**
4 **SATE DERIVED FROM NEUTRALIZATION OF**
5 **VX NERVE GAS AT NEWPORT CHEMICAL**
6 **DEPOT, INDIANA.**

7 (a) REVIEW REQUIRED.—Not later than December
8 1, 2006, the Comptroller General shall submit to Congress
9 a report containing a review of the cost-benefit analysis
10 prepared by the Secretary of the Army entitled “Cost-Ben-
11 efit Analysis of Off-Site Versus On-Site Treatment and
12 Disposal of Newport Caustic Hydrolysate” and dated
13 April 24, 2006.

14 (b) CONTENT OF REVIEW.—In conducting the review
15 under subsection (a), the Comptroller General shall con-
16 sider and assess at a minimum the following matters:

17 (1) The adequacy of the rationale contained in
18 the cost-benefit analysis referred to in subsection (a)
19 in dismissing five of the eight technologies for hy-
20 drolysate treatment directed for consideration on
21 page 116 of the Report of the Committee on Armed
22 Services of the House of Representatives on H.R.
23 1815 (House Report 109–89).

24 (2) The rationale for the failure of the Sec-
25 retary of the Army to consider other technical solu-

1 tions, such as constructing a wastewater disposal
2 system at the Newport Chemical Depot.

3 (3) The adequacy of the cost-benefit analysis
4 presented for the three technologies considered.

5 (c) LIMITATION ON TRANSPORT PENDING RE-
6 PORT.—The Secretary of the Army may not transport
7 neutralized bulk nerve agent (other than those small quan-
8 tities necessary for laboratory evaluation of the disposal
9 process) from the Newport Chemical Depot to the State
10 of New Jersey until the earlier of—

11 (1) the end of the 60-day period beginning on
12 the date on which the report required by subsection
13 (a) is submitted; or

14 (2) February 1, 2007.

15 **SEC. 923. INCENTIVES CLAUSES IN CHEMICAL DEMILI-**
16 **TARIZATION CONTRACTS.**

17 (a) IN GENERAL.—

18 (1) AUTHORITY TO INCLUDE CLAUSES IN CON-
19 TRACTS.—The Secretary of Defense may, for the
20 purpose specified in paragraph (2), authorize the in-
21 clusion of an incentives clause in any contract for
22 the destruction of the United States stockpile of le-
23 thal chemical agents and munitions carried out pur-
24 suant to section 1412 of the Department of Defense
25 Authorization Act, 1986 (50 U.S.C. 1521).

1 (2) PURPOSE.—The purpose of a clause re-
2 ferred to in paragraph (1) is to provide the con-
3 tractor for a chemical demilitarization facility an in-
4 centive to accelerate the safe elimination of the
5 United States chemical weapons stockpile and to re-
6 duce the total cost of the Chemical Demilitarization
7 Program by providing incentive payments for the
8 early completion of destruction operations and the
9 closure of such facility.

10 (b) INCENTIVES CLAUSES.—

11 (1) IN GENERAL.—An incentives clause under
12 this section shall permit the contractor for the chem-
13 ical demilitarization facility concerned the oppor-
14 tunity to earn incentive payments for the completion
15 of destruction operations and facility closure activi-
16 ties within target incentive ranges specified in such
17 clause.

18 (2) LIMITATION ON INCENTIVE PAYMENTS.—
19 The maximum incentive payment under an incen-
20 tives clause with respect to a chemical demilitariza-
21 tion facility may not exceed amounts as follows:

22 (A) In the case of an incentive payment for
23 the completion of destruction operations within
24 the target incentive range specified in such
25 clause, \$110,000,000.

1 (B) In the case of an incentive payment
2 for the completion of facility closure activities
3 within the target incentive range specified in
4 such clause, \$55,000,000.

5 (3) TARGET RANGES.—An incentives clause in
6 a contract under this section shall specify the target
7 incentive ranges of costs for completion of destruc-
8 tion operations and facility closure activities, respec-
9 tively, as jointly agreed upon by the contracting offi-
10 cer and the contractor concerned. An incentives
11 clause shall require a proportionate reduction in the
12 maximum incentive payment amounts in the event
13 that the contractor exceeds an agreed-upon target
14 cost if such excess costs are the responsibility of the
15 contractor.

16 (4) CALCULATION OF INCENTIVE PAYMENTS.—
17 The amount of the incentive payment earned by a
18 contractor for a chemical demilitarization facility
19 under an incentives clause under this section shall
20 be based upon a determination by the Secretary on
21 how early in the target incentive range specified in
22 such clause destruction operations or facility closure
23 activities, as the case may be, are completed.

24 (5) CONSISTENCY WITH EXISTING OBLIGA-
25 TIONS.—The provisions of any incentives clause

1 under this section shall be consistent with the obli-
2 gation of the Secretary of Defense under section
3 1412(c)(1)(A) of the Department of Defense Au-
4 thorization Act, 1986, to provide for maximum pro-
5 tection for the environment, the general public, and
6 the personnel who are involved in the destruction of
7 the lethal chemical agents and munitions.

8 (6) ADDITIONAL TERMS AND CONDITIONS.—In
9 negotiating the inclusion of an incentives clause in
10 a contract under this section, the Secretary may in-
11 clude in such clause such additional terms and con-
12 ditions as the Secretary considers appropriate.

13 (c) ADDITIONAL LIMITATION ON PAYMENTS.—

14 (1) PAYMENT CONDITIONAL ON PERFORM-
15 ANCE.—No payment may be made under an incen-
16 tives clause under this section unless the Secretary
17 determines that the contractor concerned has satis-
18 factorily performed its duties under such incentives
19 clause.

20 (2) PAYMENT CONTINGENT ON APPROPRIA-
21 TIONS.—An incentives clause under this section shall
22 specify that the obligation of the Government to
23 make payment under such incentives clause is sub-
24 ject to the availability of appropriations for that pur-
25 pose. Amounts appropriated for Chemical Agents

1 and Munitions Destruction, Defense, shall be avail-
2 able for payments under incentives clauses under
3 this section.

4 **SEC. 924. CHEMICAL DEMILITARIZATION PROGRAM CON-**
5 **TRACTING AUTHORITY.**

6 (a) **MULTIYEAR CONTRACTING AUTHORITY.**—The
7 Secretary of Defense may carry out responsibilities under
8 section 1412(a) of the Department of Defense Authoriza-
9 tion Act, 1986 (50 U.S.C. 1521(a)) through multiyear
10 contracts entered into before the date of the enactment
11 of this Act.

12 (b) **AVAILABILITY OF FUNDS.**—Contracts entered
13 into under subsection (a) shall be funded through annual
14 appropriations for the destruction of chemical agents and
15 munitions.

16 **Subtitle D—Intelligence-Related**
17 **Matters**

18 **SEC. 931. FOUR-YEAR EXTENSION OF AUTHORITY OF SEC-**
19 **RETARY OF DEFENSE TO ENGAGE IN COM-**
20 **MERCIAL ACTIVITIES AS SECURITY FOR IN-**
21 **TELLIGENCE COLLECTION ACTIVITIES.**

22 Section 431(a) of title 10, United States Code, is
23 amended by striking “December 31, 2006” and inserting
24 “December 31, 2010”.

1 **SEC. 932. ANNUAL REPORTS ON INTELLIGENCE OVERSIGHT**
2 **ACTIVITIES OF THE DEPARTMENT OF DE-**
3 **FENSE.**

4 (a) IN GENERAL.—Subchapter I of chapter 21 of title
5 10, United States Code, is amended by adding at the end
6 the following new section:

7 **“§ 427. Intelligence oversight activities of Department**
8 **of Defense: annual reports**

9 “(a) ANNUAL REPORTS REQUIRED.—(1) Not later
10 than March 1 of each year, the Secretary of Defense shall
11 submit—

12 “(A) to the congressional committees specified
13 in subparagraph (A) of paragraph (2) a report on
14 the intelligence oversight activities of the Depart-
15 ment of Defense during the previous calendar year
16 insofar as such oversight activities relate to tactical
17 intelligence and intelligence-related activities of the
18 Department; and

19 “(B) to the congressional committees specified
20 in subparagraph (B) of paragraph (2) a report on
21 the intelligence oversight activities of the Depart-
22 ment of Defense during the previous calendar year
23 insofar as such oversight activities relate to intel-
24 ligence and intelligence-related activities of the De-
25 partment other than those specified in subparagraph
26 (A).

1 “(2)(A) The committees specified in this subpara-
2 graph are the following:

3 “(i) The Committee on Armed Services and the
4 Committee on Appropriations of the Senate.

5 “(ii) The Permanent Select Committee on Intel-
6 ligence, the Committee on Armed Services, and the
7 Committee on Appropriations of the House of Rep-
8 resentatives.

9 “(B) The committees specified in this subparagraph
10 are the following:

11 “(i) The Select Committee on Intelligence, the
12 Committee on Armed Services, and the Committee
13 on Appropriations of the Senate.

14 “(ii) The Permanent Select Committee on Intel-
15 ligence and the Committee on Appropriations of the
16 House of Representatives.

17 “(b) ELEMENTS.—Each report under subsection (a)
18 shall include, for the calendar year covered by such report
19 and with respect to oversight activities subject to coverage
20 in that report, the following:

21 “(1) A description of any violation of law or of
22 any Executive order or Presidential directive (includ-
23 ing Executive order No. 12333) that comes to the
24 attention of any General Counsel or Inspector Gen-
25 eral within the Department of Defense, or the Under

1 Secretary of Defense for Intelligence, and a descrip-
2 tion of the actions taken by such official with respect
3 to such activity.

4 “(2) A description of the results of intelligence
5 oversight inspections undertaken by each of the fol-
6 lowing:

7 “(A) The Office of the Secretary of De-
8 fense.

9 “(B) Each military department.

10 “(C) Each combat support agency.

11 “(D) Each field operating agency.

12 “(3) A description of any changes made in any
13 program for the intelligence oversight activities of
14 the Department of Defense, including any training
15 program.

16 “(4) A description of any changes made in any
17 published directive or policy memoranda on the intel-
18 ligence or intelligence-related activities of—

19 “(A) any military department;

20 “(B) any combat support agency; or

21 “(C) any field operating agency.

22 “(c) DEFINITIONS.—In this section:

23 “(1) The term ‘intelligence oversight activities
24 of the Department of Defense’ refers to any activity
25 undertaken by an agency, element, or component of

1 the Department of Defense to ensure compliance
2 with regard to requirements or instructions on the
3 intelligence and intelligence-related activities of the
4 Department under law or any Executive order or
5 Presidential directive (including Executive Order No.
6 12333).

7 “(2) The term ‘combat support agency’ has the
8 meaning given that term in section 193(f) of this
9 title.

10 “(3) The term ‘field operating agency’ means a
11 specialized subdivision of the Department of Defense
12 that carries out activities under the operational con-
13 trol of the Department.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such subchapter is amended by adding
16 at the end the following new item:

“427. Intelligence oversight activities of Department of Defense: annual re-
ports.”.

17 **SEC. 933. COLLECTION BY NATIONAL SECURITY AGENCY OF**
18 **SERVICE CHARGES FOR CERTIFICATION OR**
19 **VALIDATION OF INFORMATION ASSURANCE**
20 **PRODUCTS.**

21 The National Security Agency Act of 1959 (50
22 U.S.C. 402 note) is amended by adding at the end the
23 following new section:

1 “SEC. 20. (a) The Director may collect charges for
2 evaluating, certifying, or validating information assurance
3 products under the National Information Assurance Pro-
4 gram or successor program.

5 “(b) The charges collected under subsection (a) shall
6 be established through a public rulemaking process in ac-
7 cordance with Office of Management and Budget Circular
8 No. A-25.

9 “(c) Charges collected under subsection (a) shall not
10 exceed the direct costs of the program referred to in that
11 subsection.

12 “(d) The appropriation or fund bearing the cost of
13 the service for which charges are collected under the pro-
14 gram referred to in subsection (a) may be reimbursed, or
15 the Director may require advance payment subject to such
16 adjustment on completion of the work as may be agreed
17 upon.

18 “(e) Amounts collected under this section shall be
19 credited to the account or accounts from which costs asso-
20 ciated with such amounts have been or will be incurred,
21 to reimburse or offset the direct costs of the program re-
22 ferred to in subsection (a).”.

1 **Subtitle E—Other Matters**

2 **SEC. 941. DEPARTMENT OF DEFENSE POLICY ON UN-**
3 **MANNED SYSTEMS.**

4 (a) **POLICY REQUIRED.**—The Secretary of Defense
5 shall develop a policy, to be applicable throughout the De-
6 partment of Defense, on research, development, test and
7 evaluation, procurement, and operation of unmanned sys-
8 tems.

9 (b) **ELEMENTS.**—The policy required by subsection
10 (a) shall include or address the following:

11 (1) An identification of missions and mission
12 requirements, including mission requirements for the
13 military departments and joint mission require-
14 ments, for which unmanned systems may replace
15 manned systems.

16 (2) A preference for unmanned systems in ac-
17 quisition programs for new systems, including a re-
18 quirement under any such program for the develop-
19 ment of a manned system for a certification that an
20 unmanned system is incapable of meeting program
21 requirements.

22 (3) An assessment of the circumstances under
23 which it would be appropriate to pursue joint devel-
24 opment and procurement of unmanned systems and
25 components of unmanned systems.

1 (4) The transition of unmanned systems unique
2 to one military department to joint systems, when
3 appropriate.

4 (5) An organizational structure for effective
5 management, coordination, and budgeting for the
6 development and procurement of unmanned systems,
7 including an assessment of the feasibility and advis-
8 ability of designating a single department or other
9 element of the Department of Defense to act as ex-
10 ecutive agent for the Department on unmanned sys-
11 tems.

12 (6) The integration of unmanned and manned
13 systems to enhance support of the missions identi-
14 fied in paragraph (1).

15 (7) Such other matters that the Secretary of
16 Defense considers to be appropriate.

17 (c) CONSULTATION.—The Secretary of Defense shall
18 develop the policy required by subsection (a) in consulta-
19 tion with the Chairman of the Joint Chiefs of Staff.

20 (d) REPORT.—Not later than 120 days after the date
21 of the enactment of this Act, the Secretary shall submit
22 to the congressional defense committees a report con-
23 taining—

24 (1) the policy required by subsection (a); and

1 (2) an implementation plan for the policy that
2 includes—

3 (A) a strategy and schedules for the re-
4 placement of manned systems with unmanned
5 systems in the performance of the missions
6 identified in the policy pursuant to subsection
7 (b)(1);

8 (B) establishment of programs to address
9 technical, operational, and production chal-
10 lenges, and gaps in capabilities, with respect to
11 unmanned systems; and

12 (C) an assessment of progress towards
13 meeting the goals identified for the subset of
14 unmanned air and ground systems established
15 in section 220 of the Floyd D. Spence National
16 Defense Authorization Act for Fiscal Year 2001
17 (as enacted into law by Public Law 106–398;
18 114 Stat. 1654A–38) .

19 (e) UNMANNED SYSTEMS DEFINED.—In this section,
20 the term “unmanned systems” consists of unmanned aer-
21 ial systems, unmanned ground systems, and unmanned
22 maritime systems.

1 **SEC. 942. EXECUTIVE SCHEDULE LEVEL IV FOR DEPUTY**
2 **UNDER SECRETARY OF DEFENSE FOR LOGIS-**
3 **TICS AND MATERIEL READINESS.**

4 (a) EXECUTIVE SCHEDULE LEVEL IV.—Section
5 5315 of title 5, United States Code, is amended by insert-
6 ing after the item relating to the Deputy Under Secretary
7 of Defense for Personnel and Readiness the following new
8 item:

9 “Deputy Under Secretary of Defense for Logis-
10 tics and Materiel Readiness.”.

11 (b) CONFORMING AMENDMENT.—Section 5314 of
12 title 5, United States Code, is amended by striking the
13 item relating to the Deputy Under Secretary of Defense
14 for Logistics and Materiel Readiness.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on the date of the enactment
17 of this Act, and shall apply with respect to individuals ap-
18 pointed as Deputy Under Secretary of Defense for Logis-
19 tics and Materiel Readiness on or after that date.

20 **SEC. 943. STUDY AND REPORT ON REFORM OF DEFENSE**
21 **TRAVEL SYSTEM.**

22 (a) INDEPENDENT STUDY OF SYSTEM.—

23 (1) STUDY REQUIRED.—Not later than 180
24 days after the date of the enactment of this Act, the
25 Secretary of Defense shall submit to the congress-
26 sional defense committees the results and rec-

1 ommendations of an independent study of the De-
2 fense Travel System conducted to determine the
3 most cost-effect method of meeting Department of
4 Defense travel requirements. The study shall be con-
5 ducted by an entity outside the Department of De-
6 fense.

7 (2) ELEMENTS OF STUDY.—At a minimum, the
8 study required by this subsection shall address the
9 following:

10 (A) The feasibility of separating the finan-
11 cial infrastructure of the Defense Travel Sys-
12 tem, including voucher processing, accounting,
13 disbursing, debt collection, management ac-
14 countability, and archival functions, from the
15 travel reservation process.

16 (B) The feasibility of converting the travel
17 reservation process to a fee-for-services system
18 or authorizing the use of multiple travel res-
19 ervation processes, all of which processes would
20 use the financial infrastructure of the Defense
21 Travel System.

22 (C) The feasibility of making the use of
23 the financial infrastructure of the Defense
24 Travel System mandatory for all Department of
25 Defense travel transactions.

1 (b) IMPLEMENTATION PLANS.—Not later than 60
2 days after the Secretary of Defense receives the inde-
3 pendent study required by subsection (a), the Secretary
4 shall submit to the congressional defense committees a re-
5 port describing the actions, if any, that the Secretary in-
6 tends to take to implement the recommendations con-
7 tained in the study. If the Secretary does not intend to
8 implement any of the recommendations, the Secretary
9 shall explain the basis for this decision.

10 (c) CONDITIONS ON NEW CONTRACT OR EXPENDI-
11 TURES FOR DEFENSE TRAVEL SYSTEM.—Except to con-
12 tinue operations to provide current services and to perform
13 the functions described in paragraphs (1) through (3), the
14 Secretary of Defense may not initiate a new contract for
15 the Defense Travel System or expend funds for the De-
16 fense Travel System until each of the following occurs:

17 (1) The Secretary submits the report required
18 by subsection (b).

19 (2) The Secretary develops firm, fixed require-
20 ments for the Defense Travel System.

21 (3) The Secretary develops a schedule to phase
22 out the legacy travel systems made redundant by im-
23 plementation of the Defense Travel System.

1 **SEC. 944. ADMINISTRATION OF PILOT PROJECT ON CIVIL-**
2 **IAN LINGUIST RESERVE CORPS.**

3 (a) TRANSFER OF ADMINISTRATION TO SECRETARY
4 OF DEFENSE.—

5 (1) IN GENERAL.—Administration of the pilot
6 project on the establishment of a Civilian Linguist
7 Reserve Corps required by section 613 of the Intel-
8 ligence Authorization Act for Fiscal Year 2005
9 (Public Law 108–487; 118 Stat. 3959; 50 U.S.C.
10 403–1b note) is hereby transferred from the Direc-
11 tor of National Intelligence to the Secretary of De-
12 fense.

13 (2) CONFORMING AMENDMENTS.—Section 613
14 of the Intelligence Authorization Act for Fiscal Year
15 2005 is amended—

16 (A) by striking “Director of National Intel-
17 ligence” each place it appears and inserting
18 “Secretary of Defense”; and

19 (B) by striking “Director” each place it
20 appears and inserting “Secretary”.

21 (b) COORDINATION WITH DIRECTOR OF NATIONAL
22 INTELLIGENCE IN ADMINISTRATION.—Subsection (a) of
23 such section is further amended—

24 (1) by inserting “(1)” after “PILOT
25 PROJECT.—”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2) The Secretary shall conduct the pilot project in
4 coordination with the Director of National Intelligence.”.

5 (c) DISCHARGE OF PROJECT THROUGH NATIONAL
6 SECURITY EDUCATION PROGRAM.—Subsection (a) of such
7 section is further amended by adding at the end the fol-
8 lowing new paragraph:

9 “(3) The Secretary shall conduct the pilot project
10 through the National Security Education Program.”.

11 (d) DURATION OF PROJECT.—Subsection (c) of such
12 section is amended by striking “three-year period” and in-
13 serting “five-year period”.

14 (e) REPEAL OF SUPERSEDED AUTHORIZATION.—
15 Such section is further amended by striking subsection (f).

16 **SEC. 945. IMPROVEMENT OF AUTHORITIES ON THE NA-**
17 **TIONAL SECURITY EDUCATION PROGRAM.**

18 (a) EXPANSION OF EMPLOYMENT CREDITABLE
19 UNDER SERVICE AGREEMENTS.—Paragraph (2) of sub-
20 section (b) of section 802 of the David L. Boren National
21 Security Education Act of 1991 (50 U.S.C. 1902) is
22 amended to read as follows:

23 “(2)(A) will (in accordance with regulations
24 prescribed by the Secretary of Defense in coordina-
25 tion with the heads of the other Federal depart-

1 ments and agencies concerned) begin work not later
2 than three years after the recipient's completion of
3 degree study during which scholarship assistance
4 was provided under the program—

5 “(i) for not less than one year in a po-
6 sition certified by the Secretary of Defense,
7 in coordination with the Director of Na-
8 tional Intelligence, the Secretary of Home-
9 land Security, and the Secretary of State
10 (as appropriate), as contributing to the na-
11 tional security of the United States in the
12 Department of Defense, any element of the
13 intelligence community, the Department of
14 Homeland Security, or the Department of
15 State; or

16 “(ii) for not less than one year in a
17 position in a Federal agency or office that
18 is identified by the Secretary of Defense
19 under subsection (g) as having national se-
20 curity responsibilities if the recipient dem-
21 onstrates to the Secretary that no position
22 is available in the departments and agen-
23 cies covered by clause (i); or

24 “(B) will (in accordance with such regula-
25 tions) begin work not later than two years after

1 the recipient's completion or termination of
2 study for which fellowship assistance was pro-
3 vided under the program—

4 “(i) for not less than one year in a po-
5 sition certified by the Secretary of Defense,
6 in coordination with the Director of Na-
7 tional Intelligence, the Secretary of Home-
8 land Security, and the Secretary of State
9 (as appropriate), as contributing to the na-
10 tional security of the United States in the
11 Department of Defense, any element of the
12 intelligence community, the Department of
13 Homeland Security, or the Department of
14 State; or

15 “(ii) for not less than one year in a
16 position in a Federal agency or office that
17 is identified by the Secretary of Defense
18 under subsection (g) as having national se-
19 curity responsibilities if the recipient dem-
20 onstrates to the Secretary that no position
21 is available in the departments and agen-
22 cies covered by clause (i); and”.

23 (b) TEMPORARY EMPLOYMENT AND RETENTION OF
24 CERTAIN PARTICIPANTS.—Such section is further amend-
25 ed—

1 (1) by redesignating subsections (h) and (i) as
2 subsections (i) and (j), respectively; and

3 (2) by inserting after subsection (g) the fol-
4 lowing new subsection (h):

5 “(h) TEMPORARY EMPLOYMENT AND RETENTION OF
6 CERTAIN PARTICIPANTS.—

7 “(1) IN GENERAL.—The Secretary of Defense
8 may—

9 “(A) appoint or retain a person provided
10 scholarship or fellowship assistance under the
11 program in a position in the Department of De-
12 fense on an interim basis during the period of
13 the person’s pursuit of a degree under the pro-
14 gram and for a period not to exceed two years
15 after completion of the degree, but only if, in
16 the case of the period after completion of the
17 degree, there is an active investigation to pro-
18 vide security clearance to the person for an ap-
19 propriate permanent position in the Depart-
20 ment of Defense under subsection (b)(2); and

21 “(B) if there is no appropriate permanent
22 position available for the person after the end
23 of the periods described in subparagraph (A),
24 separate the person from employment with the
25 Department without regard to any other provi-

1 sion of law, in which event the service agree-
2 ment of the person under subsection (b) shall
3 terminate.

4 “(2) TREATMENT OF CERTAIN SERVICE.—The
5 period of service of a person covered by paragraph
6 (1) in a position on an interim basis under that
7 paragraph shall, after completion of the degree, be
8 treated as a period of service for purposes of satis-
9 fying the obligated service requirements of the per-
10 son under the service agreement of the person under
11 subsection (b).”.

12 (c) PLAN FOR IMPROVING PROGRAM.—Not later than
13 90 days after the date of the enactment of this Act, the
14 Secretary of Defense shall submit to Congress a plan for
15 improving the recruitment, placement, and retention with-
16 in the Department of Defense of individuals who receive
17 scholarships or fellowships under the David L. Boren Na-
18 tional Security Education Act of 1991 (50 U.S.C. 1901
19 et seq.) in order to facilitate the purposes of that Act in
20 meeting the requirements of the Department in acquiring
21 individuals with critical foreign language skills and indi-
22 viduals who are regional experts.

1 **SEC. 946. REPORT ON THE POSTURE OF UNITED STATES**
2 **SPECIAL OPERATIONS COMMAND TO CON-**
3 **DUCT THE GLOBAL WAR ON TERRORISM.**

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

6 (1) The 2006 Quadrennial Defense Review rec-
7 ommends an increase in the size of the United
8 States Special Operations Command as a funda-
9 mental part of the efforts of the Department of De-
10 fense to fight the global war on terrorism.

11 (2) Special operations forces conducting all nine
12 of their statutory activities, as specified in section
13 167(j) of title 10, United States Code, play a crucial
14 role in the global war on terrorism, and the Depart-
15 ment of Defense should take a balanced approach to
16 the expansion of the force structure of that com-
17 mand to provide additional capability in both the ac-
18 tive and reserve components.

19 (3) Special operations forces are engaged in op-
20 erations across the globe and in extreme and varied
21 operational environments which require specialized
22 training to successfully operate in those environ-
23 ments.

24 (4) Due to the global and long-term nature of
25 the global war on terrorism, the Secretary of De-
26 fense should assess whether the United States Spe-

1 cial Operations Command has the appropriate force
2 structure and training focus required for successful
3 operations in the global war on terrorism.

4 (b) REPORT ON POSTURE OF SOCOM TO CONDUCT
5 THE GLOBAL WAR ON TERRORISM.—Not later than six
6 months after the date of the enactment of this Act, the
7 Secretary of Defense shall submit to the congressional de-
8 fense committees a report assessing the posture of the
9 United States Special Operations Command to conduct
10 the global war on terrorism. The Secretary shall include
11 in the report the following:

12 (1) The Secretary's assessment of whether the
13 United States Special Operations Command is ap-
14 propriately manned, resourced, and equipped to suc-
15 cessfully meet the long-term requirements of the
16 global war on terrorism.

17 (2) The Secretary's assessment whether the ex-
18 pansion of that command as recommended in the
19 2006 Quadrennial Defense Review provides an ap-
20 propriate balance between active and reserve compo-
21 nent capabilities.

22 (3) The Secretary's assessment of whether
23 United States Special Operations Command has suf-
24 ficient Army Special Forces to meet the 2006 Quad-
25 rennial Defense Review objective of building allied

1 and partner nation capacity through security assist-
2 ance and other training missions such as the Joint
3 Combined Exchange Training program.

4 (4) A detailed statement of the efforts of the
5 commander of the United States Special Operations
6 Command to provide special operations forces per-
7 sonnel with specialized environmental training in
8 preparation for operations across the globe and in
9 extreme and varied operational environments such as
10 mountain, jungle, or desert environments.

11 **TITLE X—GENERAL PROVISIONS**

Subtitle A—Financial Matters

- Sec. 1001. General transfer authority.
- Sec. 1002. Authorization of additional emergency supplemental appropriations for fiscal year 2006.
- Sec. 1003. Reduction in certain authorizations due to savings relating to lower inflation.
- Sec. 1004. Increase in fiscal year 2006 general transfer authority.
- Sec. 1005. United States contribution to NATO common-funded budgets in fiscal year 2007.
- Sec. 1006. Report on budgeting for fluctuations in fuel cost rates.
- Sec. 1007. Modification of date of submittal of OMB/CBO report on scoring of outlays.
- Sec. 1008. Budgeting for ongoing military operations in Afghanistan and Iraq.

Subtitle B—Policy Relating to Vessels and Shipyards

- Sec. 1011. Aircraft carrier force structure.
- Sec. 1012. Sense of Congress on naming the CVN-78 aircraft carrier as the U.S.S. Gerald R. Ford.
- Sec. 1013. Transfer of naval vessels to foreign nations based upon vessel class.
- Sec. 1014. Overhaul, repair, and maintenance of vessels in foreign shipyards.
- Sec. 1015. Report on options for future lease arrangement for Guam Shipyard.
- Sec. 1016. Assessments of naval vessel construction efficiencies and of effectiveness of special contractor incentives.
- Sec. 1017. Obtaining carriage by vessel: criterion regarding overhaul, repair, and maintenance of vessels in the United States.
- Sec. 1018. Riding gang member requirements.
- Sec. 1019. Authority to transfer SS Arthur M. Huddell to the Government of Greece.

Subtitle C—Counter-Drug Activities

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- Sec. 1021. Extension of authority of Department of Defense to provide additional support for counterdrug activities of other governmental agencies.
- Sec. 1022. Extension and expansion of Department of Defense authority to provide support for counter-drug activities of certain foreign governments.
- Sec. 1023. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.
- Sec. 1024. Continuation of reporting requirement regarding Department of Defense expenditures to support foreign counterdrug activities.
- Sec. 1025. Report on interagency counter-narcotics plan for Afghanistan and South and Central Asian regions.
- Sec. 1026. Report on United States support for Operation Bahamas, Turks & Caicos.

Subtitle D—Force Structure and Defense Policy Matters

- Sec. 1031. Improvements to Quadrennial Defense Review.
- Sec. 1032. Quarterly reports on implementation of 2006 Quadrennial Defense Review Report.
- Sec. 1033. Report on feasibility of establishing a regional combatant command for Africa.
- Sec. 1034. Determination of Department of Defense intratheater and intertheater airlift requirements and sealift mobility requirements.
- Sec. 1035. Presidential report on improving interagency support for United States 21st century national security missions and interagency operations in support of stability, security, transition, and reconstruction operations.

Subtitle E—Reports

- Sec. 1041. Additional element in annual report on chemical and biological warfare defense.
- Sec. 1042. Report on biodefense human capital requirements in support of biosafety laboratories.
- Sec. 1043. Report on technologies for neutralizing or defeating threats to military rotary-wing aircraft from portable air defense systems and rocket-propelled grenades.
- Sec. 1044. Reports on expanded use of unmanned aerial vehicles in the National Airspace System.
- Sec. 1045. Report on incentives to encourage certain members and former members of the Armed Forces to serve in the Bureau of Customs and Border Protection.
- Sec. 1046. Repeal of certain report requirements.
- Sec. 1047. Requirement for identification of recently enacted recurring reporting requirements applicable to the Department of Defense.

Subtitle F—Miscellaneous Authorities and Limitations on Availability and Use of Funds

- Sec. 1051. Acceptance and retention of reimbursement from non-Federal sources to defray Department of Defense costs of conferences.
- Sec. 1052. Increased flexibility in use of funds for Joint Staff exercises.
- Sec. 1053. Prohibition on parking of funds.
- Sec. 1054. Modification of authorities relating to the Special Inspector General for Iraq Reconstruction.

Subtitle G—Matters Involving Detainees

Sec. 1061. Provision of information to Congress on certain criminal investigations and prosecutions involving detainees.

Subtitle H—Other Matters

Sec. 1071. Technical and clerical amendments.

Sec. 1072. Revision to authorities relating to Commission on the Implementation of the New Strategic Posture of the United States.

Sec. 1073. Revised deadline for submission of final report of EMP Commission.

Sec. 1074. Extension of returning worker exemption to H-2B numerical limitation.

Sec. 1075. Patent term extensions for the badges of the American Legion, the American Legion Women's Auxiliary, and the Sons of the American Legion.

Sec. 1076. Use of the Armed Forces in major public emergencies.

Sec. 1077. Increased hunting and fishing opportunities for members of the Armed Forces, retired members, and disabled veterans.

1 **Subtitle A—Financial Matters**

2 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

3 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

4 (1) AUTHORITY.—Upon determination by the
5 Secretary of Defense that such action is necessary in
6 the national interest, the Secretary may transfer
7 amounts of authorizations made available to the De-
8 partment of Defense in this division for fiscal year
9 2007 between any such authorizations for that fiscal
10 year (or any subdivisions thereof). Amounts of au-
11 thorizations so transferred shall be merged with and
12 be available for the same purposes as the authoriza-
13 tion to which transferred.

14 (2) LIMITATION.—The total amount of author-
15 izations that the Secretary may transfer under the
16 authority of this section may not exceed
17 \$4,500,000,000.

1 (b) LIMITATIONS.—The authority provided by this
2 section to transfer authorizations—

3 (1) may only be used to provide authority for
4 items that have a higher priority than the items
5 from which authority is transferred; and

6 (2) may not be used to provide authority for an
7 item that has been denied authorization by Con-
8 gress.

9 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
10 transfer made from one account to another under the au-
11 thority of this section shall be deemed to increase the
12 amount authorized for the account to which the amount
13 is transferred by an amount equal to the amount trans-
14 ferred.

15 (d) NOTICE TO CONGRESS.—The Secretary shall
16 promptly notify Congress of each transfer made under
17 subsection (a).

18 **SEC. 1002. AUTHORIZATION OF ADDITIONAL EMERGENCY**
19 **SUPPLEMENTAL APPROPRIATIONS FOR FIS-**
20 **CAL YEAR 2006.**

21 (a) IRAQ, AFGHANISTAN, AND THE GLOBAL WAR ON
22 TERROR.—Amounts authorized to be appropriated to the
23 Department of Defense for fiscal year 2006 in the Na-
24 tional Defense Authorization Act for Fiscal Year 2006
25 (Public Law 109-163) are hereby adjusted, with respect

1 to any such authorized amount, by the amount by which
2 appropriations pursuant to such authorization are in-
3 creased by a supplemental appropriation, or decreased by
4 a rescission, or both, or are increased by a transfer of
5 funds, pursuant to title I of the Emergency Supplemental
6 Appropriations Act for Defense, the Global War on Ter-
7 ror, and Hurricane Recovery, 2006 (Public Law 109-234).

8 (b) HURRICANE DISASTER RELIEF AND RECOV-
9 ERY.—Amounts authorized to be appropriated to the De-
10 partment of Defense for fiscal year 2006 in the National
11 Defense Authorization Act for Fiscal Year 2006 are here-
12 by adjusted, with respect to any such authorized amount,
13 by the amount by which appropriations pursuant to such
14 authorization are increased by a supplemental appropria-
15 tion, or decreased by a rescission, or both, or are increased
16 by a transfer of funds, pursuant to title II of the Emer-
17 gency Supplemental Appropriations Act for Defense, the
18 Global War on Terror, and Hurricane Recovery, 2006.

19 (c) BORDER SECURITY.—Amounts authorized to be
20 appropriated to the Department of Defense for fiscal year
21 2006 in the National Defense Authorization Act for Fiscal
22 Year 2006 are hereby adjusted, with respect to any such
23 authorized amount, by the amount by which appropria-
24 tions pursuant to such authorization are increased by a
25 supplemental appropriation, or decreased by a rescission,

1 or both, or are increased by a transfer of funds, pursuant
2 to title V of the Emergency Supplemental Appropriations
3 Act for Defense, the Global War on Terror, and Hurricane
4 Recovery, 2006.

5 **SEC. 1003. REDUCTION IN CERTAIN AUTHORIZATIONS DUE**
6 **TO SAVINGS RELATING TO LOWER INFLA-**
7 **TION.**

8 (a) REDUCTION.—The aggregate amount authorized
9 to be appropriated by titles I, II, and III is the amount
10 equal to the sum of all the amounts authorized to be ap-
11 propriated by such titles reduced by \$757,051,000.

12 (b) SOURCE OF SAVINGS.—Reductions required in
13 order to comply with subsection (a) shall be derived from
14 savings resulting from lower-than-expected inflation as a
15 result of a review of the inflation assumptions used in the
16 preparation of the budget of the President for fiscal year
17 2007, as submitted to Congress pursuant to section 1005
18 of title 31, United States Code.

19 (c) ALLOCATION OF REDUCTION.—The Secretary of
20 Defense shall allocate the reduction required by subsection
21 (a) among the amounts authorized to be appropriated for
22 accounts in titles I, II, and III to reflect the extent to
23 which net savings from lower-than-expected inflation are
24 allocable to amounts authorized to be appropriated to such
25 accounts.

1 **SEC. 1004. INCREASE IN FISCAL YEAR 2006 GENERAL**
2 **TRANSFER AUTHORITY.**

3 Section 1001(a)(2) of the National Defense Author-
4 ization Act for Fiscal Year 2006 (Public Law 109–163;
5 119 Stat. 3418) is amended by striking “\$3,500,000,000”
6 and inserting “\$5,000,000,000”.

7 **SEC. 1005. UNITED STATES CONTRIBUTION TO NATO COM-**
8 **MON-FUNDED BUDGETS IN FISCAL YEAR 2007.**

9 (a) **FISCAL YEAR 2007 LIMITATION.**—The total
10 amount contributed by the Secretary of Defense in fiscal
11 year 2007 for the common-funded budgets of NATO may
12 be any amount up to, but not in excess of, the amount
13 specified in subsection (b) (rather than the maximum
14 amount that would otherwise be applicable to those con-
15 tributions under the fiscal year 1998 baseline limitation).

16 (b) **TOTAL AMOUNT.**—The amount of the limitation
17 applicable under subsection (a) is the sum of the following:

18 (1) The amounts of unexpended balances, as of
19 the end of fiscal year 2006, of funds appropriated
20 for fiscal years before fiscal year 2007 for payments
21 for those budgets.

22 (2) The amount specified in subsection (c)(1).

23 (3) The amount specified in subsection (c)(2).

24 (4) The total amount of the contributions au-
25 thORIZED to be made under section 2501.

1 (c) AUTHORIZED AMOUNTS.—Amounts authorized to
2 be appropriated by titles II and III of this Act are avail-
3 able for contributions for the common-funded budgets of
4 NATO as follows:

5 (1) Of the amount provided in section 201(1),
6 \$797,000 for the Civil Budget.

7 (2) Of the amount provided in section 301(1),
8 \$310,277,000 for the Military Budget.

9 (d) DEFINITIONS.—For purposes of this section:

10 (1) COMMON-FUNDED BUDGETS OF NATO.—
11 The term “common-funded budgets of NATO”
12 means the Military Budget, the Security Investment
13 Program, and the Civil Budget of the North Atlantic
14 Treaty Organization (and any successor or addi-
15 tional account or program of NATO).

16 (2) FISCAL YEAR 1998 BASELINE LIMITATION.—
17 The term “fiscal year 1998 baseline limitation”
18 means the maximum annual amount of Department
19 of Defense contributions for common-funded budgets
20 of NATO that is set forth as the annual limitation
21 in section 3(2)(C)(ii) of the resolution of the Senate
22 giving the advice and consent of the Senate to the
23 ratification of the Protocols to the North Atlantic
24 Treaty of 1949 on the Accession of Poland, Hun-
25 gary, and the Czech Republic (as defined in section

1 4(7) of that resolution), approved by the Senate on
2 April 30, 1998.

3 **SEC. 1006. REPORT ON BUDGETING FOR FLUCTUATIONS IN**
4 **FUEL COST RATES.**

5 (a) SECRETARY OF DEFENSE REPORT.—

6 (1) REPORT ON BUDGETING FOR FUEL COST
7 FLUCTUATIONS.—Not later than February 15, 2007,
8 the Secretary of Defense shall submit to the Com-
9 mittee on Armed Services of the Senate and the
10 Committee on Armed Services of the House of Rep-
11 resentatives a report on the fuel rate and cost pro-
12 jection used in the annual Department of Defense
13 budget presentation.

14 (2) MATTERS TO BE INCLUDED.—In the report
15 under paragraph (1), the Secretary shall—

16 (A) identify alternative approaches for se-
17 lecting fuel rates that would produce more real-
18 istic estimates of amounts required to be appro-
19 priated or otherwise made available for the De-
20 partment of Defense to accommodate fuel rate
21 fluctuations;

22 (B) discuss the advantages and disadvan-
23 tages of each approach identified pursuant to
24 subparagraph (A); and

1 (C) identify the Secretary's preferred ap-
2 proach among the alternative identified pursu-
3 ant to subparagraph (A) and provide the Sec-
4 retary's rationale for preferring that approach.

5 (3) IDENTIFICATION OF ALTERNATIVE AP-
6 PROACHES.—In identifying alternative approaches
7 pursuant to paragraph (2)(A), the Secretary shall
8 examine—

9 (A) approaches used by other Federal de-
10 partments and agencies; and

11 (B) the feasibility of using private eco-
12 nomic forecasting.

13 (b) COMPTROLLER GENERAL REVIEW AND RE-
14 PORT.—The Comptroller General shall review the report
15 under subsection (a), including the basis for the Sec-
16 retary's conclusions stated in the report, and shall submit,
17 not later than March 15, 2007, to the Committee on
18 Armed Services of the Senate and the Committee on
19 Armed Services of the House of Representatives a report
20 containing the results of that review.

21 **SEC. 1007. MODIFICATION OF DATE OF SUBMITTAL OF OMB/
22 CBO REPORT ON SCORING OF OUTLAYS.**

23 Section 226(a) of title 10, United States Code, is
24 amended by striking “January 15 of each year” and in-
25 serting “April 1 of each year”.

1 **SEC. 1008. BUDGETING FOR ONGOING MILITARY OPER-**
2 **ATIONS IN AFGHANISTAN AND IRAQ.**

3 The President's budget submitted to Congress pursu-
4 ant to section 1105(a) of title 31, United States Code,
5 for each fiscal year after fiscal year 2007 shall include—

6 (1) a request for the appropriation of funds for
7 such fiscal year for ongoing military operations in
8 Afghanistan and Iraq;

9 (2) an estimate of all funds expected to be re-
10 quired in that fiscal year for such operations; and

11 (3) a detailed justification of the funds re-
12 quested.

13 **Subtitle B—Policy Relating to**
14 **Vessels and Shipyards**

15 **SEC. 1011. AIRCRAFT CARRIER FORCE STRUCTURE.**

16 (a) **REDUCTION IN MINIMUM NUMBER OF OPER-**
17 **ATIONAL AIRCRAFT CARRIERS REQUIRED BY LAW.**—Sec-
18 tion 5062(b) of title 10, United States Code, is amended
19 by striking “12” and inserting “11”.

20 (b) **REQUIRED CERTIFICATION BEFORE RETIRE-**
21 **MENT OF U.S.S. JOHN F. KENNEDY.**—The Secretary of
22 the Navy may not retire the U.S.S. John F. Kennedy
23 (CV-67) from operational status unless the Secretary of
24 Defense first submits to the Committee on Armed Services
25 of the Senate and the Committee on Armed Services of

1 the House of Representatives the Secretary's certification
2 that the Secretary has received—

3 (1) a formal notice from the Secretary of
4 Homeland Security that the Department of Home-
5 land Security does not desire to maintain and oper-
6 ate that vessel; and

7 (2) a formal notice from the North Atlantic
8 Treaty Organization that the North Atlantic Treaty
9 Organization does not desire to maintain and oper-
10 ate that vessel.

11 (c) CONDITIONS ON STATUS OF U.S.S. JOHN F.
12 KENNEDY IF RETIRED.—Upon the retirement from oper-
13 ational status of the U.S.S. John F. Kennedy (CV-67),
14 the Secretary of the Navy—

15 (1) while the vessel is in the custody and con-
16 trol of the Navy, shall maintain that vessel in a state
17 of preservation (including configuration control,
18 dehumidification, cathodic protection, and mainte-
19 nance of spares) that would allow for reactivation of
20 that vessel in the event that the vessel was needed
21 in response to a national emergency; and

22 (2) if the vessel is transferred from the custody
23 and control of the Navy, shall require as a condition
24 of such transfer that—

1 (A) if the President declares a national
2 emergency pursuant to the National Emer-
3 gencies Act (50 U.S.C. 1601 et seq.), the trans-
4 feree shall, upon request of the Secretary of De-
5 fense, return the vessel to the United States;
6 and

7 (B) in such a case (unless the transferee is
8 otherwise notified by the Secretary), title to the
9 vessel shall revert immediately to the United
10 States.

11 **SEC. 1012. SENSE OF CONGRESS ON NAMING THE CVN-78**
12 **AIRCRAFT CARRIER AS THE U.S.S. GERALD R.**
13 **FORD.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) Gerald R. Ford has served his country with
17 honor and distinction for the past 64 years, and con-
18 tinues to serve.

19 (2) Gerald R. Ford was commissioned in the
20 Naval Reserve in 1942 and served valiantly at sea
21 on the U.S.S. Monterey (CVL-26) during World
22 War II, taking part in major operations in the Pa-
23 cific, including at Makin Island, Kwajalein, Truk,
24 Saipan, and the Philippine Sea.

1 (3) Gerald R. Ford received 9 engagement stars
2 and 2 bronze stars for his service in the Navy dur-
3 ing World War II.

4 (4) Gerald R. Ford was first elected to the
5 House of Representatives in 1948.

6 (5) During 25 years of service in the House of
7 Representatives, Gerald R. Ford distinguished him-
8 self by an exemplary record for character, decency,
9 and trustworthiness.

10 (6) Throughout his service in the House of
11 Representatives, Gerald R. Ford was an ardent pro-
12 ponent of strong national defense and international
13 leadership by the United States.

14 (7) From 1965 to 1973, Gerald R. Ford served
15 as minority leader of the House of Representatives,
16 raising the standard for bipartisanship in his tireless
17 fight for freedom, hope, and justice.

18 (8) In 1973, Gerald R. Ford was appointed by
19 President Nixon to the office of Vice President of
20 the United States under the 25th Amendment to the
21 Constitution, having been confirmed by over-
22 whelming majorities in both Houses of Congress.

23 (9) On August 9, 1974, Gerald R. Ford became
24 the 38th President of the United States, taking of-

1 fice during one of the most challenging periods in
2 the history of the United States.

3 (10) As President from August 9, 1974, to
4 January 20, 1977, Gerald R. Ford restored the faith
5 of the people of the United States in the office of
6 the President through his steady leadership, cour-
7 age, and ultimate integrity.

8 (11) As President, Gerald R. Ford helped re-
9 store the prestige of the United States in the world
10 community by working to achieve peace in the Mid-
11 dle East, preserve detente with the Soviet Union,
12 and set new limits on the spread of nuclear weapons.

13 (12) As President, Gerald R. Ford served as
14 Commander in Chief of the Armed Forces with great
15 dignity, supporting a strong Navy and a global mili-
16 tary presence for the United States and honoring
17 the members of the Armed Forces.

18 (13) Since leaving the office of President, Ger-
19 ald R. Ford has been an international ambassador
20 of American goodwill, a noted scholar and lecturer,
21 a strong supporter of human rights, and a promoter
22 of higher education.

23 (14) Gerald R. Ford was awarded the Medal of
24 Freedom and the Congressional Gold Medal in 1999
25 in recognition of his contribution to the Nation.

1 (15) As President, Gerald R. Ford bore the
2 weight of a constitutional crisis and guided the Na-
3 tion on a path of healing and restored hope, earning
4 forever the enduring respect and gratitude of the
5 Nation.

6 (b) NAMING OF CVN-78 AIRCRAFT CARRIER.—It is
7 the sense of Congress that the nuclear-powered aircraft
8 carrier of the Navy designated as CVN-78 should be
9 named the U.S.S. Gerald R. Ford.

10 **SEC. 1013. TRANSFER OF NAVAL VESSELS TO FOREIGN NA-**
11 **TIONS BASED UPON VESSEL CLASS.**

12 Section 7307(a) of title 10, United States Code, is
13 amended—

14 (1) by striking “disposition of that vessel is ap-
15 proved” and inserting “disposal of that vessel, or of
16 a vessel of the class of that vessel, is authorized”;
17 and

18 (2) by adding at the end the following new sen-
19 tences: “In the case of an authorization by law for
20 the disposal of such a vessel that names a specific
21 vessel as being authorized for such disposal, the Sec-
22 retary of Defense may substitute another vessel of
23 the same class, if the vessel substituted has virtually
24 identical capabilities as the named vessel. In the
25 case of an authorization by law for the disposal of

1 vessels of a specified class, the Secretary may dis-
2 pose of vessels of that class pursuant to that author-
3 ization only in the number of such vessels specified
4 in that law as being authorized for disposal.”.

5 **SEC. 1014. OVERHAUL, REPAIR, AND MAINTENANCE OF VES-**
6 **SELS IN FOREIGN SHIPYARDS.**

7 Section 7310(a) of title 10, United States Code, is
8 amended—

9 (1) by inserting “OR GUAM” in the subsection
10 heading after “UNITED STATES”; and

11 (2) by inserting “or Guam” after “in the
12 United States”.

13 **SEC. 1015. REPORT ON OPTIONS FOR FUTURE LEASE AR-**
14 **RANGEMENT FOR GUAM SHIPYARD.**

15 (a) REPORT REQUIRED.—Not later than December
16 15, 2006, the Secretary of the Navy shall submit to the
17 Committee on Armed Services of the Senate and the Com-
18 mittee on Armed Service of the House of Representatives
19 a report describing the options available with respect to
20 the Guam Shipyard in Santa Rita, Guam.

21 (b) CONTENTS OF REPORT.—The report required
22 under subsection (a) shall include the following:

23 (1) An evaluation of the performance of the en-
24 tities that, as of the date of the enactment of this
25 Act, are the lessee and operators of the Guam Ship-

1 yard under the terms of the lease in effect on the
2 date of the enactment of this Act.

3 (2) An evaluation of each of the following op-
4 tions with respect to the Guam Shipyard lease:

5 (A) Terminating the remaining term of the
6 lease and issuing a new 25 year lease with the
7 same entity.

8 (B) Terminating the remaining term of the
9 lease with respect to the approximately 73 acres
10 within the Guam Shipyard that are required for
11 mission requirements and leaving the remaining
12 term of the lease in effect with respect to the
13 approximately 27 acres within the Facility that
14 are not required for mission requirements.

15 (C) Terminating the remaining term of the
16 lease and negotiating a new use arrangement
17 with a different lessee or operator. The new use
18 arrangement options shall include:

19 (i) Government-owned and govern-
20 ment-operated facility.

21 (ii) Government-owned and con-
22 tractor-operated facility.

23 (iii) Government-leased property for
24 contractor-owned and contractor-operated
25 facility.

1 (c) OPTIONS FOR NEW USE ARRANGEMENTS.—In
2 evaluating the options under subsection (b)(2)(C), the
3 Secretary of the Navy shall include an evaluation of each
4 of the following:

5 (1) The anticipated future military vessel repair
6 and workload on Guam in relation to the 2006
7 Quadrennial Defense Review, issued on February 6,
8 2006, pursuant to section 118 of title 10, United
9 States Code.

10 (2) The anticipated military vessel repair and
11 workload attributable to vessels comprising the Mar-
12 itime Prepositioning Ship Squadron Three.

13 (3) The anticipated military vessel repair and
14 workload due to a change in section 7310 of title 10,
15 United States Code, that would designate Guam as
16 a United States homeport facility.

17 (4) The expected workload if the submarine
18 tender the U.S.S. Frank Cable (AS-40) is decom-
19 missioned.

20 (5) The estimated reacquisition costs of trans-
21 ferred Government property.

22 (6) Costs to improve floating dry dock mooring
23 certification and required nuclear certification for
24 the floating dry dock designated as AFDB-8 to con-
25 duct the following maintenance:

1 (A) Dry-docking selected restricted avail-
2 abilities and mid-term availability for attack
3 submarines.

4 (B) Dry-docking phased maintenance
5 availabilities for amphibious vessels, including
6 to amphibious assault ships, dock landing ships,
7 and amphibious transport dock ships.

8 (C) Dry-docking phased maintenance avail-
9 abilities for surface combatants, including cruis-
10 ers, destroyers, and frigates.

11 (7) Commercial opportunities for development
12 to expand commercial ship repair and general indus-
13 trial services, given anti-terrorism force protection
14 requirements at the current facility.

15 (8) Estimates from three contractors for the
16 maintenance and repair costs associated with exe-
17 cuting a multiship, multioption contract that would
18 generate a minimum 60,000 manday commitment
19 for the Department of the Navy and Military Sealift
20 Command vessels.

21 (9) A projection of the maintenance and repair
22 costs associated with executing a minimum 60,000
23 mandays for the Department of the Navy and Mili-
24 tary Sealift Command vessels as a Government-

1 owned and Government-operated Navy ship repair
2 facility.

3 (d) INPUT FROM CONTRACTORS.—In evaluating the
4 options under clauses (ii) and (iii) of subsection (b)(2)(C)
5 for the purposes of paragraphs (1), (2), and (3) of sub-
6 section (c), the Secretary of the Navy shall seek input
7 from at least three contractors on the viability of oper-
8 ations based on the projected workload fiscal years 2008
9 through 2013.

10 (e) RECOMMENDATIONS.—The Secretary of the Navy
11 shall include in the report required under subsection (a)
12 the following:

13 (1) The recommendations of the Secretary with
14 respect to continuation of the existing Guam Ship-
15 yard lease based on evaluations conducted pursuant
16 to subsection (b)(1).

17 (2) The option under subsection (b)(2) that the
18 Secretary recommends for fiscal year 2008.

19 (f) GAO REPORT.—Not later than March 1, 2007,
20 the Comptroller General shall submit to the Committee
21 on Armed Services of the Senate and the Committee on
22 Armed Service of the House of Representatives a report
23 evaluating the report submitted by the Secretary of the
24 Navy under subsection (a). The report shall include the

1 option under subsection (b)(2) that the Secretary rec-
2 ommends for fiscal year 2008.

3 **SEC. 1016. ASSESSMENTS OF NAVAL VESSEL CONSTRUC-**
4 **TION EFFICIENCIES AND OF EFFECTIVENESS**
5 **OF SPECIAL CONTRACTOR INCENTIVES.**

6 (a) **ASSESSMENT REQUIRED.**—The Secretary of the
7 Navy shall conduct an assessment of each of the aspects
8 of naval vessel construction specified in subsection (b) in
9 order to determine—

10 (1) what inefficiencies exist in those aspects of
11 naval vessel construction;

12 (2) what innovative design and production tech-
13 nologies, processes, and performance incentives are
14 warranted to alleviate the inefficiencies so identified;
15 and

16 (3) what action the Secretary intends to take to
17 facilitate the adoption by the shipbuilding industry
18 of the technologies, processes, and performance in-
19 centives identified under paragraph (2).

20 (b) **ASPECTS TO BE ASSESSED.**—Subsection (a) ap-
21 plies with respect to the following aspects of naval vessel
22 construction:

23 (1) Program design, engineering, and produc-
24 tion engineering.

25 (2) Organization and operating systems.

1 (3) Steelwork production.

2 (4) Ship construction and outfitting.

3 (5) Combat systems development, integration,
4 and installation.

5 (c) CONSIDERATION OF PRIOR ASSESSMENTS.—In
6 making the assessments required by subsection (a), the
7 Secretary shall take into consideration the results of—

8 (1) the study of the cost effectiveness of the
9 ship construction program of the Navy required by
10 section 1014 of the Ronald W. Reagan National De-
11 fense Authorization Act for Fiscal Year 2005 (Pub-
12 lic Law 108-375; 118 Stat. 2041);

13 (2) the assessment of the United States naval
14 shipbuilding industry required by section 254 of the
15 National Defense Authorization Act for Fiscal Year
16 2006 (Public Law 109-163; 119 Stat. 3180); and

17 (3) any prior assessment performed by or on
18 behalf of the Department of Defense.

19 (d) SPECIAL CONTRACTOR INCENTIVES.—In addition
20 to the assessments under subsection (a), the Secretary
21 shall conduct an assessment of the effectiveness of the use
22 in naval vessel construction contracts of special contract
23 incentives for investment by the contractor in facilities and
24 process improvement projects. Such assessment shall in-
25 clude the following:

1 (1) A description of the intent of the use of
2 such incentives in naval vessel construction con-
3 tracts.

4 (2) A description of the process and criteria
5 used by the Secretary for evaluation of proposed
6 projects to receive such incentives in naval vessel
7 construction contracts and for the selection among
8 such proposed projects for inclusion of incentives in
9 such contracts.

10 (3) For each facility or process improvement
11 project for which funds were provided in a naval ves-
12 sel construction contract during the five-year period
13 ending on the date of the enactment of this Act (in-
14 cluding the facility or process improvement project
15 contract incentives incorporated in the Virginia-class
16 submarine construction contract and in the CVN-21
17 construction contract)—

18 (A) a description of the facility or process
19 improvement project proposed by the con-
20 tractor;

21 (B) the amount expended (or to be ex-
22 pended) by the United States for the project
23 under the contract; and

1 (C) the estimated or actual return on in-
2 vestment for the amounts referred to in sub-
3 paragraph (B).

4 (4) The plans of the Secretary of the Navy to
5 use similar contract incentives in ongoing and future
6 shipbuilding programs.

7 (5) Any recommendation by the Secretary for
8 the enactment of legislation that might increase the
9 effectiveness of, or expand the use of, such contract
10 incentives.

11 (e) REPORT.—Not later than April 1, 2007, the Sec-
12 retary of the Navy shall submit to the congressional de-
13 fense committees a report on—

14 (1) the Secretary's assessments of naval vessel
15 construction efficiencies under subsection (a), ad-
16 dressing each of the matters specified in that sub-
17 section; and

18 (2) the Secretary's assessment of the effective-
19 ness of special incentives for contractor investment
20 in facilities and process improvement projects under
21 subsection (d).

1 **SEC. 1017. OBTAINING CARRIAGE BY VESSEL: CRITERION**
2 **REGARDING OVERHAUL, REPAIR, AND MAIN-**
3 **TENANCE OF VESSELS IN THE UNITED**
4 **STATES.**

5 (a) ACQUISITION POLICY.—In order to maintain the
6 national defense industrial base, the Secretary of Defense
7 shall issue an acquisition policy that establishes, as a cri-
8 terion required to be considered in obtaining carriage by
9 vessel of cargo for the Department of Defense, the extent
10 to which an offeror of such carriage had overhaul, repair,
11 and maintenance work for covered vessels of the offeror
12 performed in shipyards located in the United States.

13 (b) COVERED VESSELS.—A vessel is a covered vessel
14 of an offeror under this section if the vessel is—

15 (1) owned, operated, or controlled by the offer-
16 or; and

17 (2) qualified to engage in the carriage of cargo
18 in the coastwise or non-contiguous trade under sec-
19 tion 27 of the Merchant Marine Act, 1920 (46
20 U.S.C. 883), section 12106 of title 46, United
21 States Code, and section 2 of the Shipping Act,
22 1916 (46 U.S.C. App. 802).

23 (c) APPLICATION OF POLICY.—The acquisition policy
24 shall include rules providing for application of the policy
25 to covered vessels as expeditiously as is practicable based

1 on the nature of carriage obtained, and by no later than
2 June 1, 2007.

3 (d) REGULATIONS.—

4 (1) IN GENERAL.—The Secretary shall pre-
5 scribe regulations as necessary to carry out the ac-
6 quisition policy and submit such regulations to the
7 Committees on Armed Services of the Senate and
8 the House of Representatives, by not later than
9 June 1, 2007.

10 (2) INTERIM REGULATIONS.—

11 (A) IN GENERAL.—The Secretary may pre-
12 scribe interim regulations as necessary to carry
13 out the acquisition policy. For this purpose, the
14 Secretary is excepted from compliance with the
15 notice and comment requirements of section
16 553 of title 5, United States Code.

17 (B) SUBMISSION TO CONGRESS.—Upon the
18 issuance of interim regulations under this para-
19 graph, the Secretary shall submit to the Com-
20 mittees on Armed Services of the Senate and
21 the House of Representatives the interim regu-
22 lations and a description of the acquisition pol-
23 icy developed (or being developed) under sub-
24 section (a).

1 (C) EXPIRATION.—All interim regulations
2 prescribed under the authority of this para-
3 graph that are not earlier superseded by final
4 regulations shall expire no later than June 1,
5 2007.

6 (e) ANNUAL REPORT.—The Secretary, acting
7 through the United States Transportation Command,
8 shall annually submit to the Committees on Armed Serv-
9 ices of the Senate and the House of Representatives a re-
10 port regarding overhaul, repair, and maintenance per-
11 formed on covered vessels of each offeror of carriage to
12 which the acquisition policy applies.

13 (f) DEFINITIONS.—In this section:

14 (1) FOREIGN SHIPYARD.—The term “foreign
15 shipyard” means a shipyard that is not located in
16 the United States.

17 (2) UNITED STATES.—The term “United
18 States” means—

19 (A) any State of the United States; and

20 (B) Guam.

21 **SEC. 1018. RIDING GANG MEMBER REQUIREMENTS.**

22 (a) REQUIREMENT FOR CHARTERS AND CON-
23 TRACTS.—

24 (1) IN GENERAL.—The Secretary of Defense
25 may not award, renew, extend, or exercise an option

1 to extend any charter of a vessel documented under
2 chapter 121 of title 46, United States Code, for the
3 Department of Defense, or any contract for the car-
4 riage of cargo by a vessel documented under that
5 chapter for the Department of Defense, unless the
6 charter or contract, respectively, includes provisions
7 that allow riding gang members to perform work on
8 the vessel during the effective period of the charter
9 or contract only under terms, conditions, restric-
10 tions, and requirements that, except as provided in
11 paragraphs (2) and (3), are substantially the same
12 as those that apply under section 8106 of title 46,
13 United States Code, as in effect immediately before
14 the enactment of this Act, with respect to a vessel
15 referred to in that section.

16 (2) LIMITATION.—For purposes of paragraph
17 (1) of this subsection, subsections (a)(1)(A)(ii), (c),
18 and (d) of section 8106 of title 46, United States
19 Code, shall not apply with respect to a charter or
20 contract referred to in paragraph (1).

21 (3) MERCHANT MARINER'S DOCUMENT RE-
22 QUIRED.—The Secretary of Defense shall include in
23 the provisions required under paragraph (1) a re-
24 quirement that each riding gang member who per-
25 forms work on the vessel must hold a merchant

1 mariner's document issued under chapter 73 of title
2 46, United States Code.

3 (4) RIDING GANG MEMBER DEFINED.—In this
4 subsection the term “riding gang member” has the
5 meaning that term has in section 8106 of title 46,
6 United States Code, as in effect immediately before
7 the enactment of this Act.

8 (b) EXEMPTIONS BY SECRETARY OF DEFENSE.—

9 (1) IN GENERAL.—The Secretary of Defense
10 may issue regulations that exempt from the charter
11 or contract provisions required under subsection (a)
12 any individual who is on a vessel for purposes other
13 than engaging in the operation or maintenance of
14 the vessel, including an individual who is—

15 (A) one of the personnel who accompany,
16 supervise, guard, and maintain unit equipment
17 aboard a ship, commonly referred to as
18 supercargo personnel;

19 (B) one of the force protection personnel of
20 the vessel;

21 (C) a specialized repair technician; or

22 (D) otherwise required by the Secretary of
23 Defense to be aboard the vessel.

24 (2) BACKGROUND CHECK.—Such regulations
25 shall include a requirement that any individual who

1 is exempt under the regulations must pass a back-
2 ground check before going aboard the vessel, unless
3 the individual holds a merchant mariner's document
4 issued under chapter 73 of title 46, United States
5 Code.

6 (3) EXEMPTED INDIVIDUAL NOT TREATED AS
7 IN ADDITION TO THE CREW.—An individual exempt-
8 ed under paragraph (1) shall not be counted as an
9 individual in addition to the crew for the purposes
10 of section 3304 of title 46, United States Code.

11 **SEC. 1019. AUTHORITY TO TRANSFER SS ARTHUR M.**
12 **HUDDALL TO THE GOVERNMENT OF GREECE.**

13 (a) AUTHORITY TO TRANSFER.—The President is au-
14 thorized to transfer the ex-Liberty ship SS Arthur M.
15 Huddell to the Government of Greece in accordance with
16 such terms and conditions as the President may deter-
17 mine.

18 (b) ADDITIONAL EQUIPMENT.—The President is au-
19 thorized to convey additional equipment from other obso-
20 lete vessels of the National Defense Reserve Fleet to assist
21 the Government of Greece in using the vessel referred to
22 in subsection (a) as a museum exhibit.

23 (c) REPAIR AND REFURBISHMENT IN UNITED
24 STATES SHIPYARD.—To the maximum extent practicable,
25 the President shall require, as a condition of the transfer

1 of the vessel referred to in subsection (a), that the Govern-
2 ment of Greece have such repair or refurbishment of the
3 vessel as is needed performed at a shipyard located in the
4 United States.

5 **Subtitle C—Counter-Drug**
6 **Activities**

7 **SEC. 1021. EXTENSION OF AUTHORITY OF DEPARTMENT OF**
8 **DEFENSE TO PROVIDE ADDITIONAL SUPPORT**
9 **FOR COUNTERDRUG ACTIVITIES OF OTHER**
10 **GOVERNMENTAL AGENCIES.**

11 Section 1004(a) of the National Defense Authoriza-
12 tion Act for Fiscal Year 1991 (10 U.S.C. 374 note) is
13 amended by striking “through 2006” and inserting
14 “through 2011”.

15 **SEC. 1022. EXTENSION AND EXPANSION OF DEPARTMENT**
16 **OF DEFENSE AUTHORITY TO PROVIDE SUP-**
17 **PORT FOR COUNTER-DRUG ACTIVITIES OF**
18 **CERTAIN FOREIGN GOVERNMENTS.**

19 (a) EXTENSION OF AUTHORITY.—Paragraph (2) of
20 subsection (a) of section 1033 of the National Defense Au-
21 thorization Act for Fiscal Year 1998 (Public Law 105–
22 85; 111 Stat. 1881), as amended by section 1021 of the
23 National Defense Authorization Act for Fiscal Year 2004
24 (Public Law 108–136; 117 Stat. 1593), is amended by

1 striking “September 30, 2006” and inserting “September
2 30, 2008”.

3 (b) ADDITIONAL GOVERNMENTS ELIGIBLE TO RE-
4 CEIVE SUPPORT.—Subsection (b) of such section is
5 amended by adding at the end the following new para-
6 graphs:

7 “(10) The Government of Azerbaijan.

8 “(11) The Government of Kazakhstan.

9 “(12) The Government of Kyrgyzstan.

10 “(13) The Government of Armenia.

11 “(14) The Government of Guatemala.

12 “(15) The Government of Belize.

13 “(16) The Government of Panama.”.

14 (c) TYPES OF SUPPORT.—Subsection (c) of such sec-
15 tion is amended—

16 (1) in paragraph (2), by inserting “, vehicles,
17 and, subject to section 484(a) of the Foreign Assist-
18 ance Act of 1961 (22 U.S.C. 2291c(a)), aircraft”
19 after “patrol boats”; and

20 (2) by adding at the end the following new
21 paragraphs:

22 “(4) The transfer of detection, interception,
23 monitoring, and testing equipment.

24 “(5) For the Government of Afghanistan only,
25 individual and crew-served weapons of 50 caliber or

1 less and ammunition for such weapons for counter-
2 narcotics security forces.”.

3 (d) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Sub-
4 section (e)(2) of such section is amended—

5 (1) by striking “or \$40,000,000” and inserting
6 “\$40,000,000”; and

7 (2) by inserting before the period at the end the
8 following: “, or \$60,000,000 during either of the fis-
9 cal years 2007 and 2008”.

10 **SEC. 1023. EXTENSION OF AUTHORITY TO SUPPORT UNI-**
11 **FIED COUNTERDRUG AND**
12 **COUNTERTERRORISM CAMPAIGN IN COLOM-**
13 **BIA.**

14 Section 1021 of the Ronald W. Reagan National De-
15 fense Authorization Act for Fiscal Year 2005 (Public Law
16 108–375; 118 Stat. 2042) is amended—

17 (1) in subsection (a)(1), by striking “and 2006”
18 and inserting “through 2008”; and

19 (2) in subsection (c), by striking “and 2006”
20 and inserting “through 2008”.

1 **SEC. 1024. CONTINUATION OF REPORTING REQUIREMENT**
2 **REGARDING DEPARTMENT OF DEFENSE EX-**
3 **PENDITURES TO SUPPORT FOREIGN**
4 **COUNTERDRUG ACTIVITIES.**

5 (a) TWO-YEAR EXTENSION OF REPORTING RE-
6 QUIREMENT.—Section 1022 of the Floyd D. Spence Na-
7 tional Defense Authorization Act for Fiscal Year 2001 (as
8 enacted into law by Public Law 106–398; 114 Stat.
9 1654A–255), as amended by section 1022 of the National
10 Defense Authorization Act for Fiscal Year 2002 (Public
11 Law 107–107; 115 Stat. 1215) and section 1021 of the
12 National Defense Authorization Act for Fiscal Year 2006
13 (Public Law 109–163; 119 Stat. 3426), is further amend-
14 ed by striking “Not later than April 15, 2006,” and insert-
15 ing “(a) REPORTS REQUIRED.—Not later than April 15,
16 2006, February 15, 2007, and February 15, 2008,”.

17 (b) ADDITIONAL INFORMATION TO BE INCLUDED.—
18 Such section is further amended—

19 (1) by designating the second sentence as sub-
20 section (b) and striking “The report” and inserting
21 “INFORMATION TO BE PROVIDED.—Each report
22 under this section”; and

23 (2) in paragraph (2), by inserting before the pe-
24 riod at the end the following: “and the amount of
25 funds provided for each type of counterdrug activity
26 assisted”.

1 (c) FORM AND SUBMISSION OF REPORTS.—Such sec-
2 tion is further amended—

3 (1) in subsection (a), as designated by sub-
4 section (a) of this section, by striking “the congres-
5 sional defense committees” and inserting “the con-
6 gressional committees specified in subsection (d)”;
7 and

8 (2) by adding at the end the following new sub-
9 sections:

10 “(c) FORM OF REPORTS.—Each report under this
11 section shall be submitted in both classified and unclassi-
12 fied form.

13 “(d) SPECIFIED COMMITTEES.—The congressional
14 committees specified in this subsection are the following:

15 “(1) The Committee on Armed Services, the
16 Committee on Foreign Relations, and the Committee
17 on Appropriations of the Senate.

18 “(2) The Committee on Armed Services, the
19 Committee on International Relations, and the Com-
20 mittee on Appropriations of the House of Represent-
21 atives.”.

1 **SEC. 1025. REPORT ON INTERAGENCY COUNTER-NAR-**
2 **COTICS PLAN FOR AFGHANISTAN AND SOUTH**
3 **AND CENTRAL ASIAN REGIONS.**

4 (a) **REPORT REQUIRED.**—Not later than December
5 31, 2006, the Secretary of Defense shall submit to the
6 congressional defense committees a report updating the
7 interagency counter-narcotics implementation plan for Af-
8 ghanistan and the South and Central Asian regions, in-
9 cluding Turkmenistan, Uzbekistan, Tajikistan,
10 Kyrgyzstan, Kazakhstan, Iran, Armenia, Azerbaijan,
11 Pakistan, India, and China.

12 (b) **CONSULTATION.**—The report under this section
13 shall be prepared in consultation with the Secretary of
14 State, the Administrator of the Agency for International
15 Development, and the Director of the Drug Enforcement
16 Administration.

17 (c) **MATTERS TO BE INCLUDED.**—The report shall
18 include the following for each foreign government covered
19 by the report:

20 (1) A consideration of what activities should be
21 reallocated among the United States and the foreign
22 government based on the capabilities of each depart-
23 ment and agency involved.

24 (2) Any measures necessary to clarify the legal
25 authority required to complete the mission.

1 (3) The measures necessary for the United
2 States to successfully complete its counter-narcotics
3 efforts in Afghanistan and the South and Central
4 Asian regions, including an assessment of whether
5 sufficient personnel and other resources, including
6 infrastructure and development initiatives, are being
7 made available by the United States and the foreign
8 government.

9 (4) Current and proposed United States fund-
10 ing to support counter-narcotics activities of the for-
11 eign government.

12 **SEC. 1026. REPORT ON UNITED STATES SUPPORT FOR OP-**
13 **ERATION BAHAMAS, TURKS & CAICOS.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) In 1982 the United States Government cre-
17 ated Operation Bahamas, Turks & Caicos (OPBAT)
18 to counter the smuggling of cocaine into the United
19 States.

20 (2) According to the Drug Enforcement Agen-
21 cy, an estimated 80 percent of the cocaine entering
22 the United States in the 1980s came through the
23 Bahamas, whereas, according to the Office of Na-
24 tional Drug Control Policy, only an estimated 10
25 percent comes through the Bahamas today.

1 (3) According to the Drug Enforcement Agen-
2 cy, more than 80,000 kilograms of cocaine and near-
3 ly 700,000 pounds of marijuana have been seized in
4 Operation Bahamas, Turks & Caicos since 1986,
5 with a combined street value of approximately two
6 billion dollars.

7 (4) The Army has provided military airlift to
8 law enforcement officials under Operation Bahamas,
9 Turks & Caicos to create an effective, reliable, and
10 immediate response capability for drug interdiction.
11 This support is largely responsible for the decline in
12 cocaine shipments to the United States through the
13 Bahamas.

14 (5) The Bahamas is an island nation composed
15 of approximately 700 islands and keys, which makes
16 aviation assets the best and most efficient method of
17 transporting law enforcement agents and inter-
18 dicting smugglers.

19 (6) It is in the interests of the United States
20 to maintain the results of the successful Operation
21 Bahamas, Turks & Caicos program and prevent
22 drug smugglers from rebuilding their operations
23 through the Bahamas.

24 (b) REPORT ON UNITED STATES GOVERNMENT SUP-
25 PORT FOR OPBAT.—

1 (1) REPORT ON DECISION TO WITHDRAW.—Not
2 later than 30 days before implementing a decision to
3 withdraw Department of Defense helicopters from
4 Operation Bahamas, Turks & Caicos, the Secretary
5 of Defense shall submit to the Congress a report
6 outlining the plan for the coordination of the Oper-
7 ation Bahamas, Turks & Caicos mission, at the
8 same level of effectiveness, using other United States
9 Government assets.

10 (2) CONSULTATION.—The Secretary of Defense
11 shall consult with the Secretary of State, the Attor-
12 ney General, and the Secretary of Homeland Secu-
13 rity, and with other appropriate officials of the
14 United States Government, in preparing the report
15 under paragraph (1).

16 (3) ELEMENTS.—The report under paragraph
17 (1) on the withdrawal of equipment referred to in
18 that paragraph shall include the following:

19 (A) An explanation of the military jus-
20 tification for the withdrawal of the equipment.

21 (B) An assessment of the availability of
22 other options (including other Government heli-
23 copters) to provide the capability being provided
24 by the equipment to be withdrawn.

1 (C) An explanation of how each option
2 specified under subparagraph (B) will provide
3 the capability currently provided by the equip-
4 ment to be withdrawn.

5 (D) An assessment of the potential use of
6 unmanned aerial vehicles in Operation Baha-
7 mas, Turks & Caicos, including the capabilities
8 of such vehicles and any advantages or dis-
9 advantages associated with the use of such vehi-
10 cles in that operation, and a recommendation
11 on whether or not to deploy such vehicles in
12 that operation.

13 **Subtitle D—Force Structure and** 14 **Defense Policy Matters**

15 **SEC. 1031. IMPROVEMENTS TO QUADRENNIAL DEFENSE RE-** 16 **VIEW.**

17 (a) FINDINGS.—Congress finds that the comprehen-
18 sive examination of the defense program and policies of
19 the United States that is undertaken by the Security De-
20 fense every four years pursuant to section 118 of title 10,
21 United States Code, known as the Quadrennial Defense
22 Review, is—

23 (1) vital in laying out the strategic military
24 planning and threat objectives of the Department of
25 Defense; and

1 (2) critical to identifying the correct mix of
2 military planning assumptions, defense capabilities,
3 and strategic focuses for the Armed Forces.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the Quadrennial Defense Review is intended to
6 provide more than an overview of global threats and the
7 general strategic orientation of the Department of De-
8 fense.

9 (c) CONDUCT OF REVIEW.—Subsection (b) of section
10 118 of title 10, United States Code, is amended—

11 (1) by striking “and” at the end of paragraph
12 (2);

13 (2) by striking the period at the end of para-
14 graph (3) and inserting “; and”; and

15 (3) by adding at the end the following new
16 paragraph:

17 “(4) to make recommendations that are not
18 constrained to comply with the budget submitted to
19 Congress by the President pursuant to section 1105
20 of title 31.”.

21 (d) ADDITIONAL ELEMENTS IN REPORT TO CON-
22 GRESS.—Subsection (d) of such section is amended—

23 (1) in paragraph (1), by inserting “, the stra-
24 tegic planning guidance,” after “United States”;

1 (2) by redesignating paragraphs (9) through
2 (15) as paragraphs (10), (11), (12), (13), (14), (15),
3 and (17), respectively;

4 (3) by inserting after paragraph (8) the fol-
5 lowing new paragraph (9):

6 “(9) The specific capabilities, including the gen-
7 eral number and type of specific military platforms,
8 needed to achieve the strategic and warfighting ob-
9 jectives identified in the review.”; and

10 (4) by inserting after paragraph (15), as redesi-
11 gnated by paragraph (2), the following new para-
12 graph:

13 “(16) The homeland defense and support to
14 civil authority missions of the active and reserve
15 components, including the organization and capabili-
16 ties required for the active and reserve components
17 to discharge each such mission.”.

18 (e) CJCS REVIEW.—Subsection (e)(1) of such sec-
19 tion is amended by inserting before the period at the end
20 the following: “and a description of the capabilities needed
21 to address such risk”.

22 (f) INDEPENDENT ASSESSMENT.—Such section is
23 further amended by adding at the end the following new
24 subsection:

1 “(f) INDEPENDENT PANEL ASSESSMENT.—(1) Not
2 later than six months before the date on which the report
3 on a Quadrennial Defense Review is to be submitted under
4 subsection (d), the Secretary of Defense shall establish a
5 panel to conduct an assessment of the quadrennial defense
6 review.

7 “(2) Not later than three months after the date on
8 which the report on a quadrennial defense review is sub-
9 mitted under subsection (d) to the congressional commit-
10 tees named in that subsection, the panel appointed under
11 paragraph (1) shall submit to those committees an assess-
12 ment of the review, including the recommendations of the
13 review, the stated and implied assumptions incorporated
14 in the review, and the vulnerabilities of the strategy and
15 force structure underlying the review. The assessment of
16 the panel shall include analyses of the trends,
17 asymmetries, and concepts of operations that characterize
18 the military balance with potential adversaries, focusing
19 on the strategic approaches of possible opposing forces.”.

20 **SEC. 1032. QUARTERLY REPORTS ON IMPLEMENTATION OF**
21 **2006 QUADRENNIAL DEFENSE REVIEW RE-**
22 **PORT.**

23 (a) REPORTS REQUIRED.—Not later than 30 days
24 after the end of each fiscal-year quarter, the Secretary of
25 Defense shall submit to the Committee on Armed Services

1 of the Senate and the Committee on Armed Services of
2 the House of Representatives a report on the implementa-
3 tion of recommendations described in the Department of
4 Defense 2006 Quadrennial Defense Review Report.

5 (b) CONTENTS OF REPORTS.—Each quarterly report
6 under subsection (a) shall, at a minimum—

7 (1) describe the processes and procedures estab-
8 lished by the Secretary of Defense to examine the
9 various recommendations referred to in subsection
10 (a);

11 (2) discuss implementation plans and strategies
12 for each area highlighted by the Quadrennial De-
13 fense Review Report;

14 (3) provide relevant information about the sta-
15 tus of such implementation; and

16 (4) indicate changes in the Secretary's assess-
17 ment of the defense strategies or capabilities re-
18 quired since the publication of the 2006 Quadrennial
19 Defense Review Report.

20 (c) INITIAL REPORT.—The first report under sub-
21 section (a) shall be submitted not later than January 31,
22 2007.

23 (d) EXPIRATION OF REQUIREMENT.—The reporting
24 requirement in subsection (a) shall terminate upon the
25 earlier of the following:

1 (1) The date of the publication of the next
2 Quadrennial Defense Review Report after the date
3 of the enactment of this Act pursuant to section 118
4 of title 10, United States Code.

5 (2) The date of transmission of a written notifi-
6 cation by the Secretary of Defense to the Committee
7 on Armed Services of the Senate and the Committee
8 on Armed Services of the House of Representatives
9 that implementation of the recommendations of the
10 2006 Quadrennial Defense Review is complete.

11 **SEC. 1033. REPORT ON FEASIBILITY OF ESTABLISHING A**
12 **REGIONAL COMBATANT COMMAND FOR AFRI-**
13 **CA.**

14 (a) **REPORT REQUIRED.**—Not later than 180 days
15 after the date of the enactment of this Act, the Secretary
16 of Defense shall submit to the Committee on Armed Serv-
17 ices of the Senate and the Committee on Armed Services
18 of the House of Representatives a report on the establish-
19 ment under chapter 6 of title 10, United States Code, of
20 a new unified combatant command with a geographic area
21 of responsibility consisting of the African continent and
22 adjacent waters.

23 (b) **CONTENT.**—The report under subsection (a) shall
24 include—

1 (1) a study on the feasibility and advisability of
2 establishing a combatant command for Africa as de-
3 scribed in subsection (a);

4 (2) an assessment of the benefits and problems
5 associated with establishing such a command; and

6 (3) an estimate of the costs, time, and re-
7 sources needed to establish such a command.

8 **SEC. 1034. DETERMINATION OF DEPARTMENT OF DEFENSE**
9 **INTRATHEATER AND INTERTHEATER AIRLIFT**
10 **REQUIREMENTS AND SEALIFT MOBILITY RE-**
11 **QUIREMENTS.**

12 (a) DETERMINATION OF REQUIREMENTS.—The Sec-
13 retary of Defense, as part of the 2006 Mobility Capabili-
14 ties Study, shall determine Department of Defense mobil-
15 ity requirements as follows:

16 (1) The Secretary shall determine intratheater
17 and intertheater airlift mobility requirements (stated
18 in terms of million ton miles per day) and sealift
19 mobility requirements (stated in terms of tons) nec-
20 essary to support warfighting objectives of the com-
21 manders of the combatant commands for each sce-
22 nario that was modeled in the 2005 Mobility Capa-
23 bilities Study and each scenario that is modeled in
24 the 2006 Mobility Capabilities Study.

1 (2) The Secretary shall determine intratheater
2 and intertheater airlift mobility requirements (stated
3 in terms of million ton miles per day) and sealift
4 mobility requirements (stated in terms of tons) for
5 executing the National Military Strategy with a low
6 acceptable level of risk, with a medium acceptable
7 level of risk, and with a high acceptable level of risk,
8 for each of the following:

9 (A) Two overlapping “swift defeat” cam-
10 paigns.

11 (B) The Global War on Terrorism.

12 (C) Baseline security posture operations.

13 (D) Homeland defense and civil support
14 operations.

15 (E) Special operations missions.

16 (F) Global long-range strike missions.

17 (G) Strategic nuclear missions.

18 (b) REPORT.—Not later than February 1, 2007, the
19 Secretary of Defense shall submit to the congressional de-
20 fense committees a report providing the mobility require-
21 ments determined pursuant to subsection (a). As part of
22 the report, the Secretary shall—

23 (1) set forth each mobility requirement speci-
24 fied in paragraph (1) or (2) of subsection (a); and

1 (2) compare those defined mobility require-
2 ments to the Department of Defense's mobility capa-
3 bility program of record for intertheater and
4 intratheater airlift and sealift.

5 (c) MOBILITY CAPABILITIES STUDIES.—For pur-
6 poses of this section:

7 (1) 2006 MOBILITY CAPABILITIES STUDY.—The
8 term “2006 Mobility Capabilities Study” means the
9 studies conducted by the Secretary of Defense and
10 the Joint Staff during 2006 as a follow-on to the
11 2005 Mobility Capabilities Study.

12 (2) 2005 MOBILITY CAPABILITIES STUDY.—The
13 term “2005 Mobility Capabilities Study” means the
14 comprehensive Mobility Capabilities Study completed
15 in December 2005 and conducted through the Office
16 of Program Analysis and Evaluation of the Depart-
17 ment of Defense to assess mobility needs for all as-
18 pects of the National Defense Strategy.

1 **SEC. 1035. PRESIDENTIAL REPORT ON IMPROVING INTER-**
2 **AGENCY SUPPORT FOR UNITED STATES 21ST**
3 **CENTURY NATIONAL SECURITY MISSIONS**
4 **AND INTERAGENCY OPERATIONS IN SUP-**
5 **PORT OF STABILITY, SECURITY, TRANSITION,**
6 **AND RECONSTRUCTION OPERATIONS.**

7 (a) REPORT REQUIRED.—Not later than April 1,
8 2007, the President shall submit to Congress a report on
9 building interagency capacity and enhancing the integra-
10 tion of civilian capabilities of the executive branch with
11 the capabilities of the Armed Forces to enhance the
12 achievement of United States national security goals and
13 objectives.

14 (b) REPORT ELEMENTS.—The report under sub-
15 section (a) shall include the following:

16 (1) An assessment of the capacity and capabili-
17 ties required within the civilian agencies of the
18 United States Government to achieve the full range
19 of United States national security goals and objec-
20 tives, to defend United States national security in-
21 terests, and, in particular, to coordinate with the
22 Armed Forces where deployed, including capacity
23 and capabilities in at least the following areas:

24 (A) Organizations and organizational
25 structures, including a description of the roles,
26 responsibilities, and authorities;

1 (B) Planning and assessment capabilities;

2 (C) Information sharing policies, practices,
3 and systems;

4 (D) Leadership issues, including command
5 and control of forces and personnel in the field;

6 (E) Personnel policies and systems, includ-
7 ing those pertaining to recruiting, retention,
8 training, education, promotion, awards, employ-
9 ment, deployment, and retirement; and

10 (F) Acquisition authorities, including iden-
11 tifying any economies of scale that could be
12 gained by improved coordination of acquisition
13 activities and replicating “best practices”, as
14 appropriate.

15 (2) The criteria and considerations used to
16 evaluate progress in each of the areas specified in
17 paragraph (1) towards building interagency capacity
18 and capabilities and integrating such capabilities
19 across the United States Government to enhance the
20 achievement of United States national security goals
21 and objectives.

22 (3) Recommendations for specific legislative
23 proposals that would build interagency capacity by—

24 (A) addressing statutory or budgetary im-
25 pediments, if any, to the improvement of inter-

1 agency cooperation and coordination in order to
2 carry out the full range of national security
3 missions (including stability, security, transi-
4 tion, and reconstruction operations); and

5 (B) providing means to enhance the inte-
6 gration of civilian capabilities with the capabili-
7 ties of deployed elements of the Armed Forces
8 for each of those national security missions.

9 (c) **ADDITIONAL REPORT ELEMENTS.**—The report
10 under subsection (a) shall include a portion dedicated to
11 efforts to address the near-term need to strengthen inter-
12 agency operations in support of stability, security, transi-
13 tion, and reconstruction operations, including a plan to es-
14 tablish interagency operating procedures for the depart-
15 ments and agencies of the United States Government for
16 the planning and conduct of stability, security, transition,
17 and reconstruction operations. Such plan shall include the
18 following:

19 (1) A delineation of the roles, responsibilities,
20 and authorities of the departments and agencies of
21 the United States Government for stability, security,
22 transition, and reconstruction operations.

23 (2) A description of operational processes for
24 setting policy direction for stability, security, transi-

1 tion, and reconstruction operations in order to
2 guide—

3 (A) operational planning and funding deci-
4 sions of those departments and agencies;

5 (B) integration of civilian and military
6 planning efforts;

7 (C) integration of programs and activities
8 into an implementation plan;

9 (D) oversight of policy implementation;

10 (E) provision of guidance to field-level per-
11 sonnel on program direction and priorities; and

12 (F) monitoring of field implementation of
13 assistance programs.

14 (3) A description of available capabilities and
15 resources of each department and agency of the
16 United States Government that could be used in
17 support of stability, security, transition, and recon-
18 struction operations and identification of additional
19 resources needed to support the conduct of such op-
20 erations.

21 (4) A description of how the capabilities and re-
22 sources of the departments and agencies of the
23 United States Government will be coordinated to
24 support stability, security, transition, and recon-
25 struction operations.

1 “(10) A description of the coordination and in-
2 tegration of the program of the Defense Advanced
3 Research Projects Agency (DARPA) on basic and
4 applied research and advanced technology develop-
5 ment on chemical and biological warfare defense
6 technologies and systems under section 1701(c)(2)
7 with the overall program of the Department of De-
8 fense on chemical and biological warfare defense, in-
9 cluding—

10 “(A) an assessment of the degree to which
11 the DARPA program is coordinated and inte-
12 grated with, and supports the objectives and re-
13 quirements of, the overall program of the De-
14 partment of Defense; and

15 “(B) the means by which the Department
16 determines the level of such coordination and
17 support.”.

18 **SEC. 1042. REPORT ON BIODEFENSE HUMAN CAPITAL RE-**
19 **QUIREMENTS IN SUPPORT OF BIOSAFETY**
20 **LABORATORIES.**

21 (a) **STUDY REQUIRED.**—The Secretary of Defense
22 shall conduct a study to determine the Department of De-
23 fense human capital requirements for pending capital pro-
24 grams to construct biodefense laboratories at Biosafety

1 Level (BSL) 3 and Biosafety Level 4 or to expand current
2 biodefense laboratories to such biosafety levels.

3 (b) ELEMENTS.—In conducting the study, the Sec-
4 retary shall address the following:

5 (1) The number of trained research and sup-
6 port staff, by discipline and qualification level, in-
7 cluding researchers, laboratory technicians, animal
8 handlers, facility managers, facility or equipment
9 maintainers, biosecurity personnel (including bio-
10 safety, physical, and electronic security personnel),
11 and other safety personnel required—

12 (A) for existing biodefense laboratories at
13 Biosafety Level 3 and Biosafety Level 4; and

14 (B) to manage biodefense research efforts
15 to combat bioterrorism at the biodefense labora-
16 tories described in subsection (a).

17 (2) Plans to recruit and retain skilled per-
18 sonnel, in numbers sufficient to meet requirements
19 described in paragraph (1)(B).

20 (3) A forecast of the training required to pro-
21 vide the personnel described by paragraph (1)(B) in
22 time to meet the scheduled openings of the bio-
23 defense laboratories described in subsection (a), in-
24 cluding—

25 (A) the types of training required;

1 (B) the length of training required; and

2 (C) the training sources.

3 (c) REPORT.—Not later than 180 days after the date
4 of the enactment of this Act, the Secretary shall submit
5 to the Committees on Armed Services of the Senate and
6 House of Representatives a report setting forth the results
7 of the study conducted under this section.

8 **SEC. 1043. REPORT ON TECHNOLOGIES FOR NEUTRALIZING**
9 **OR DEFEATING THREATS TO MILITARY RO-**
10 **TARY-WING AIRCRAFT FROM PORTABLE AIR**
11 **DEFENSE SYSTEMS AND ROCKET-PROPELLED**
12 **GRENADES.**

13 (a) REPORT REQUIRED.—Not later than 180 days
14 after the date of the enactment of this Act, the Secretary
15 of Defense shall submit to the congressional defense com-
16 mittees a report on technologies for neutralizing or defeat-
17 ing threats to military rotary-wing aircraft posed by port-
18 able air defense systems and rocket-propelled grenades
19 that are being researched, developed, employed, or consid-
20 ered by the United States Government or the North Atlan-
21 tic Treaty Organization.

22 (b) CONTENT.—The report under subsection (a) shall
23 include the following:

1 (1) An assessment of the expected value and
2 utility of the technologies referred to in subsection
3 (a), particularly with respect to—

4 (A) the saving of lives;

5 (B) the ability to reduce the vulnerability
6 of aircraft; and

7 (C) the enhancement of the ability of air-
8 craft and their crews to accomplish assigned
9 missions.

10 (2) An assessment of the potential costs of de-
11 veloping and deploying such technologies.

12 (3) A description of efforts undertaken to de-
13 velop such technologies, including—

14 (A) nonlethal countermeasures;

15 (B) lasers and other systems designed to
16 dazzle, impede, or obscure threatening weapon
17 or their users;

18 (C) direct fire response systems;

19 (D) directed energy weapons; and

20 (E) passive and active systems.

21 (4) A description of any impediment to the de-
22 velopment of such technologies, such as legal restric-
23 tions under the law of war, treaty restrictions under
24 the Protocol on Blinding Lasers, and political obsta-

1 cles such as the reluctance of other allied countries
2 to pursue such technologies.

3 **SEC. 1044. REPORTS ON EXPANDED USE OF UNMANNED**
4 **AERIAL VEHICLES IN THE NATIONAL AIR-**
5 **SPACE SYSTEM.**

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

8 (1) Unmanned aerial vehicles (UAVs) serve De-
9 partment of Defense intelligence, surveillance, recon-
10 naissance, and combat missions.

11 (2) Operational reliability of unmanned aerial
12 systems continues to improve, and development and
13 fielding of so-called sense-and-avoid technology
14 should continue in order to provide unmanned aerial
15 systems with an appropriate level of safety.

16 (3) Unmanned aerial vehicles have the potential
17 to support the Nation's homeland defense mission,
18 border security mission, and natural disaster recov-
19 ery efforts.

20 (b) REPORTS.—

21 (1) DOD REPORT.—Not later than one year
22 after the date of the enactment of this Act, the Sec-
23 retary of Defense shall submit to the relevant con-
24 gressional committees a report on the actions of the
25 Department of Defense to develop standards for the

1 testing and operation of unmanned aerial vehicles in
2 the National Airspace System.

3 (2) FAA REPORT.—Not later than one year
4 after the date of the enactment of this Act, the Ad-
5 ministrator of the Federal Aviation Administration
6 shall submit to the relevant congressional commit-
7 tees a report on progress in developing a policy for
8 testing and a plan for achieving wider access by un-
9 manned aerial vehicles that are appropriately
10 equipped to operate in the National Airspace System

11 (3) RELEVANT CONGRESSIONAL COMMITTEE.—
12 For the purposes of this subsection, the relevant
13 congressional committees are the following:

14 (A) The Committee on Armed Services, the
15 Committee on Commerce, the Committee on
16 Science and Transportation, and the Committee
17 on Homeland Security and Governmental Af-
18 fairs of the Senate.

19 (B) The Committee on Armed Services,
20 the Committee on Energy and Commerce, the
21 Committee on Government Reform, and the
22 Committee on Transportation and Infrastruc-
23 ture of the House of Representatives.

1 **SEC. 1045. REPORT ON INCENTIVES TO ENCOURAGE CER-**
2 **TAIN MEMBERS AND FORMER MEMBERS OF**
3 **THE ARMED FORCES TO SERVE IN THE BU-**
4 **REAU OF CUSTOMS AND BORDER PROTEC-**
5 **TION.**

6 (a) REPORT REQUIRED.—Not later than 60 days
7 after the date of the enactment of this Act, the Secretary
8 of Homeland Security and the Secretary of Defense shall
9 jointly submit to the congressional committees specified in
10 subsection (e) a report assessing the desirability and feasi-
11 bility of offering incentives to members and former mem-
12 bers of the Armed Forces described in subsection (b) for
13 the purpose of encouraging such members to serve in the
14 Bureau of Customs and Border Protection of the Depart-
15 ment of Homeland Security.

16 (b) COVERED MEMBERS AND FORMER MEMBERS.—
17 The members and former members of the Armed Forces
18 to be covered by the report under subsection (a) are the
19 following:

20 (1) Members of the reserve components of the
21 Armed Forces.

22 (2) Former members of the Armed Forces with-
23 in two years of separation from service in the Armed
24 Forces.

25 (c) REQUIREMENTS AND LIMITATIONS.—

1 (1) NATURE OF INCENTIVES.—In considering
2 incentives for purposes of the report required by
3 subsection (a), the Secretaries shall consider such
4 incentives as the Secretaries jointly consider appro-
5 priate, whether or not such incentives are monetary
6 or otherwise and whether or not such incentives are
7 authorized by current law or regulations.

8 (2) TARGETING OF INCENTIVES.—In assessing
9 any incentive for purposes of the report, the Secre-
10 taries shall give particular attention to the utility of
11 such incentive in—

12 (A) encouraging service in the Bureau of
13 Customs and Border Protection after service in
14 the Armed Forces by members and former
15 members of the Armed Forces described in sub-
16 section (b) who provided border patrol or bor-
17 der security assistance to the Bureau as part of
18 their duties as members of the Armed Forces;
19 and

20 (B) leveraging military training and expe-
21 rience by accelerating training, or allowing
22 credit to be applied to related areas of training,
23 required for service with the Bureau of Cus-
24 toms and Border Protection.

1 (3) PAYMENT.—In assessing incentives for pur-
2 poses of the report, the Secretaries shall assume
3 that any costs of such incentives shall be borne by
4 the Department of Homeland Security.

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

7 (1) A description of various monetary and non-
8 monetary incentives considered for purposes of the
9 report.

10 (2) An assessment of the desirability and feasi-
11 bility of utilizing any such incentive for the purpose
12 specified in subsection (a), including an assessment
13 of the particular utility of such incentive in encour-
14 aging service in the Bureau of Customs and Border
15 Protection after service in the Armed Forces by
16 members and former members of the Armed Forces
17 described in subsection (c)(2)(A).

18 (3) Any other matters that the Secretaries
19 jointly consider appropriate.

20 (e) SUBMISSION OF REPORT.—The report required
21 by subsection (a) shall be submitted to—

22 (1) the Committee on Armed Services, the
23 Committee on Homeland Security and Governmental
24 Affairs, and the Committee on Appropriations of the
25 Senate; and

1 (2) the Committee on Armed Services, the
2 Committee on Homeland Security, and the Com-
3 mittee on Appropriations of the House of Represent-
4 atives.

5 **SEC. 1046. REPEAL OF CERTAIN REPORT REQUIREMENTS.**

6 (a) ANNUAL REPORT ON AVIATION CAREER INCEN-
7 TIVE PAY.—Section 301a of title 37, United States Code,
8 is amended by striking subsection (f).

9 (b) ANNUAL REPORT ON EFFECTS OF CERTAIN INI-
10 TIATIVES ON RECRUITMENT AND RETENTION.—

11 (1) REPEAL.—Section 1015 of title 37, United
12 States Code, is repealed.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions at the beginning of chapter 19 of such title is
15 amended by striking the item relating to section
16 1015.

17 (c) SECRETARY OF DEFENSE RECOMMENDATION ON
18 NEED FOR DEFENSE IMPACT REVIEW PROCESS.—Section
19 1041 of the National Defense Authorization Act for Fiscal
20 Year 2002 (Public Law 107–107; 115 Stat. 1217) is re-
21 pealed.

22 (d) REPORT ON PILOT PROGRAM TO ENHANCE MILI-
23 TARY RECRUITING BY IMPROVING MILITARY AWARENESS
24 OF SCHOOL COUNSELORS AND EDUCATORS.—Section 564
25 of the Floyd D. Spence National Defense Authorization

1 Act for Fiscal Year 2001 (as enacted into law by Public
2 Law 106–398 (114 Stat. 1654A–133; 10 U.S.C. 503
3 note)) is amended by striking subsection (c).

4 (e) ANNUAL REPORT ON MEDICAL INFORMATICS.—
5 Section 723(d) of the National Defense Authorization Act
6 for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C.
7 1071 note) is amended—

8 (1) by striking paragraph (5); and

9 (2) by redesignating paragraphs (6) and (7) as
10 paragraphs (5) and (6), respectively.

11 **SEC. 1047. REQUIREMENT FOR IDENTIFICATION OF RE-**
12 **CENTLY ENACTED RECURRING REPORTING**
13 **REQUIREMENTS APPLICABLE TO THE DE-**
14 **PARTMENT OF DEFENSE.**

15 (a) IDENTIFICATION AND SUBMITTAL TO CONGRES-
16 SIONAL COMMITTEES.—

17 (1) IN GENERAL.—Not later than March 1,
18 2007, the Secretary of Defense shall submit to the
19 Committee on Armed Services of the Senate and the
20 Committee on Armed Services of the House of Rep-
21 resentatives a listing of each provision of law speci-
22 fied in paragraph (2).

23 (2) COVERED PROVISIONS OF LAW.—Paragraph
24 (1) applies with respect to any provision of law en-
25 acted on or after November 24, 2003 (the date of

1 the enactment of the National Defense Authoriza-
2 tion Act for Fiscal Year 2004 (Public Law 108-
3 136)), and before February 1, 2007, that requires
4 the submission by the Secretary of Defense or any
5 other official of the Department of Defense of an-
6 nual, semiannual, or other periodic reports to one or
7 more of the congressional defense committees

8 (b) ADDITIONAL MATTER TO BE SUBMITTED.—The
9 Secretary of Defense shall include with the listing sub-
10 mitted under subsection (a) the following:

11 (1) With respect to each provision of law cov-
12 ered by that subsection, a description of the report
13 requirement under that provision.

14 (2) For each such report requirement—

15 (A) an assessment by the Secretary—

16 (i) of the burden imposed on the De-
17 partment of Defense by the preparation of
18 the report; and

19 (ii) of the utility of such report from
20 the perspective of the Department of De-
21 fense; and

22 (B) a recommendation on the advisability
23 of repealing or modifying the requirement for
24 the submittal of such report.

1 (c) DEFINITION.—In this section, the term “report”
2 has the meaning given that term in section 480(c) of title
3 10, United States Code.

4 **Subtitle F—Miscellaneous Authorities**
5 **and Limitations on Avail-**
6 **ability and Use of Funds**

7 **SEC. 1051. ACCEPTANCE AND RETENTION OF REIMBURSE-**
8 **MENT FROM NON-FEDERAL SOURCES TO DE-**
9 **FRAY DEPARTMENT OF DEFENSE COSTS OF**
10 **CONFERENCES.**

11 (a) IN GENERAL.—Subchapter II of chapter 134 of
12 title 10, United States Code, is amended by adding at the
13 end the following new section:

14 **“§ 2262. Department of Defense conferences: collec-**
15 **tion of fees to cover Department of De-**
16 **fense costs**

17 “(a) AUTHORITY TO COLLECT FEES.—(1) The Sec-
18 retary of Defense may collect fees from any individual or
19 commercial participant in a conference, seminar, exhi-
20 bition, symposium, or similar meeting conducted by the
21 Department of Defense (in this section referred to collec-
22 tively as a ‘conference’).

23 “(2) The Secretary may provide for the collection of
24 fees under this section directly or by contract. The fees
25 may be collected in advance of a conference.

1 “(b) USED OF COLLECTED FEES.—Amounts col-
2 lected under subsection (a) with respect to a conference
3 shall be credited to the appropriation or account from
4 which the costs of the conference are paid and shall be
5 available to pay the costs of the Department of Defense
6 with respect to the conference or to reimburse the Depart-
7 ment for costs incurred with respect to the conference.

8 “(c) TREATMENT OF EXCESS AMOUNTS.—In the
9 event the total amount of fees collected under subsection
10 (a) with respect to a conference exceeds the actual costs
11 of the Department of Defense with respect to the con-
12 ference, the amount of such excess shall be deposited into
13 the Treasury as miscellaneous receipts.

14 “(d) ANNUAL REPORTS.—(1) Not later than 45 days
15 after the President submits to Congress the budget for
16 a fiscal year under section 1105 of title 31, the Secretary
17 of Defense shall submit to the congressional defense com-
18 mittees a budget justification document summarizing the
19 use of the fee-collection authority provided by this section.

20 “(2) Each report shall include the following:

21 “(A) A list of all conferences conducted during
22 the preceding two calendar years for which fees were
23 collected under this section.

24 “(B) For each conference included on the list
25 under subparagraph (A):

1 to self-deploying watercraft under the jurisdiction of
2 a military department.

3 (2) Expenses relating to the costs of port sup-
4 port activities in connection with such exercises, in-
5 cluding transportation and port handling.

6 (3) Expenses relating to the breakout and oper-
7 ation of prepositioned watercraft and lighterage for
8 joint logistics and over the shore exercises in connec-
9 tion with such exercises.

10 (b) SUPPLEMENT NOT SUPPLANT.—Any amounts
11 made available by the Chairman of the Joint Chiefs of
12 Staff under subsection (a) for expenses covered by that
13 subsection are in addition to any other amounts available
14 under law for such expenses.

15 **SEC. 1053. PROHIBITION ON PARKING OF FUNDS.**

16 (a) PROHIBITION.—

17 (1) IN GENERAL.—Chapter 165 of title 10,
18 United States Code, is amended by inserting after
19 section 2773a the following new section:

20 **“§ 2773b. Parking of funds: prohibition; penalties**

21 “(a) PROHIBITION.—An officer or employee of the
22 Department of Defense may not direct the designation of
23 funds for a particular purpose in the budget of the Presi-
24 dent, as submitted to Congress pursuant to section 1105
25 of title 31, or the supporting documents of the Depart-

1 ment of Defense component of such budget, with the
2 knowledge or intent that such funds, if made available to
3 the Department, will not be used for the purpose for which
4 they are designated.

5 “(b) PENALTIES.—The direction of the designation
6 of funds in violation of the prohibition in subsection (a)
7 shall be treated for purposes of chapter 13 of title 31 as
8 a violation of section 1341(a)(1)(A) of such title.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
10 tions at the beginning of chapter 165 of such title
11 is amended by inserting after the item relating to
12 section 2773a the following new item:

“2773b. Parking of funds: prohibition; penalties.”.

13 (b) EFFECTIVE DATE.—

14 (1) IN GENERAL.—The amendments made by
15 subsection (a) shall take effect on the date that is
16 31 days after the date of the enactment of this Act.

17 (2) MODIFICATION OF CERTAIN POLICIES AND
18 REGULATIONS.—Not later than 30 days after the
19 date of the enactment of this Act, the Secretary of
20 Defense shall modify the policies and regulations of
21 the Department of Defense regarding the prepara-
22 tion and submittal to Congress of budget materials
23 for the Department of Defense to take into account
24 section 2773b of title 10, United States Code, as
25 added by subsection (a).

1 **SEC. 1054. MODIFICATION OF AUTHORITIES RELATING TO**
2 **THE SPECIAL INSPECTOR GENERAL FOR**
3 **IRAQ RECONSTRUCTION.**

4 (a) DUTIES.—For purposes of carrying out the duties
5 of the Special Inspector General for Iraq Reconstruction
6 under section 3001(f) of the Emergency Supplemental Ap-
7 propriations Act for Defense and for the Reconstruction
8 of Iraq and Afghanistan, 2004 (Public Law 108–106; 117
9 Stat. 1235 et seq.; 5 U.S.C. App., note to section 8G of
10 Public Law 95–452), any United States funds appro-
11 priated or otherwise made available for fiscal year 2006
12 for the reconstruction of Iraq, irrespective of the designa-
13 tion of such funds, shall be deemed to be amounts appro-
14 priated or otherwise made available to the Iraq Relief and
15 Reconstruction Fund.

16 (b) TERMINATION.—Section 3001(o) of the Emer-
17 gency Supplemental Appropriations Act for Defense and
18 for the Reconstruction of Iraq and Afghanistan, 2004
19 (Public Law 108–106; 117 Stat. 1238; 5 U.S.C. App.,
20 note to section 8G of Public Law 95–452) is amended to
21 read as follows:

22 “(o) TERMINATION.—The Office of the Inspector
23 General shall terminate on October 1, 2007, with transi-
24 tion operations authorized to continue through December
25 31, 2007.”.

1 **Subtitle G—Matters Involving**
2 **Detainees**

3 **SEC. 1061. PROVISION OF INFORMATION TO CONGRESS ON**
4 **CERTAIN CRIMINAL INVESTIGATIONS AND**
5 **PROSECUTIONS INVOLVING DETAINEES.**

6 (a) ANNUAL REPORT.—Subsection (c) of section
7 1093 of the Ronald W. Reagan National Defense Author-
8 ization Act for Fiscal Year 2005 (Public Law 108–375;
9 118 Stat. 2070) is amended—

10 (1) in paragraph (1), by inserting “, or any
11 prosecution on account of,” after “Notice of any in-
12 vestigation into”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(3) For each investigation or prosecution de-
16 scribed in paragraph (1) with respect to which notice
17 is included in the report—

18 “(A) a detailed and comprehensive descrip-
19 tion of such investigation or prosecution and
20 any resulting judicial or nonjudicial punishment
21 or other disciplinary action; and

22 “(B) if the individual receiving the punish-
23 ment or disciplinary action is a member of the
24 Armed Forces, the grade of that individual (i)
25 as of the time of the incident resulting in the

1 investigation or prosecution, (ii) as of the begin-
2 ning of the investigation or prosecution, and
3 (iii) as of the submission of the report.”.

4 (b) **TIMELY SUBMISSION OF COVERED INFORMA-**
5 **TION.**—Such section is further amended by adding at the
6 end the following new subsection:

7 “(f) **ADDITIONAL REPORTING.**—In addition to the
8 annual report under subsection (c), the Secretary of De-
9 fense shall submit to the committees named in that sub-
10 section regular and timely reports on the matters de-
11 scribed in paragraphs (1) and (3) of that subsection.”.

12 **Subtitle H—Other Matters**

13 **SEC. 1071. TECHNICAL AND CLERICAL AMENDMENTS.**

14 (a) **TITLE 10, UNITED STATES CODE.**—Title 10,
15 United States Code, is amended as follows:

16 (1) Section 115 is amended—

17 (A) by striking the second subsection (i)
18 (added by section 512(b) of Public Law 108–
19 375 (118 Stat. 1880)); and

20 (B) by adding at the end of subsection (i)
21 the following new paragraph:

22 “(13) Members of the National Guard on full-
23 time National Guard duty involuntarily and per-
24 forming homeland defense activities under chapter 9
25 of title 32.”.

1 (2) Sections 133(c)(1), 2225(f)(1), 2302c(b),
2 2304(f)(1)(B)(iii), 2359a(i), and 2382(c)(3)(A) are
3 amended by striking “section 16(3) of the Office of
4 Federal Procurement Policy Act (41 U.S.C.
5 414(3))” and inserting “section 16(c) of the Office
6 of Federal Procurement Policy Act (41 U.S.C.
7 414(c))”.

8 (3) Section 426(a)(1)(B) is amended by strik-
9 ing “coordiation” and inserting “coordination”.

10 (4) Section 843(b)(2) is amended—

11 (A) in subparagraph (B)(iii), by striking
12 “article 126” and inserting “article 125”; and

13 (B) in subparagraph (C), by striking
14 “under chapter 110 or 117, or under section
15 1591, of title 18” and inserting “under chapter
16 110 or 117 of title 18 or under section 1591 of
17 that title”.

18 (5) Section 1107a(a) is amended—

19 (A) by redesignating subparagraphs (A)
20 and (B) as paragraphs (1) and (2), respectively;
21 and

22 (B) in paragraph (2), as so redesignated,
23 by striking “subparagraph (A)” and inserting
24 “paragraph (1)”.

1 (6) Section 1217(a) is amended by striking
2 “the date of” and all that follows and inserting “Oc-
3 tober 28, 2004.”.

4 (7) Section 1406(i)(3)(B)(vi) is amended by
5 striking “Advisor for” and inserting “Advisor to”.

6 (8) Section 1448(d)(6)(A) is amended by strik-
7 ing the second comma after “November 23, 2003”.

8 (9) Section 2006(b)(1) is amended—

9 (A) by inserting “of this title” after “and
10 1607”; and

11 (B) by striking “of this title” before the
12 period at the end.

13 (10) Section 2103a(b) is amended in the sub-
14 section heading by striking “ELIGIBILITY” and in-
15 serting “ELIGIBILITY”.

16 (11) Section 2105 is amended by adding a pe-
17 riod at the end of the last sentence.

18 (12) The item relating to section 2152 in the
19 table of sections at the beginning of chapter 107 is
20 amended to read as follows:

“2152. Joint professional military education: general requirements.”.

21 (13) The heading for section 2155, and the
22 item relating to that section in the table of sections
23 at the beginning of chapter 107, are amended by
24 capitalizing the first letter of the fifth word.

1 (14) Section 2155(a) is amended in the sub-
2 section heading by inserting “PHASE” after “EDU-
3 CATION”.

4 (15) Section 2157 is amended by striking
5 “phase II” in paragraph (1) and inserting “Phase
6 II”.

7 (16) Section 2216(b)(1) is amended by striking
8 “subsections” and inserting “subsection”.

9 (17) The heading for section 2440 is amended
10 so that the first letter of each word after the first
11 is lower case.

12 (18) The item relating to section 2481 in the
13 table of sections at the beginning of subchapter I of
14 chapter 147 is amended by adding a period at the
15 end.

16 (19)(A) The second section 2613 (added by sec-
17 tion 1051(a) of Public Law 108–375 (118 Stat.
18 2053)) is redesignated as section 2614 and is
19 amended by redesignating the second subsection (c)
20 as subsection (d).

21 (B) The item relating to such section in the
22 table of sections at the beginning of chapter 155 is
23 revised to reflect the redesignation of such section by
24 subparagraph (A).

1 (20) Section 2613(b) is amended by striking
2 “In the” and inserting “In this”.

3 (21) Section 2692(b)(9) is amended by striking
4 “materiel” and inserting “material”.

5 (22) Section 2694a(c) is amended in the sub-
6 section heading by striking “REVISIONARY” and in-
7 serting “REVERSIONARY”.

8 (23) Section 2703(h) is amended by striking
9 “subsection” in the first sentence and inserting
10 “section”.

11 (24) Section 2722(c)(2) is amended by striking
12 “section 921” and inserting “section 921(a)”.

13 (25) Section 2784a(a)(2) is amended by strik-
14 ing “care” and inserting “card”.

15 (26) Section 2831(f)(2) is amended by striking
16 “enviromental” and inserting “environmental”.

17 (27) Section 3911(b) is amended—

18 (A) in paragraph (1), by striking the sec-
19 ond comma after “paragraph (2)”; and

20 (B) in paragraph (2), by striking “the date
21 of the enactment of the National Defense Au-
22 thorization Act for Fiscal Year 2006” and in-
23 serting “January 6, 2006,”.

24 (28) Section 4342(a)(9) is amended by striking
25 “cadet” and inserting “cadets”.

1 (29) Section 4544(d) is amended in the sub-
2 section heading by striking “ARANGEMENT” and in-
3 serting “ARRANGEMENT”.

4 (30) Section 4687(c) is amended by striking
5 “section 921(10)” and inserting “section
6 921(a)(10)”.

7 (31) The item relating to section 6086 in the
8 table of sections at the beginning of chapter 557 is
9 amended by striking the semicolon and inserting a
10 colon.

11 (32) The table of sections at the beginning of
12 chapter 561 is amended—

13 (A) in the item relating to section 6154, by
14 striking the semicolon and inserting a colon;
15 and

16 (B) by striking the item relating to section
17 6161 and inserting the following:

 “6161. Settlement of accounts: remission or cancellation of indebtedness of
 members.”.

18 (33) Section 6323(a)(2) is amended—

19 (A) in subparagraph (A), by striking the
20 second comma after “subparagraph (B)”;

21 (B) in subparagraph (B), by striking “the
22 date of the enactment of the National Defense
23 Authorization Act for Fiscal Year 2006” and
24 inserting “January 6, 2006,”.

1 (34) The item relating to section 6965 in the
2 table of sections at the beginning of chapter 603 is
3 amended by striking the semicolon and inserting a
4 colon.

5 (35) The item relating to section 7081 in the
6 table of sections at the beginning of chapter 607 is
7 amended by striking the first semicolon and insert-
8 ing a colon.

9 (36) Section 7306b(b)(1) is amended by strik-
10 ing “section 2(14)” and inserting “section 3(14)”.

11 (37) Section 8911(b) is amended—

12 (A) in paragraph (1), by striking the sec-
13 ond comma after “paragraph (2)”; and

14 (B) in paragraph (2), by striking “the date
15 of the enactment of the National Defense Au-
16 thorization Act for Fiscal Year 2006” and in-
17 serting “January 6, 2006,”.

18 (38) Section 9342(a)(9) is amended by striking
19 “cadet” and inserting “cadets”.

20 (39) Section 9355(c)(1) is amended by striking
21 “board” and inserting “Board”.

22 (40) Section 12731(a)(3) is amended by strik-
23 ing “before the end of the 180-day period beginning
24 on the date of the enactment of the National De-

1 fense Authorization Act for Fiscal Year 2005” and
2 inserting “before April 25, 2005”.

3 (41) Section 12741 is amended by striking
4 “under subsection (b)” in subsections (c) and (d)
5 and inserting “under subsection (a)”.

6 (42) Section 18233(f)(2) is amended by strik-
7 ing the comma after “purchase”.

8 (b) TITLE 32, UNITED STATES CODE.—Title 32,
9 United States Code, is amended as follows:

10 (1) Section 902 is amended by striking “(a)”
11 before “The Secretary”.

12 (2) Section 908(b)(1) is amended by striking
13 “subsection (i)” and inserting “subsection (i)(13)”.

14 (c) TITLE 37, UNITED STATES CODE.—Title 37,
15 United States Code, is amended as follows:

16 (1) Section 210(e)(6) is amended by striking
17 “Advisor for” and inserting “Advisor to”.

18 (2) Section 301(f)(2)(C) is amended by striking
19 the comma after “the term”.

20 (3) Section 308g(f) is amended by striking the
21 second period at the end.

22 (4) Section 308j is amended by striking sub-
23 section (g) and inserting the following new sub-
24 section:

1 “(g) REPAYMENT.—A person who enters into an
2 agreement under this section and receives all or part of
3 the bonus under the agreement, but who does not accept
4 a commission or an appointment as an officer or does not
5 commence to participate or does not satisfactorily partici-
6 pate in the Selected Reserve for the total period of service
7 specified in the agreement, shall be subject to the repay-
8 ment provisions of section 303a(e) of this title.”.

9 (5) The table of sections at the beginning of
10 chapter 7 is amended—

11 (A) by striking the item relating to section
12 407 and inserting the following:

“407. Travel and transportation allowances: dislocation allowance.”; and

13 (B) by striking the item relating to section
14 425 and inserting the following:

“425. United States Navy Band; United States Marine Corps Band: allowances
while on concert tour.”.

15 (6) Section 402a(b)(3)(B) is amended by strik-
16 ing “section 310 of this section” and inserting “sec-
17 tion 310 of this title”.

18 (7) Section 414(c) is amended by striking “, or
19 the Senior Enlisted Advisor for the Chairman of the
20 Joint Chiefs of Staff” before the period at the end.

21 (8) The heading of section 1010 is amended to
22 read as follows:

1 **“§ 1010. Commissioned officers: promotions; effective**
2 **date for pay and allowances”.**

3 (d) PUBLIC LAW 109–272.—Effective as of August
4 14, 2006, and as if included therein as enacted, section
5 2(a) of Public Law 109–272 (120 Stat. 770; 16 U.S.C.
6 431 note) is amended by striking “division E” and insert-
7 ing “division J”.

8 (e) NATIONAL DEFENSE AUTHORIZATION ACT FOR
9 FISCAL YEAR 2006.—Effective as of January 6, 2006,
10 and as if included therein as enacted, the National De-
11 fense Authorization Act for Fiscal Year 2006 (Public Law
12 109–163) is amended as follows:

13 (1) Section 341(e) (119 Stat. 3199) is amended
14 by striking “(a)(1)(E)” and inserting “(a)(1)(F)”.

15 (2) Section 545(b) (119 Stat. 3254) is amended
16 by striking “title”.

17 (3) Section 606(a) (119 Stat. 3287; 37 U.S.C.
18 211 note) is amended by striking “title 10” and in-
19 serting “title 37”.

20 (5) Section 608(b) (119 Stat. 3289) is amend-
21 ed—

22 (A) in paragraph (1), by striking “the first
23 sentence” and inserting “the second sentence”;
24 and

1 (B) in paragraph (2), by striking “the sec-
2 ond sentence” and inserting “the third sen-
3 tence”.

4 (6) Section 685(a) (119 Stat. 3325) is amended
5 by striking “Advisor for” both places it appears and
6 inserting “Advisor to”.

7 (7) Section 687(a)(2) (119 Stat. 3327) is
8 amended by striking “subsection (a)” and inserting
9 “subsection (e)”.

10 (8) Section 687(b)(15) (119 Stat. 3330) is
11 amended—

12 (A) by striking “Subsection (d)” and in-
13 serting “Subsection (e)”; and

14 (B) in the matter inserted by that section,
15 by striking “(d) REPAYMENT.—” and inserting
16 “(e) REPAYMENT.—”.

17 (9) Section 740(c) (119 Stat. 3359; 10 U.S.C.
18 1073 note) is amended by inserting “include” after
19 “shall”.

20 (f) RECONCILIATION OF DUPLICATE ENACT-
21 MENTS.—

22 (1) In executing to section 2554 of title 10,
23 United States Code, the identical amendments made
24 by section 8126(c)(2) of Public Law 109-148 (119
25 Stat. 2729) and section 1058(e) of Public Law 109-

1 163 (119 Stat. 3443), such amendments shall be ex-
2 ecuted so as to appear only once in the law as
3 amended.

4 (2) In executing to section 109 of the Housing
5 and Community Development Act of 1974 the iden-
6 tical amendments made by section 8126(d) of Public
7 Law 109-148 (119 Stat. 2730) and section 1058(d)
8 of Public Law 109-163 (119 Stat. 3443), such
9 amendments shall be executed so as to appear only
10 once in the law as amended.

11 (3) Section 8126 of Public Law 109-148 (119
12 Stat. 2728) is repealed.

13 (g) RONALD W. REAGAN NATIONAL DEFENSE AU-
14 THORIZATION ACT FOR FISCAL YEAR 2005.—Effective as
15 of October 28, 2004, and as if included therein as enacted,
16 the Ronald W. Reagan National Defense Authorization
17 Act for Fiscal Year 2005 (Public Law 108–375) is amend-
18 ed as follows:

19 (1) Section 416 is amended—

20 (A) in subsection (a)(1) (118 Stat. 1866),
21 by inserting “the second place it appears” be-
22 fore the semicolon at the end; and

23 (B) in subsection (g)(1) (118 Stat. 1868),
24 by inserting open quotation marks before “(1)
25 Reserve”.

1 (2) Subsections (a)(2), (b)(2), and (c)(2) of sec-
2 tion 544 (118 Stat. 1906) are amended by striking
3 “such title” and inserting “such chapter”.

4 (3) Section 554(1) (118 Stat. 1913) is amended
5 by inserting “of” in the quoted matter after “a pe-
6 riod”.

7 (4) Section 593(a) (118 Stat. 1934; 10 U.S.C.
8 503 note) is amended in the subsection heading by
9 striking “SCREEING” and inserting “SCREENING”.

10 (5) Section 645 (118 Stat. 1962; 10 U.S.C.
11 1448 note) is amended by redesignating the last
12 subsection (relating to definitions) as subsection (j).

13 (6) Section 651(a)(5)(C) (118 Stat. 1966) is
14 amended by striking “subsection (f)” and inserting
15 “subsection (e)”.

16 (7) Section 726(b)(1) (118 Stat. 1992) is
17 amended by striking “(1)” in the second quoted
18 matter.

19 (8) Section 731 (118 Stat. 1993; 10 U.S.C.
20 1074 note) is amended by striking “this title” each
21 place it appears in subsections (a), (b)(3)(C), and
22 (c)(1)(A) and inserting “this subtitle”.

23 (9) Section 733(b)(2) (118 Stat. 1998; 10
24 U.S.C. 1074f note) is amended by striking “section
25 1301” and inserting “section 731(b)”.

1 (10) Section 801(b)(2)(A) (118 Stat. 2004) is
2 amended—

3 (A) by striking “(7), (8), and (9)” and in-
4 sserting “(7) and (8)”; and

5 (B) by striking “(8), (9), and (10)” and
6 inserting “(8) and (9)”.

7 (11) Section 818(b) (118 Stat. 2016) is amend-
8 ed by inserting “of subsection (b)” after “Paragraph
9 (3)”.

10 (12) Section 1103(a)(1) (118 Stat. 2072) is
11 amended by inserting “basic” after “rates of” in the
12 first quoted matter.

13 (13) Section 1203(e)(2)(B) (118 Stat. 2079) is
14 amended by inserting “office” after “and field” in
15 the first quoted matter.

16 (h) BOB STUMP NATIONAL DEFENSE AUTHORIZA-
17 TION ACT FOR FISCAL YEAR 2003.—Section 806(d) of the
18 Bob Stump National Defense Authorization Act for Fiscal
19 Year 2003 (10 U.S.C. 2302 note) is amended in the sub-
20 section heading by striking “STATUES” and inserting
21 “STATUTES”.

22 (i) COORDINATION WITH OTHER AMENDMENTS.—
23 For purposes of applying amendments made by provisions
24 of this Act other than provisions of this section, this sec-

1 tion shall be treated as having been enacted immediately
2 before the other provisions of this Act.

3 **SEC. 1072. REVISION TO AUTHORITIES RELATING TO COM-**
4 **MISSION ON THE IMPLEMENTATION OF THE**
5 **NEW STRATEGIC POSTURE OF THE UNITED**
6 **STATES.**

7 Section 1051 of the National Defense Authorization
8 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
9 3431) is amended—

10 (1) in subsection (c)(1), by striking “June 30,
11 2007” and inserting “September 30, 2007”; and

12 (2) in subsection (f), by striking “July 30,
13 2007” and inserting “November 30, 2007”.

14 **SEC. 1073. REVISED DEADLINE FOR SUBMISSION OF FINAL**
15 **REPORT OF EMP COMMISSION.**

16 Section 1403(a) of the Floyd D. Spence National De-
17 fense Authorization Act for Fiscal Year 2001 (as enacted
18 into law by Public Law 106–398; 114 Stat. 1654A–346),
19 as amended by section 1052(f) of the National Defense
20 Authorization Act for Fiscal Year 2006 (Public Law 109–
21 163; 119 Stat. 3434), is amended by striking “June 30,
22 2007” and inserting “September 30, 2007”.

1 **SEC. 1074. EXTENSION OF RETURNING WORKER EXEMP-**
2 **TION TO H-2B NUMERICAL LIMITATION.**

3 (a) IN GENERAL.—Section 214(g)(9) of the Immi-
4 gration and Nationality Act (8 U.S.C. 1184(g)(9)) is
5 amended—

6 (1) by amending the first sentence of subpara-
7 graph (A) to read as follows: “Subject to subpara-
8 graphs (B) and (C), an alien who has already been
9 counted toward the numerical limitation of para-
10 graph (1)(B) during fiscal year 2004, 2005, or 2006
11 shall not again be counted toward such limitation
12 during fiscal year 2007.”; and

13 (2) in subparagraph (B), by striking “referred
14 to in subparagraph (A)” and inserting “to admit or
15 otherwise provide status under section
16 101(a)(15)(H)(ii)(b)”.

17 (b) DELETION OF PRIOR SUNSET PROVISION.—Sec-
18 tion 402(b)(1) of the Save Our Small and Seasonal Busi-
19 nesses Act of 2005 (title IV of division B of Public Law
20 109–13; 119 Stat. 318; 8 U.S.C. 1184 note) is amended
21 by striking “2004,” and all that follows through the period
22 at the end and inserting “2004.”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on October 1, 2006. If this
25 section is enacted after October 1, 2006, the amendments

1 made by this section shall take effect as if enacted on such
2 date.

3 **SEC. 1075. PATENT TERM EXTENSIONS FOR THE BADGES**
4 **OF THE AMERICAN LEGION, THE AMERICAN**
5 **LEGION WOMEN'S AUXILIARY, AND THE SONS**
6 **OF THE AMERICAN LEGION.**

7 (a) PATENT TERM EXTENSION FOR THE BADGE OF
8 THE AMERICAN LEGION.—The term of the design patent
9 numbered 54,296 (for the badge of the American Legion)
10 is renewed and extended for a period of 14 years beginning
11 on the date of enactment of this Act, with all the rights
12 and privileges pertaining to such patent.

13 (b) PATENT TERM EXTENSION FOR THE BADGE OF
14 THE AMERICAN LEGION WOMEN'S AUXILIARY.—The
15 term of the design patent numbered 55,398 (for the badge
16 of the American Legion Women's Auxiliary) is renewed
17 and extended for a period of 14 years beginning on the
18 date of enactment of this Act, with all the rights and privi-
19 leges pertaining to such patent.

20 (c) PATENT TERM EXTENSION FOR THE BADGE OF
21 THE SONS OF THE AMERICAN LEGION.—The term of the
22 design patent numbered 92,187 (for the badge of the Sons
23 of the American Legion) is renewed and extended for a
24 period of 14 years beginning on the date of enactment of

1 this Act, with all the rights and privileges pertaining to
2 such patent.

3 **SEC. 1076. USE OF THE ARMED FORCES IN MAJOR PUBLIC**
4 **EMERGENCIES.**

5 (a) USE OF THE ARMED FORCES AUTHORIZED.—

6 (1) IN GENERAL.—Section 333 of title 10,
7 United States Code, is amended to read as follows:

8 **“§ 333. Major public emergencies; interference with**
9 **State and Federal law**

10 “(a) USE OF ARMED FORCES IN MAJOR PUBLIC
11 EMERGENCIES.—(1) The President may employ the
12 armed forces, including the National Guard in Federal
13 service, to—

14 “(A) restore public order and enforce the laws
15 of the United States when, as a result of a natural
16 disaster, epidemic, or other serious public health
17 emergency, terrorist attack or incident, or other con-
18 dition in any State or possession of the United
19 States, the President determines that—

20 “(i) domestic violence has occurred to such
21 an extent that the constituted authorities of the
22 State or possession are incapable of maintain-
23 ing public order; and

24 “(ii) such violence results in a condition
25 described in paragraph (2); or

1 “(B) suppress, in a State, any insurrection, do-
2 mestic violence, unlawful combination, or conspiracy
3 if such insurrection, violation, combination, or con-
4 spiracy results in a condition described in paragraph
5 (2).

6 “(2) A condition described in this paragraph is a con-
7 dition that—

8 “(A) so hinders the execution of the laws of a
9 State or possession, as applicable, and of the United
10 States within that State or possession, that any part
11 or class of its people is deprived of a right, privilege,
12 immunity, or protection named in the Constitution
13 and secured by law, and the constituted authorities
14 of that State or possession are unable, fail, or refuse
15 to protect that right, privilege, or immunity, or to
16 give that protection; or

17 “(B) opposes or obstructs the execution of the
18 laws of the United States or impedes the course of
19 justice under those laws.

20 “(3) In any situation covered by paragraph (1)(B),
21 the State shall be considered to have denied the equal pro-
22 tection of the laws secured by the Constitution.

23 “(b) NOTICE TO CONGRESS.—The President shall
24 notify Congress of the determination to exercise the au-
25 thority in subsection (a)(1)(A) as soon as practicable after

1 the determination and every 14 days thereafter during the
2 duration of the exercise of that authority.”.

3 (2) PROCLAMATION TO DISPERSE.—Section 334
4 of such title is amended by inserting “or those ob-
5 structing the enforcement of the laws” after “insur-
6 gents”.

7 (3) HEADING AMENDMENT.—The heading of
8 chapter 15 of such title is amended to read as fol-
9 lows:

10 **“CHAPTER 15—ENFORCEMENT OF THE**
11 **LAWS TO RESTORE PUBLIC ORDER”.**

12 (4) CLERICAL AMENDMENTS.—(A) The tables
13 of chapters at the beginning of subtitle A of title 10,
14 United States Code, and at the beginning of part I
15 of such subtitle, are each amended by striking the
16 item relating to chapter 15 and inserting the fol-
17 lowing new item:

“15 Enforcement of the Laws to Restore Public Order 331”.

18 (B) The table of sections at the beginning of
19 chapter 15 of such title is amended by striking the
20 item relating to sections 333 and inserting the fol-
21 lowing new item:

“333. Major public emergencies; interference with State and Federal law.”.

22 (b) PROVISION OF SUPPLIES, SERVICES, AND EQUIP-
23 MENT.—

1 (1) IN GENERAL.—Chapter 152 of such title is
2 amended by adding at the end the following new sec-
3 tion:

4 **“§ 2567. Supplies, services, and equipment: provision**
5 **in major public emergencies**

6 “(a) PROVISION AUTHORIZED.—In any situation in
7 which the President determines to exercise the authority
8 in section 333(a)(1)(A) of this title, the President may
9 direct the Secretary of Defense to provide supplies, serv-
10 ices, and equipment to persons affected by the situation.

11 “(b) COVERED SUPPLIES, SERVICES, AND EQUIP-
12 MENT.—The supplies, services, and equipment provided
13 under this section may include food, water, utilities, bed-
14 ding, transportation, tentage, search and rescue, medical
15 care, minor repairs, the removal of debris, and other as-
16 sistance necessary for the immediate preservation of life
17 and property.

18 “(c) LIMITATIONS.—(1) Supplies, services, and
19 equipment may be provided under this section—

20 “(A) only to the extent that the constituted au-
21 thorities of the State or possession concerned are
22 unable to provide such supplies, services, and equip-
23 ment, as the case may be; and

24 “(B) only until such authorities, or other de-
25 partments or agencies of the United States charged

1 with the provision of such supplies, services, and
2 equipment, are able to provide such supplies, serv-
3 ices, and equipment.

4 “(2) The Secretary may provide supplies, services,
5 and equipment under this section only to the extent that
6 the Secretary determines that doing so will not interfere
7 with military preparedness or ongoing military operations
8 or functions.

9 “(d) INAPPLICABILITY OF CERTAIN AUTHORITIES.—
10 The provision of supplies, services, or equipment under
11 this section shall not be subject to the provisions of section
12 403(c) of the Robert T. Stafford Disaster Relief and
13 Emergency Assistance Act (42 U.S.C. 5170b(c)).”.

14 (2) CLERICAL AMENDMENT.—The table of sec-
15 tions at the beginning of such chapter is amended
16 by adding at the end the following new item:

“2567. Supplies, services, and equipment: provision in major public emer-
gencies”.

17 (c) CONFORMING AMENDMENT.—Section
18 12304(c)(1) of such title is amended by striking “No unit”
19 and all that follows through “subsection (b),” and insert-
20 ing “Except to perform any of the functions authorized
21 by chapter 15 or section 12406 of this title or by sub-
22 section (b), no unit or member of a reserve component
23 may be ordered to active duty under this section”.

1 **SEC. 1077. INCREASED HUNTING AND FISHING OPPORTUNI-**
2 **TIES FOR MEMBERS OF THE ARMED FORCES,**
3 **RETIRED MEMBERS, AND DISABLED VET-**
4 **ERANS.**

5 (a) ACCESS FOR MEMBERS, RETIRED MEMBERS,
6 AND DISABLED VETERANS.—Consistent with section
7 2671 of title 10, United States Code, and using such
8 funds as are made available for this purpose, the Secretary
9 of Defense shall ensure that members of the Armed
10 Forces, retired members, disabled veterans, and persons
11 assisting disabled veterans are able to utilize lands under
12 the jurisdiction of the Department of Defense that are
13 available for hunting or fishing.

14 (b) ASSESSMENT.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary shall sub-
16 mit to Congress a report containing the results of an as-
17 sessment of those lands under the jurisdiction of the De-
18 partment of Defense and suitable for hunting or fishing
19 and describing the actions necessary—

20 (1) to further increase the acreage made avail-
21 able to members of the Armed Forces, retired mem-
22 bers, disabled veterans, and persons assisting dis-
23 abled veterans for hunting and fishing; and

24 (2) to make that acreage more accessible to dis-
25 abled veterans.

1 (c) RECREATIONAL ACTIVITIES ON SANTA ROSA IS-
2 LAND.—The Secretary of the Interior shall immediately
3 cease the plan, approved in the settlement agreement for
4 case number 96-7412 WJR and case number 97-4098
5 WJR, to exterminate the deer and elk on Santa Rosa Is-
6 land, Channel Islands, California, by helicopter and shall
7 not exterminate or nearly exterminate the deer and elk.

8 **TITLE XI—CIVILIAN PERSONNEL**
9 **MATTERS**

Sec. 1101. Accrual of annual leave for members of the uniformed services per-
forming dual employment.

Sec. 1102. Strategy for improving the senior management, functional, and tech-
nical workforce of the Department of Defense.

Sec. 1103. Three-year extension of authority for experimental personnel man-
agement program for scientific and technical personnel.

Sec. 1104. Reports on members of the Armed Forces and civilian employees of
the Department of Defense serving in the legislative branch.

Sec. 1105. Extension of authority to waive annual limitation on total compensa-
tion paid to Federal civilian employees.

10 **SEC. 1101. ACCRUAL OF ANNUAL LEAVE FOR MEMBERS OF**
11 **THE UNIFORMED SERVICES PERFORMING**
12 **DUAL EMPLOYMENT.**

13 Section 5534a of title 5, United States Code, is
14 amended by adding at the end the following new sentence:
15 “Such a member also is entitled to accrue annual leave
16 with pay in the manner specified in section 6303(a) of this
17 title for a retired member of a uniformed service.”

1 **SEC. 1102. STRATEGY FOR IMPROVING THE SENIOR MAN-**
2 **AGEMENT, FUNCTIONAL, AND TECHNICAL**
3 **WORKFORCE OF THE DEPARTMENT OF DE-**
4 **FENSE.**

5 (a) INCLUSION IN 2007 STRATEGIC HUMAN CAPITAL
6 PLAN.—The Secretary of Defense shall include in the
7 March 1, 2007, strategic human capital plan required by
8 section 1122(c) of the National Defense Authorization Act
9 for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
10 3453; 10 U.S.C. prec. 1580 note) a strategic plan to shape
11 and improve the senior management, functional, and tech-
12 nical workforce (including scientists and engineers) of the
13 Department of Defense.

14 (b) SCOPE OF PLAN.—The strategic plan required by
15 subsection (a) shall cover, at a minimum, the following
16 categories of Department of Defense civilian personnel:

17 (1) Appointees in the Senior Executive Service
18 under section 3131 of title 5, United States Code.

19 (2) Persons serving in positions described in
20 section 5376(a) of title 5, United States Code.

21 (3) Highly qualified experts appointed pursuant
22 to section 9903 of title 5, United States Code.

23 (4) Scientists and engineers appointed pursuant
24 to section 342(b) of the National Defense Authoriza-
25 tion Act for Fiscal Year 1995 (Public Law 103–337;
26 108 Stat. 2721), as amended by section 1114 of the

1 Floyd D. Spence National Defense Authorization
2 Act for Fiscal Year 2001 (as enacted into by law by
3 Public Law 106–398 (114 Stat. 1654A-315)).

4 (5) Scientists and engineers appointed pursuant
5 to section 1101 of the Strom Thurmond National
6 Defense Authorization Act for Fiscal Year 1999 (5
7 U.S.C. 3104 note).

8 (6) Persons serving in the Defense Intelligence
9 Senior Executive Service under section 1606 of title
10 10, United States Code.

11 (7) Persons serving in Intelligence Senior Level
12 positions under section 1607 of title 10, United
13 States Code.

14 (c) CONTENTS OF PLAN.—The strategic plan re-
15 quired by subsection (a) shall include—

16 (1) an assessment of—

17 (A) the needs of the Department of De-
18 fense for senior management, functional, and
19 technical personnel (including scientists and en-
20 gineers) in light of recent trends and projected
21 changes in the mission and organization of the
22 Department and in light of staff support needed
23 to accomplish that mission;

24 (B) the capability of the existing civilian
25 employee workforce of the Department to meet

1 requirements relating to the mission of the De-
2 partment, including the impact on that capa-
3 bility of projected trends in the senior manage-
4 ment, functional, and technical personnel work-
5 force of the Department based on expected
6 losses due to retirement and other attrition; and

7 (C) gaps in the existing or projected civil-
8 ian employee workforce of the Department that
9 should be addressed to ensure that the Depart-
10 ment has continued access to the senior man-
11 agement, functional, and technical personnel
12 (including scientists and engineers) it needs;
13 and

14 (2) a plan of action for developing and reshap-
15 ing the senior management, functional, and technical
16 workforce of the Department to address the gaps
17 identified under paragraph (1)(C), including—

18 (A) any legislative or administrative action
19 that may be needed to adjust the requirements
20 applicable to any category of civilian personnel
21 identified in subsection (b) or to establish a new
22 category of senior management or technical per-
23 sonnel;

24 (B) any changes in the number of per-
25 sonnel authorized in any category of personnel

1 identified in subsection (b) that may be needed
2 to address such gaps and effectively meet the
3 needs of the Department;

4 (C) any changes in the rates or methods of
5 pay for any category of personnel identified in
6 subsection (b) that may be needed to address
7 inequities and ensure that the Department has
8 full access to appropriately qualified personnel
9 to address such gaps and meet the needs of the
10 Department;

11 (D) specific recruiting and retention goals,
12 including the program objectives of the Depart-
13 ment to be achieved through such goals;

14 (E) specific strategies for developing,
15 training, deploying, compensating, motivating,
16 and designing career paths and career opportu-
17 nities for the senior management, functional,
18 and technical workforce of the Department, in-
19 cluding the program objectives of the Depart-
20 ment to be achieved through such strategies;
21 and

22 (F) specific steps that the Department has
23 taken or plans to take to ensure that the senior
24 management, functional, and technical work-
25 force of the Department is managed in compli-

1 ance with the requirements of section 129 of
2 title 10, United States Code.

3 **SEC. 1103. THREE-YEAR EXTENSION OF AUTHORITY FOR**
4 **EXPERIMENTAL PERSONNEL MANAGEMENT**
5 **PROGRAM FOR SCIENTIFIC AND TECHNICAL**
6 **PERSONNEL.**

7 Section 1101(e)(1) of the Strom Thurmond National
8 Defense Authorization Act for Fiscal Year 1999 (5 U.S.C.
9 3104 note) is amended by striking “September 30, 2008”
10 and inserting “September 30, 2011”.

11 **SEC. 1104. REPORTS ON MEMBERS OF THE ARMED FORCES**
12 **AND CIVILIAN EMPLOYEES OF THE DEPART-**
13 **MENT OF DEFENSE SERVING IN THE LEGIS-**
14 **LATIVE BRANCH.**

15 (a) QUARTERLY REPORTS ON DETAILS AND FEL-
16 LOWSHIPS OF LONG DURATION.—Not later than 120 days
17 after the date of the enactment of this Act, and quarterly
18 thereafter, the Secretary of Defense shall submit to the
19 congressional defense committees a report on the members
20 of the Armed Forces and civilian employees of the Depart-
21 ment of Defense who, as of the date of such report, have
22 served continuously in the Legislative Branch for more
23 than 12 consecutive months in one or a combination of
24 covered legislative details or fellowships.

1 (b) REPORTS ON CERTAIN MILITARY DETAILS AND
2 FELLOWSHIPS.—If a member of the Armed Forces is as-
3 signed to a covered legislative detail or fellowship as the
4 last tour of duty of such member before retirement or sep-
5 aration from the Armed Forces in contravention of the
6 regulations of the Department of Defense, the Secretary
7 shall submit to the congressional defense committees a re-
8 port on the assignment of such member to such covered
9 legislative detail or fellowship. The report shall include a
10 rationale for the waiver of the regulations of the Depart-
11 ment in order to permit the detail or fellowship.

12 (c) REPORT ELEMENTS.—Each report under sub-
13 section (a) or (b) shall set forth, for each member of the
14 Armed Forces or civilian employee of the Department of
15 Defense covered by such report, the following:

16 (1) The name of such member or employee.

17 (2) In the case of a member, the Armed Force
18 of such member.

19 (3) The committee or member of Congress to
20 which such member or employee is detailed or as-
21 signed.

22 (4) A general description of the projects or
23 tasks undertaken or to be undertaken, as applicable,
24 by such member or employee as a detailee, fellow, or
25 both.

1 (5) The anticipated termination date of the cur-
2 rent detail or fellowship of such member or em-
3 ployee.

4 (d) COVERED LEGISLATIVE DETAIL OR FELLOWSHIP
5 DEFINED.—In this section, the term “covered legislative
6 detail or fellowship” means the following:

7 (1) A detail under the provisions of Department
8 of Defense Directive 1000.17.

9 (2) A legislative fellowship (including a legisla-
10 tive fellowship under the provisions of Department
11 of Defense Directive 1322.6).

12 **SEC. 1105. EXTENSION OF AUTHORITY TO WAIVE ANNUAL**
13 **LIMITATION ON TOTAL COMPENSATION PAID**
14 **TO FEDERAL CIVILIAN EMPLOYEES.**

15 Section 1105 of the National Defense Authorization
16 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
17 3450) is amended—

18 (1) in subsection (a), by inserting “and 2007”
19 after “2006”; and

20 (2) in subsection (b)—

21 (A) by striking “\$200,000” in the heading;
22 and

23 (B) by striking “a calendar year” and in-
24 serting “2006 and \$212,100 in 2007”.

1 **TITLE XII—MATTERS RELATING**
2 **TO FOREIGN NATIONS**

Subtitle A—Assistance and Training

- Sec. 1201. Logistic support for allied forces participating in combined operations.
- Sec. 1202. Temporary authority to use acquisition and cross-servicing agreements to lend certain military equipment to foreign forces in Iraq and Afghanistan for personnel protection and survivability.
- Sec. 1203. Recodification and revision to law relating to Department of Defense humanitarian demining assistance.
- Sec. 1204. Enhancements to Regional Defense Combating Terrorism Fellowship Program.
- Sec. 1205. Participation of the Department of Defense in multinational military centers of excellence.
- Sec. 1206. Modification and extension of authorities relating to program to build the capacity of foreign military forces.
- Sec. 1207. Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability.

Subtitle B—Nonproliferation Matters and Countries of Concern

- Sec. 1211. North Korea.
- Sec. 1212. Report on participation of multinational partners in the United Nations Command in the Republic of Korea.
- Sec. 1213. Intelligence on Iran.
- Sec. 1214. Sense of Congress on United States policy on the nuclear programs of Iran.

Subtitle C—Other Matters

- Sec. 1221. Exclusion of petroleum, oil, and lubricants from limitations on annual amount of liabilities the United States may accrue under acquisition and cross-servicing agreements.
- Sec. 1222. Modification of limitations on assistance under the American Servicemembers' Protection Act of 2002.
- Sec. 1223. Humanitarian support for Iraqi children in urgent need of medical care.
- Sec. 1224. Sense of Congress opposing the granting of amnesty by the government of Iraq to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq.
- Sec. 1225. Annual reports on United States contributions to the United Nations.
- Sec. 1226. Comprehensive regional strategy and annual reports on Somalia.
- Sec. 1227. Report on the implementation of the Darfur Peace Agreement.
- Sec. 1228. Sense of Congress concerning cooperation with Russia on issues pertaining to missile defense.
- Sec. 1229. Sense of Congress calling for convening of a summit for a comprehensive political agreement for Iraq.
- Sec. 1230. Sense of Congress on the commendable actions of the Armed Forces in Iraq.

Sec. 1231. Annual report on foreign sales of significant military equipment manufactured in the United States.

1 **Subtitle A—Assistance and**
2 **Training**

3 **SEC. 1201. LOGISTIC SUPPORT FOR ALLIED FORCES PAR-**
4 **TICIPATING IN COMBINED OPERATIONS.**

5 (a) **AUTHORITY.**—Chapter 3 of title 10, United
6 States Code, is amended by inserting after section 127b
7 the following new section:

8 **“§ 127c. Allied forces participating in combined oper-**
9 **ations: authority to provide logistic sup-**
10 **port, supplies, and services**

11 “(a) **AUTHORITY.**—Subject to subsections (b) and
12 (c), the Secretary of Defense may provide logistic support,
13 supplies, and services to allied forces participating in a
14 combined operation with the armed forces. Provision of
15 such support, supplies, and services to the forces of an
16 allied nation may be made only with the concurrence of
17 the Secretary of State.

18 “(b) **LIMITATIONS.**—(1) The authority provided by
19 subsection (a) may be used only in accordance with the
20 Arms Export Control Act and other export control laws
21 of the United States.

22 “(2) The authority provided by subsection (a) may
23 be used only for a combined operation—

1 “(A) that is carried out during active hostilities
2 or as part of a contingency operation or a noncom-
3 bat operation (including an operation in support of
4 the provision of humanitarian or foreign disaster as-
5 sistance, a country stabilization operation, or a
6 peacekeeping operation under chapter VI or VII of
7 the Charter of the United Nations); and

8 “(B) in a case in which the Secretary of De-
9 fense determines that the allied forces to be provided
10 logistic support, supplies, and services—

11 “(i) are essential to the success of the com-
12 bined operation; and

13 “(ii) would not be able to participate in the
14 combined operation but for the provision of
15 such logistic support, supplies, and services by
16 the Secretary.

17 “(c) LIMITATIONS ON VALUE.—(1) Except as pro-
18 vided in paragraph (2), the value of logistic support, sup-
19 plies, and services provided under this section in any fiscal
20 year may not exceed \$100,000,000.

21 “(2) In addition to any logistic support, supplies, and
22 services provided under subsection (a) that are covered by
23 paragraph (1), the value of logistic support, supplies, and
24 services provided under this section solely for the purposes
25 of enhancing the interoperability of the logistical support

1 systems of military forces participating in combined oper-
2 ation of the United States in order to facilitate such oper-
3 ations may not, in any fiscal year, exceed \$5,000,000.

4 “(d) ANNUAL REPORT.—(1) Not later than Decem-
5 ber 31 each year, the Secretary of Defense shall submit
6 to the Committee on Armed Services and the Committee
7 on Foreign Relations of the Senate and the Committee
8 on Armed Services and the Committee on International
9 Relations of the House of Representatives a report on the
10 use of the authority provided by subsection (a) during the
11 preceding fiscal year.

12 “(2) Each report under paragraph (1) shall be pre-
13 pared in coordination with the Secretary of State.

14 “(3) Each report under paragraph (1) shall include,
15 for the fiscal year covered by the report, the following:

16 “(A) Each nation provided logistic support,
17 supplies, and services through the use of the author-
18 ity provided by subsection (a).

19 “(B) For each such nation, a description of the
20 type and value of logistic support, supplies, and
21 services so provided.

22 “(e) DEFINITION.—In this section, the term ‘logistic
23 support, supplies, and services’ has the meaning given that
24 term in section 2350(1) of this title.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 127b the following new
4 item:

“127c. Allied forces participating in combined operations: authority to provide
logistic support, supplies, and services.”.

5 **SEC. 1202. TEMPORARY AUTHORITY TO USE ACQUISITION**
6 **AND CROSS-SERVICING AGREEMENTS TO**
7 **LEND CERTAIN MILITARY EQUIPMENT TO**
8 **FOREIGN FORCES IN IRAQ AND AFGHANI-**
9 **STAN FOR PERSONNEL PROTECTION AND**
10 **SURVIVABILITY.**

11 (a) AUTHORITY.—

12 (1) IN GENERAL.—Subject to paragraphs (2),
13 (3), and (4), the Secretary of Defense may treat covered
14 military equipment as logistic support, supplies,
15 and services under subchapter I of chapter 138 of
16 title 10, United States Code, for the purpose of providing
17 for the use of such equipment by military
18 forces of a nation participating in combined operations
19 with the United States in Iraq or Afghanistan.
20 stan.

21 (2) REQUIRED DETERMINATIONS.—Equipment
22 may be provided to the military forces of a nation
23 under the authority of this section only upon—

1 (A) a determination by the Secretary of
2 Defense that the United States forces in the
3 combined operation have no unfilled require-
4 ments for that equipment; and

5 (B) a determination by the Secretary of
6 Defense, with the concurrence of the Secretary
7 of State, that it is in the national security inter-
8 est of the United States to provide for the use
9 of such equipment by the military forces of that
10 nation under this section.

11 (3) LIMITATION ON USE OF EQUIPMENT.—
12 Equipment provided to the military forces of a na-
13 tion under the authority of this section may be used
14 by those forces only in Iraq or Afghanistan and only
15 for personnel protection or to aid in the personnel
16 survivability of those forces.

17 (4) LIMITATION ON DURATION OF PROVISION
18 OF EQUIPMENT.—Equipment provided to the mili-
19 tary forces of a nation under the authority of this
20 section may be used by the military forces of that
21 nation for not longer than one year.

22 (b) SEMIANNUAL REPORTS TO CONGRESSIONAL
23 COMMITTEES.—

24 (1) USE OF AUTHORITY DURING FIRST SIX
25 MONTHS OF FISCAL YEAR.—If the authority pro-

1 vided in subsection (a) is exercised during the first
2 six months of a fiscal year, the Secretary of Defense
3 shall submit to the specified congressional commit-
4 tees a report on that exercise of such authority not
5 later than the following April 30.

6 (2) USE OF AUTHORITY DURING SECOND SIX
7 MONTHS OF FISCAL YEAR.—If the authority pro-
8 vided in subsection (a) is exercised during the sec-
9 ond six months of a fiscal year, the Secretary of De-
10 fense shall submit to the specified congressional
11 committees a report on that exercise of such author-
12 ity not later than the following October 30.

13 (3) CONTENT.—Each report under paragraph
14 (1) or (2) shall include, with respect to each exercise
15 of the authority provided in subsection (a) during
16 the period covered by the report, the following:

17 (A) A description of the basis for the de-
18 termination of the Secretary of Defense that it
19 is in the national security interests of the
20 United States to provide for the use of covered
21 military equipment in the manner authorized in
22 subsection (a).

23 (B) Identification of each foreign force
24 that receives such equipment.

1 (C) A description of the type, quantity,
2 and value of the equipment provided to each
3 foreign force that receives such equipment.

4 (D) A description of the terms and dura-
5 tion of the provision of the equipment to each
6 foreign force that receives such equipment.

7 (4) COORDINATION.—Each report under para-
8 graph (1) or (2) shall be prepared in coordination
9 with the Secretary of State.

10 (c) LIMITATIONS ON PROVISION OF MILITARY
11 EQUIPMENT.—The provision of military equipment under
12 this section is subject to the provisions of the Arms Export
13 Control Act (22 U.S.C. 2751 et seq.) and of any other
14 export control process under laws relating to the transfer
15 of military equipment and technology to foreign nations.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “covered military equipment”
18 means items designated as significant military
19 equipment in categories I, II, III, VII, XI, and XIII
20 of the United States Munitions List under section
21 38(a)(1) of the Arms Export Control Act (22 U.S.C.
22 2778(a)(1)).

23 (2) The term “specified congressional commit-
24 tees” means—

1 (A) the Committee on Armed Services and
2 the Committee on Foreign Relations of the Sen-
3 ate; and

4 (B) the Committee on Armed Services and
5 the Committee on International Relations of the
6 House of Representatives.

7 (e) EXPIRATION.—The authority to provide military
8 equipment to the military forces of a foreign nation under
9 this section expires on September 30, 2008.

10 **SEC. 1203. RECODIFICATION AND REVISION TO LAW RELAT-**
11 **ING TO DEPARTMENT OF DEFENSE HUMANI-**
12 **TARIAN DEMINING ASSISTANCE.**

13 (a) REPEAL.—Section 401 of title 10, United States
14 Code, is amended—

15 (1) in subsection (a), by striking paragraph (4);

16 (2) in subsection (b)—

17 (A) by striking “(1)” after “(b)”; and

18 (B) by striking paragraph (2);

19 (3) in subsection (c), by striking paragraphs (2)
20 and (3); and

21 (4) in subsection (e), by striking paragraph (5).

22 (b) RECODIFICATION AND REVISION.—

23 (1) IN GENERAL.—Chapter 20 of such title is
24 amended by adding at the end the following new sec-
25 tion:

1 **“§ 407. Humanitarian demining assistance: authority;**
2 **limitations**

3 “(a) AUTHORITY.—(1) Under regulations prescribed
4 by the Secretary of Defense, the Secretary of a military
5 department may carry out humanitarian demining assist-
6 ance in a country if the Secretary concerned determines
7 that the assistance will promote either—

8 “(A) the security interests of both the United
9 States and the country in which the activities are to
10 be carried out; or

11 “(B) the specific operational readiness skills of
12 the members of the armed forces who participate in
13 the activities.

14 “(2) Humanitarian demining assistance under this
15 section shall complement, and may not duplicate, any
16 other form of social or economic assistance which may be
17 provided to the country concerned by any other depart-
18 ment or agency of the United States.

19 “(3) The Secretary of Defense shall ensure that no
20 member of the armed forces, while providing humanitarian
21 demining assistance under this section—

22 “(A) engages in the physical detection, lifting,
23 or destroying of landmines or other explosive rem-
24 nants of war (unless the member does so for the
25 concurrent purpose of supporting a United States
26 military operation); or

1 “(B) provides such assistance as part of a mili-
2 tary operation that does not involve the armed
3 forces.

4 “(b) LIMITATIONS.—(1) Humanitarian demining as-
5 sistance may not be provided under this section unless the
6 Secretary of State specifically approves the provision of
7 such assistance.

8 “(2) Any authority provided under any other provi-
9 sion of law to provide humanitarian demining assistance
10 to a foreign country shall be carried out in accordance
11 with, and subject to, the limitations prescribed in this sec-
12 tion.

13 “(c) EXPENSES.—(1) Expenses incurred as a direct
14 result of providing humanitarian demining assistance
15 under this section to a foreign country shall be paid for
16 out of funds specifically appropriated for the purpose of
17 the provision by the Department of Defense of overseas
18 humanitarian assistance.

19 “(2) Expenses covered by paragraph (1) include the
20 following:

21 “(A) Travel, transportation, and subsistence ex-
22 penses of Department of Defense personnel pro-
23 viding such assistance.

24 “(B) The cost of any equipment, services, or
25 supplies acquired for the purpose of carrying out or

1 supporting humanitarian demining activities, includ-
2 ing any nonlethal, individual, or small-team equip-
3 ment or supplies for clearing landmines or other ex-
4 plosive remnants of war that are to be transferred
5 or otherwise furnished to a foreign country in fur-
6 therance of the provision of assistance under this
7 section.

8 “(3) The cost of equipment, services, and supplies
9 provided in any fiscal year under this section may not ex-
10 ceed \$10,000,000.

11 “(d) ANNUAL REPORT.—The Secretary of Defense
12 shall include in the annual report under section 401 of
13 this title a separate discussion of activities carried out
14 under this section during the preceding fiscal year, includ-
15 ing—

16 “(1) a list of the countries in which humani-
17 tarian demining assistance was carried out during
18 the preceding fiscal year;

19 “(2) the type and description of humanitarian
20 demining assistance carried out in each country dur-
21 ing the preceding fiscal year, as specified in para-
22 graph (1);

23 “(3) a list of countries in which humanitarian
24 demining assistance could not be carried out during
25 the preceding fiscal year due to insufficient numbers

1 of Department of Defense personnel to carry out
2 such activities; and

3 “(4) the amount expended in carrying out such
4 assistance in each such country during the preceding
5 fiscal year.

6 “(e) HUMANITARIAN DEMINING ASSISTANCE DE-
7 FINED.—In this section, the term ‘humanitarian demining
8 assistance’, as it relates to training and support, means
9 detection and clearance of landmines and other explosive
10 remnants of war, including activities related to the fur-
11 nishing of education, training, and technical assistance
12 with respect to the detection and clearance of landmines
13 and other explosive remnants of war.”.

14 (2) CLERICAL AMENDMENT.—The table of sec-
15 tions at the beginning of such chapter is amended
16 by adding at the end the following new item:

“407. Humanitarian demining assistance: authority; limitations.”.

17 **SEC. 1204. ENHANCEMENTS TO REGIONAL DEFENSE COM-**
18 **BATING TERRORISM FELLOWSHIP PROGRAM.**

19 (a) AUTHORIZED PURPOSES.—Subsection (a) of sec-
20 tion 2249c of title 10, United States Code, is amended
21 by striking “associated with” and all that follows and in-
22 serting: “associated with the education and training of for-
23 eign military officers, ministry of defense officials, or secu-
24 rity officials at military or civilian educational institutions,
25 regional centers, conferences, seminars, or other training

1 programs conducted under the Regional Defense Com-
2 bating Terrorism Fellowship Program. Costs for which
3 payment may be made under this section include the costs
4 of transportation and travel and subsistence costs.”.

5 (b) ANNUAL LIMITATION ON AMOUNT OBLIGATED.—
6 Subsection (b) of such section is amended by striking
7 “\$20,000,000” and inserting “\$25,000,000”.

8 (c) OBLIGATION OF FUNDS ACROSS FISCAL
9 YEARS.—Subsection (b) of such section is further amend-
10 ed by adding at the end the following new sentence:
11 “Amounts available under the authority in subsection (a)
12 for a fiscal year may be used for programs that begin in
13 such fiscal year but end in the next fiscal year.”.

14 (d) CLERICAL AMENDMENTS.—

15 (1) REFERENCE TO PROGRAM.—Subsection
16 (c)(3) of such section is amended by striking “Re-
17 gional Defense Counterterrorism Fellowship Pro-
18 gram” and inserting “program referred to in sub-
19 section (a)”.

20 (2) SECTION HEADING.—The heading of such
21 section is amended to read as follows:

1 **“§ 2249c. Regional Defense Combating Terrorism Fel-**
2 **lowship Program: authority to use appro-**
3 **priated funds for costs associated with**
4 **education and training of foreign offi-**
5 **cial”.**

6 (3) TABLE OF SECTIONS.—The item relating to
7 such section in the table of sections at the beginning
8 of subchapter I of chapter 134 of such title is
9 amended to read as follows

“2249c. Regional Defense Combating Terrorism Fellowship Program: authority
to use appropriated funds for costs associated with education
and training of foreign officials.”.

10 **SEC. 1205. PARTICIPATION OF THE DEPARTMENT OF DE-**
11 **FENSE IN MULTINATIONAL MILITARY CEN-**
12 **TERS OF EXCELLENCE.**

13 (a) PARTICIPATION AUTHORIZED.—During fiscal
14 year 2007, the Secretary of Defense may, with the concur-
15 rence of the Secretary of State, authorize the participation
16 of members of the Armed Forces and Department of De-
17 fense civilian personnel in any multinational military cen-
18 ter of excellence hosted by any nation or combination of
19 nations referred to in subsection (b) for purposes of—

20 (1) enhancing the ability of military forces and
21 civilian personnel of the nations participating in
22 such center to engage in joint exercises or coalition
23 or international military operations; or

1 (2) improving interoperability between the
2 Armed Forces of the United States and the military
3 forces of friendly foreign nations.

4 (b) COVERED NATIONS.—The nations referred to in
5 this subsection are the following:

6 (1) The United States.

7 (2) Any member nation of the North Atlantic
8 Treaty Organization (NATO).

9 (3) Any major non-NATO ally.

10 (4) Any other friendly foreign nation identified
11 by the Secretary of Defense, with the concurrence of
12 the Secretary of State, for purposes of this section.

13 (c) DEFINITIONS.—In this section:

14 (1) MULTINATIONAL MILITARY CENTER OF EX-
15 CELLENCE.—The term “multinational military cen-
16 ter of excellence” means an entity sponsored by one
17 or more nations that is accredited and approved by
18 the Military Committee of the North Atlantic Treaty
19 Organization (NATO) as offering recognized exper-
20 tise and experience to personnel participating in the
21 activities of such entity for the benefit of NATO by
22 providing such personnel opportunities to—

23 (A) enhance education and training;

24 (B) improve interoperability and capabili-
25 ties;

1 (C) assist in the development of doctrine;
2 and

3 (D) validate concepts through experimen-
4 tation.

5 (2) MAJOR NON-NATO ALLY.—The term “major
6 non-NATO ally” means a country (other than a
7 member nation of the North Atlantic Treaty Organi-
8 zation) that is designated as a major non-NATO ally
9 pursuant to section 517 of the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2321k).

11 (d) MEMORANDUM OF UNDERSTANDING.—

12 (1) REQUIREMENT.—The participation of mem-
13 bers of the Armed Forces or Department of Defense
14 civilian personnel in a multinational military center
15 of excellence under subsection (a) shall be in accord-
16 ance with the terms of one or more memoranda of
17 understanding entered into by the Secretary of De-
18 fense, with the concurrence of the Secretary of
19 State, and the foreign nation or nations concerned.

20 (2) SCOPE.—If Department of Defense facili-
21 ties, equipment, or funds are used to support a mul-
22 tinational military center of excellence under sub-
23 section (a), the memoranda of understanding under
24 paragraph (1) with respect to that center shall pro-

1 vide details of any cost-sharing arrangement or
2 other funding arrangement.

3 (e) AVAILABILITY OF APPROPRIATED FUNDS.—

4 (1) AVAILABILITY.—Funds appropriated to the
5 Department of Defense for operation and mainte-
6 nance are available as follows:

7 (A) To pay the United States share of the
8 operating expenses of any multinational mili-
9 tary center of excellence in which the United
10 States participates under this section.

11 (B) To pay the costs of the participation
12 of members of the Armed Forces and Depart-
13 ment of Defense civilian personnel in multi-
14 national military centers of excellence under
15 this section, including the costs of expenses of
16 such participants.

17 (2) LIMITATION ON AMOUNT.—The amount
18 available under paragraph (1)(A) in fiscal year 2007
19 for the expenses referred to in that paragraph may
20 not exceed \$3,000,000.

21 (3) LIMITATION ON USE OF FUNDS.—No funds
22 may be used under this section to fund the pay or
23 salaries of members of the Armed Forces and De-
24 partment of Defense civilian personnel who partici-

1 pate in multinational military centers of excellence
2 under this section.

3 (f) USE OF DEPARTMENT OF DEFENSE FACILITIES
4 AND EQUIPMENT.—Facilities and equipment of the De-
5 partment of Defense may be used for purposes of the sup-
6 port of multinational military centers of excellence under
7 this section that are hosted by the Department.

8 (g) REPORT ON USE OF AUTHORITY.—

9 (1) REPORT REQUIRED.—Not later than Octo-
10 ber 31, 2007, the Secretary of Defense shall submit
11 to the Committee on Armed Services of the Senate
12 and the Committee on Armed Services of the House
13 of Representatives a report on the use of the author-
14 ity in this section during fiscal year 2007.

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

17 (A) A detailed description of the participa-
18 tion of the Department of Defense, and of
19 members of the Armed Forces and civilian per-
20 sonnel of the Department, in multinational mili-
21 tary centers of excellence under the authority of
22 this section during fiscal year 2007.

23 (B) For each multinational military center
24 of excellence in which the Department of De-
25 fense, or members of the Armed Forces or civil-

1 ian personnel of the Department, so partici-
2 pated—

3 (i) a description of such multinational
4 military center of excellence;

5 (ii) a description of the activities par-
6 ticipated in by the Department, or by
7 members of the Armed Forces or civilian
8 personnel of the Department; and

9 (iii) a statement of the costs of the
10 Department for such participation, includ-
11 ing—

12 (I) a statement of the United
13 States share of the expenses of such
14 center and a statement of the percent-
15 age of the United States share of the
16 expenses of such center to the total
17 expenses of such center; and

18 (II) a statement of the amount of
19 such costs (including a separate state-
20 ment of the amount of costs paid for
21 under the authority of this section by
22 category of costs).

1 **SEC. 1206. MODIFICATION AND EXTENSION OF AUTHORI-**
2 **TIES RELATING TO PROGRAM TO BUILD THE**
3 **CAPACITY OF FOREIGN MILITARY FORCES.**

4 (a) PROGRAM IMPLEMENTATION VESTED IN SEC-
5 RETARY OF DEFENSE.—

6 (1) AUTHORITY.—Subsection (a) of section
7 1206 of the National Defense Authorization Act for
8 Fiscal Year 2006 (Public Law 109–163; 119 Stat.
9 3456) is amended by striking by “The President
10 may direct the Secretary of Defense to” and insert-
11 ing “The Secretary of Defense, with the concurrence
12 of the Secretary of State, may”.

13 (2) CONFORMING AMENDMENTS.—Such section
14 is further amended—

15 (A) in subsection (b), by striking “directed
16 by the President” in paragraphs (1) and (2);

17 (B) in subsection (c)—

18 (i) in paragraph (1), by striking “di-
19 rected by the President”; and

20 (ii) in paragraphs (2) and (3), by
21 striking “The President” and inserting
22 “The Secretary of Defense”;

23 (C) in subsection (d), by striking “directed
24 by the President” both places it appears; and

25 (D) in subsection (e)(2), by striking “as
26 directed by the President”.

1 (b) FUNDING.—Subsection (c)(1) of such section is
2 further amended—

3 (1) by striking “\$200,000,000” and inserting
4 “\$300,000,000”; and

5 (2) by striking “defense-wide”.

6 (c) NOTIFICATION TO CONGRESS.—Paragraph (1) of
7 subsection (e) of such section is amended to read as fol-
8 lows:

9 “(1) NOTIFICATION.—Whenever the Secretary
10 of Defense decides, with the concurrence of the Sec-
11 retary of State, to conduct or support a program au-
12 thorized under subsection (a), the Secretary of De-
13 fense shall submit to Congress a notification in writ-
14 ing of that decision. Any such notification shall be
15 prepared in coordination with the Secretary of
16 State.”.

17 (d) ONE-YEAR EXTENSION OF PROGRAM AUTHOR-
18 ITY.—Subsection (g) of such section is amended to read
19 as follows:

20 “(g) TERMINATION OF PROGRAM.—The authority
21 provided under subsection (a) terminates at the close of
22 September 30, 2008. Any program directed before that
23 date may be completed, but only using funds available for
24 fiscal year 2006, 2007, or 2008.”.

1 **SEC. 1207. AUTHORITY FOR DISTRIBUTION TO CERTAIN**
2 **FOREIGN PERSONNEL OF EDUCATION AND**
3 **TRAINING MATERIALS AND INFORMATION**
4 **TECHNOLOGY TO ENHANCE MILITARY INTER-**
5 **OPERABILITY.**

6 (a) DISTRIBUTION AUTHORIZED.—To enhance inter-
7 operability between the Armed Forces and military forces
8 of friendly foreign countries, the Secretary of Defense
9 may—

10 (1) provide to personnel referred to in sub-
11 section (b) electronically-distributed learning content
12 for the education and training of such personnel for
13 the development and enhancement of allied and
14 friendly military capabilities for multinational oper-
15 ations, including joint exercises and coalition oper-
16 ations; and

17 (2) provide information technology, including
18 computer software developed for such purpose, but
19 only to the extent necessary to support the use of
20 such learning content for the education and training
21 of such personnel.

22 (b) AUTHORIZED RECIPIENTS.—The personnel to
23 whom learning content and information technology may
24 be provided under subsection (a) are military and civilian
25 personnel of a friendly foreign government, with the per-
26 mission of that government.

1 (c) EDUCATION AND TRAINING.—Any education and
2 training provided under subsection (a) shall include the
3 following:

4 (1) Internet-based education and training.

5 (2) Advanced distributed learning and similar
6 Internet learning tools, as well as distributed train-
7 ing and computer assisted exercises.

8 (d) SECRETARY OF STATE CONCURRENCE IN CER-
9 TAIN ACTIVITIES.—In the case of any activity proposed
10 to be undertaken under this section that is not authorized
11 by another provision of law, the Secretary of Defense may
12 undertake such activity only with the concurrence of the
13 Secretary of State.

14 (e) APPLICABILITY OF EXPORT CONTROL RE-
15 GIMES.—The provision of learning content and informa-
16 tion technology under this section shall be subject to the
17 provisions of the Arms Export Control Act (22 U.S.C.
18 2751 et seq.) and any other export control regime under
19 law relating to the transfer of military technology to for-
20 eign nations.

21 (f) SECRETARY OF DEFENSE GUIDANCE.—

22 (1) GUIDANCE REQUIRED.—The Secretary of
23 Defense shall develop and issue guidance on the pro-
24 cedures for the use of the authority provided in this
25 section.

1 (2) SUBMITTAL TO CONGRESSIONAL COMMIT-
2 TEES.—Not later than 30 days after issuing the
3 guidance required by paragraph (1), the Secretary
4 shall submit to the Committees on Armed Services
5 of the Senate and House of Representatives a report
6 setting forth such guidance.

7 (3) MODIFICATION.—If the Secretary modifies
8 the guidance issued under paragraph (1), the Sec-
9 retary shall submit to the committees named in
10 paragraph (2) a report setting forth the modified
11 guidance not later than 30 days after the date of
12 such modification.

13 (g) ANNUAL REPORT.—

14 (1) REPORT REQUIRED.—Not later than Octo-
15 ber 31 of 2007 and 2008, the Secretary of Defense
16 shall submit to the committees named in subsection
17 (f)(1) a report on the exercise of the authority pro-
18 vided in this section during the preceding fiscal year.

19 (2) ELEMENTS.—Each report under paragraph
20 (1) shall include, for the fiscal year covered by such
21 report, the following:

22 (A) A statement of the recipients of learn-
23 ing content and information technology pro-
24 vided under this section.

1 (B) A description of the type, quantity,
2 and value of the learning content and informa-
3 tion technology provided under this section.

4 (h) TERMINATION.—The authority provided in this
5 section shall expire on September 30, 2008.

6 **Subtitle B—Nonproliferation**
7 **Matters and Countries of Concern**

8 **SEC. 1211. NORTH KOREA.**

9 (a) COORDINATOR OF POLICY ON NORTH KOREA.—

10 (1) APPOINTMENT REQUIRED.—Not later than
11 60 days after the date of the enactment of this Act,
12 the President shall appoint a senior presidential co-
13 ordinator of United States policy on North Korea.

14 (2) DESIGNATION.—The individual appointed
15 under paragraph (1) may be known as the “North
16 Korea Policy Coordinator” (in this subsection re-
17 ferred to as the “Coordinator”).

18 (3) DUTIES.—The Coordinator shall—

19 (A) conduct a full and complete inter-
20 agency review of United States policy toward
21 North Korea;

22 (B) consult with foreign governments, in-
23 cluding the parties to the Six Party Talks on
24 the denuclearization of the Korean peninsula;
25 and

1 (C) provide policy direction and leadership
2 for negotiations with North Korea relating to
3 nuclear weapons, ballistic missiles, and other
4 security matters.

5 (4) REPORT.—Not later than 90 days after the
6 date of the appointment of an individual as Coordi-
7 nator under paragraph (1), the Coordinator shall
8 submit to the President and Congress an unclassi-
9 fied report, with a classified annex if necessary, on
10 the actions undertaken under paragraph (3). The re-
11 port shall set forth—

12 (A) the results of the review under para-
13 graph (3)(A); and

14 (B) any other matter on North Korea that
15 the Coordinator considers appropriate.

16 (5) TERMINATION.—The position under this
17 subsection shall terminate no later than December
18 31, 2011.

19 (b) SEMIANNUAL REPORTS ON NUCLEAR AND MIS-
20 SILE PROGRAMS OF NORTH KOREA.—

21 (1) REPORTS REQUIRED.—Not later than 90
22 days after the date of the enactment of this Act, and
23 every 180 days thereafter for fiscal years 2007 and
24 2008, the President shall transmit to Congress an
25 unclassified report, with a classified annex as appro-

1 appropriate, on the nuclear program and the missile pro-
2 gram of North Korea.

3 (2) MATTERS TO BE INCLUDED.—Each report
4 under paragraph (1) shall include the following:

5 (A) The most current national intelligence
6 estimate on the nuclear program and the mis-
7 sile program of North Korea and, consistent
8 with the protection of intelligence sources and
9 methods, an unclassified summary of the key
10 judgments in that estimate.

11 (B) The most current unclassified United
12 States Government assessment, stated as a
13 range if necessary, of—

14 (i) the number of nuclear weapons
15 possessed by North Korea; and

16 (ii) the amount of nuclear material
17 suitable for weapons use produced by
18 North Korea by plutonium reprocessing
19 and uranium enrichment.

20 (C) Any other matter relating to the nu-
21 clear program or missile program of North
22 Korea that the President considers appropriate.

1 **SEC. 1212. REPORT ON PARTICIPATION OF MULTI-**
2 **NATIONAL PARTNERS IN THE UNITED NA-**
3 **TIONS COMMAND IN THE REPUBLIC OF**
4 **KOREA.**

5 (a) REPORT REQUIRED.—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense, in coordination with the Secretary of State,
8 shall submit to the appropriate committees of Congress
9 a report on participation of multinational partners in the
10 United Nations Command in the Republic of Korea.

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

13 (1) A list of the nations that are current mem-
14 bers of the United Nations Command in the Repub-
15 lic of Korea, together with a detailed description of
16 the role and participation of each such member na-
17 tion in the responsibilities and activities of the
18 United Nations Command.

19 (2) A detailed description of efforts being un-
20 dertaken by the United States to encourage en-
21 hanced participation in the responsibilities and ac-
22 tivities of the United Nations Command in the Re-
23 public of Korea by such member nations.

24 (3) A discussion of how members of the United
25 Nations Command in the Republic of Korea might
26 be persuaded to increase their contribution of mili-

1 tary forces stationed in the Republic and an assess-
2 ment of how United States political-military require-
3 ments in the Republic of Korea might be affected by
4 such increases.

5 (4) An assessment of how the contribution of
6 additional military forces by a member of the United
7 Nations Command might affect that member's ap-
8 proach to facilitating a diplomatic resolution of the
9 nuclear challenge posed by the Democratic People's
10 Republic of Korea.

11 (c) FORM.—The report required by subsection (a)
12 shall be submitted in unclassified form, but may include
13 a classified annex.

14 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
15 FINED.—In this section, the term “appropriate commit-
16 tees of Congress” means—

17 (1) the Committees on Armed Services and
18 Foreign Relations of the Senate; and

19 (2) the Committees on Armed Services and
20 International Relations of the House of Representa-
21 tives.

22 **SEC. 1213. INTELLIGENCE ON IRAN.**

23 (a) SUBMITTAL TO CONGRESS OF UPDATED NA-
24 TIONAL INTELLIGENCE ESTIMATE ON IRAN.—

1 (1) SUBMITTAL REQUIRED.—The Director of
2 National Intelligence shall submit to Congress an
3 updated, comprehensive National Intelligence Esti-
4 mate on Iran. Such National Intelligence Estimate
5 shall be submitted as soon as is practicable, but not
6 later than the end of the 90–day period beginning
7 on the date of the enactment of this Act.

8 (2) NOTICE REGARDING SUBMITTAL.—If before
9 the end of the 90–day period specified in paragraph
10 (1) the Director determines that the National Intel-
11 ligence Estimate required by that paragraph cannot
12 be submitted by the end of that period as required
13 by that paragraph, the Director shall (before the end
14 of that period) submit to Congress a report setting
15 forth—

16 (A) the reasons why the National Intel-
17 ligence Estimate cannot be submitted by the
18 end of such 90–day period; and

19 (B) an estimated date for the submittal of
20 the National Intelligence Estimate.

21 (3) FORM.—The National Intelligence Estimate
22 under paragraph (1) shall be submitted in classified
23 form. Consistent with the protection of intelligence
24 sources and methods, an unclassified summary of

1 the key judgments of the National Intelligence Esti-
2 mate should be submitted.

3 (b) PRESIDENTIAL REPORT ON POLICY OBJECTIVES
4 AND UNITED STATES STRATEGY REGARDING IRAN.—

5 (1) REPORT REQUIRED.—As soon as is prac-
6 ticable, but not later than 90 days after the date of
7 the enactment of this Act, the President shall sub-
8 mit to Congress a report on—

9 (A) the objectives of United States policy
10 on Iran; and

11 (B) the strategy for achieving those objec-
12 tives.

13 (2) FORM.—The report under paragraph (1)
14 shall be submitted in unclassified form with a classi-
15 fied annex, as appropriate.

16 (3) ELEMENTS.—The report submitted under
17 paragraph (1) shall—

18 (A) address the role of diplomacy, incen-
19 tives, sanctions, other punitive measures and in-
20 centives, and other programs and activities re-
21 lating to Iran for which funds are provided by
22 Congress; and

23 (B) summarize United States contingency
24 planning regarding the range of possible United

1 States military actions in support of United
2 States policy objectives with respect to Iran.

3 **SEC. 1214. SENSE OF CONGRESS ON UNITED STATES POL-**
4 **ICY ON THE NUCLEAR PROGRAMS OF IRAN.**

5 Congress—

6 (1) endorses the policy of the United States to
7 achieve a successful diplomatic outcome, in coordina-
8 tion with leading members of the international com-
9 munity, with respect to the threat posed by the ef-
10 forts of the Iranian regime to acquire a capability to
11 produce nuclear weapons;

12 (2) calls on Iran to—

13 (A) suspend fully and verifiably its enrich-
14 ment and reprocessing activities, as required by
15 the International Atomic Energy Agency
16 (IAEA); and

17 (B) work with the international community
18 to achieve a negotiated outcome to the concerns
19 regarding its nuclear program;

20 (3) in the event Iran fails to comply with
21 United Nations Security Council Resolution 1696
22 (July 31, 2006), urges the Security Council to work
23 for the adoption of appropriate measures under Arti-
24 cle 41 of Chapter VII of the Charter of the United
25 Nations; and

1 (4) urges the President and the Secretary of
2 State to keep Congress fully and currently informed
3 regarding the progress of this vital diplomatic initia-
4 tive.

5 **Subtitle C—Other Matters**

6 **SEC. 1221. EXCLUSION OF PETROLEUM, OIL, AND LUBRI-** 7 **CANTS FROM LIMITATIONS ON ANNUAL** 8 **AMOUNT OF LIABILITIES THE UNITED** 9 **STATES MAY ACCRUE UNDER ACQUISITION** 10 **AND CROSS-SERVICING AGREEMENTS.**

11 (a) **EXCLUSION.**—Section 2347 of title 10, United
12 States Code, is amended—

13 (1) in subsection (a), by striking “(other than
14 petroleum, oils, and lubricants)” in paragraphs (1)
15 and (2); and

16 (2) by adding at the end the following new sub-
17 section:

18 “(d) The amount of any sale, purchase, or exchange
19 of petroleum, oils, or lubricants by the United States
20 under this subchapter in any fiscal year shall be excluded
21 in any computation for the purposes of subsection (a) or
22 (b) of the amount of reimbursable liabilities or reimburs-
23 able credits that the United States accrues under this sub-
24 chapter in that fiscal year.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect beginning with fiscal year
3 2007.

4 (c) REPORTS.—Not later than October 31 of 2007
5 and 2008, the Secretary of Defense shall submit to the
6 Committee on Armed Services of the Senate and the Com-
7 mittee on Armed Services of the House of Representatives
8 a report on the exercise during the preceding fiscal year
9 of the authority provided in subchapter I of chapter 138
10 of title 10, United States Code, with respect to the sale,
11 purchase, or exchange of petroleum, oil, or lubricants.
12 Each report shall identify each country involved in a sale,
13 purchase, or exchange of petroleum, oil, or lubricants with
14 the United States and include a description, by country,
15 of the type, quantity, and value of the petroleum, oil, and
16 lubricants that were sold, purchased, or exchanged by the
17 United States.

18 **SEC. 1222. MODIFICATION OF LIMITATIONS ON ASSISTANCE**
19 **UNDER THE AMERICAN SERVICEMEMBERS'**
20 **PROTECTION ACT OF 2002.**

21 Section 2013(13)(A) of the American
22 Servicemembers' Protection Act of 2002 (22 U.S.C.
23 7432(13)(A)) is amended by striking “or 5”.

1 **SEC. 1223. HUMANITARIAN SUPPORT FOR IRAQI CHILDREN**
2 **IN URGENT NEED OF MEDICAL CARE.**

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

5 (1) The Secretary of Defense has discretionary
6 authority to permit space-available travel on military
7 aircraft for various reasons, including humanitarian
8 purposes.

9 (2) Recently, 110 Iraqi children journeyed 22
10 hours by bus from Baghdad, Iraq, to Amman, Jor-
11 dan, for urgently needed oral/facial surgery. While
12 traveling, armed insurgents stopped and boarded the
13 children's bus, raising serious questions about the
14 safety of further travel by ground.

15 (3) Pursuant to the Secretary's discretionary
16 authority referred to in paragraph (1), the Secretary
17 authorized the Iraqi children to travel on military
18 aircraft for their return trip from Amman to Bagh-
19 dad.

20 (4) The Secretary is to be commended for his
21 initiative in providing for the safe return of these
22 children to Iraq by military aircraft.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Secretary of Defense should continue to
25 provide space-available travel on military aircraft for hu-
26 manitarian reasons to Iraqi children who would otherwise

1 have no means available to seek urgently needed medical
2 care such as that provided by a humanitarian organization
3 in Amman, Jordan.

4 **SEC. 1224. SENSE OF CONGRESS OPPOSING THE GRANTING**
5 **OF AMNESTY BY THE GOVERNMENT OF IRAQ**
6 **TO PERSONS KNOWN TO HAVE ATTACKED,**
7 **KILLED, OR WOUNDED MEMBERS OF THE**
8 **UNITED STATES ARMED FORCES IN IRAQ.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) The Armed Forces of the United States and
12 coalition military forces are serving heroically in
13 Iraq to provide all the people of Iraq a better future.

14 (2) The Armed Forces of the United States and
15 coalition military forces have served bravely in Iraq
16 since the beginning of military operations in March
17 of 2003.

18 (3) As of June 15, 2006, more than 2,500
19 members of the Armed Forces of the United States
20 and members of coalition military forces have been
21 killed and more than 18,000 have been injured in
22 operations to bring peace and stability to all the peo-
23 ple of Iraq.

24 (b) SENSE OF CONGRESS.—

1 (1) IRAQI SOVEREIGNTY.—It is the sense of
2 Congress that the goal of the United States and of
3 the coalition partners of the United States has been
4 to empower the Iraqi people and, in doing so, to rec-
5 ognize their freedom to exercise full sovereignty.

6 (2) AMNESTY.—Recognizing the sovereignty of
7 the Iraqi people as referred to in paragraph (1), it
8 is further the sense of Congress that the Govern-
9 ment of Iraq, consistent with that sovereignty,
10 should not grant amnesty to persons known to have
11 attacked, killed, or wounded members of the Armed
12 Forces of the United States.

13 **SEC. 1225. ANNUAL REPORTS ON UNITED STATES CON-**
14 **TRIBUTIONS TO THE UNITED NATIONS.**

15 (a) ANNUAL REPORT.—Not later than 90 days after
16 the date of the enactment of this Act and annually there-
17 after until December 31, 2010, the President shall submit
18 to Congress a report listing all assessed and voluntary con-
19 tributions of the United States Government for the pre-
20 ceding fiscal year to the United Nations and United Na-
21 tions affiliated agencies and related bodies.

22 (b) CONTENTS.—Each report required under sub-
23 section (a) shall set forth, for the fiscal year covered by
24 such report, the following:

1 (1) The total amount of all assessed and vol-
2 untary contributions of the United States Govern-
3 ment to the United Nations and United Nations af-
4 filiated agencies and related bodies.

5 (2) The approximate percentage of United
6 States Government contributions to each United Na-
7 tions affiliated agency or body in such fiscal year
8 when compared with all contributions to such agency
9 or body from any source in such fiscal year.

10 (3) For each such contribution—

11 (A) the amount of such contribution;

12 (B) a description of such contribution (in-
13 cluding whether assessed or voluntary);

14 (C) the department or agency of the
15 United States Government responsible for such
16 contribution;

17 (D) the purpose of such contribution; and

18 (E) the United Nations or United Nations
19 affiliated agency or related body receiving such
20 contribution.

21 **SEC. 1226. COMPREHENSIVE REGIONAL STRATEGY AND AN-**
22 **NUAL REPORTS ON SOMALIA.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the United States should—

25 (1) support—

1 (A) the establishment of a functional, le-
2 gitimate, and unified national government in
3 Somalia;

4 (B) humanitarian assistance to the people
5 of Somalia;

6 (C) efforts to prevent Somalia from becom-
7 ing a safe haven for terrorists and terrorist ac-
8 tivities; and

9 (D) regional stability;

10 (2) broaden and integrate its strategic approach
11 toward Somalia within the context of United States
12 policy and activities in the countries of the Horn of
13 Africa and other relevant countries on the Arabian
14 Peninsula; and

15 (3) coordinate and carry out all diplomatic, hu-
16 manitarian, counterterrorism, and security-related
17 activities in Somalia within the framework of an
18 interagency process.

19 (b) COMPREHENSIVE REGIONAL STRATEGY.—

20 (1) IN GENERAL.—Not later than 90 days after
21 the date of the enactment of this Act, the President
22 shall submit to the appropriate congressional com-
23 mittees a report on a comprehensive regional strat-
24 egy toward Somalia within the context of United
25 States policy and activities in the countries of the

1 Horn of Africa and other relevant countries on the
2 Arabian Peninsula.

3 (2) COMPONENTS.—The comprehensive regional
4 strategy described in the report shall include the fol-
5 lowing components:

6 (A) A clearly stated policy towards Somalia
7 that will help establish a functional, legitimate,
8 and unified national government in Somalia
9 that is capable of maintaining the rule of law
10 and preventing Somalia from becoming a safe
11 haven for terrorists.

12 (B) A description of the type and form of
13 bilateral, regional, and multilateral efforts to
14 coordinate and strengthen diplomatic engage-
15 ment with Somalia.

16 (C) A description of an integrated political,
17 humanitarian, intelligence, and military ap-
18 proach to counter transnational security threats
19 in Somalia and throughout the countries of the
20 Horn of Africa.

21 (D) A description of an interagency frame-
22 work involving the Federal agencies and depart-
23 ments of the United States to plan, coordinate,
24 and execute United States policy and activities
25 in Somalia and throughout the countries of the

1 Horn of Africa and to oversee policy and pro-
2 gram implementation.

3 (E) Guidance on the manner in which the
4 comprehensive regional strategy will be imple-
5 mented.

6 (c) ANNUAL REPORTS.—Not later than April 1,
7 2007, and annually thereafter until April 1, 2010, the
8 President shall submit to the appropriate congressional
9 committees a report on the status of the implementation
10 of the comprehensive regional strategy toward Somalia re-
11 quired under subsection (b).

12 (d) FORM.—Each report under this section, including
13 the comprehensive regional strategy, shall be submitted in
14 unclassified form, but may include a classified annex, as
15 appropriate.

16 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
17 FINED.—In this section, the term “appropriate congres-
18 sional committees” means—

19 (1) the Committee on Armed Services, the
20 Committee on International Relations, and the Per-
21 manent Select Committee on Intelligence of the
22 House of Representatives; and

23 (2) the Committee on Armed Services, the
24 Committee on Foreign Relations, and the Select
25 Committee on Intelligence of the Senate.

1 **SEC. 1227. REPORT ON THE IMPLEMENTATION OF THE**
2 **DARFUR PEACE AGREEMENT.**

3 (a) REQUIREMENT FOR REPORTS.—Not later than
4 90 days after the date of the enactment of this Act and
5 every six months thereafter until December 31, 2011, the
6 Secretary of Defense, in coordination with the Secretary
7 of State, shall submit to the appropriate congressional
8 committees a report on the implementation of the Darfur
9 Peace Agreement of May 5, 2006, and the contributions
10 of the Department of Defense to the North Atlantic Trea-
11 ty Organization in support of the African Union Mission
12 in Sudan (AMIS).

13 (b) CONTENTS.—Each report under subsection (a)
14 shall include—

15 (1) a description of major violations of the
16 Darfur Peace Agreement and major delays in imple-
17 menting the Agreement, including violations and
18 delays relating to the demobilization and disar-
19 mament of the Janjaweed, the voluntary safe return
20 of internally displaced persons and refugees, and se-
21 curity and access for humanitarian supply routes;

22 (2) an assessment of the extent to which the
23 Ceasefire Commission and the AMIS are able to
24 monitor the implementation of the Darfur Peace
25 Agreement and an assessment of efforts to impede

1 the monitoring activities of the Ceasefire Commis-
2 sion and AMIS;

3 (3) a list of contributions made by the Depart-
4 ment of Defense in support of NATO assistance to
5 AMIS and the United Nations peacekeeping oper-
6 ation authorized for Darfur;

7 (4) a description of the activities carried out by
8 United States Armed Forces in support of NATO
9 assistance to AMIS and the United Nations peace-
10 keeping operation authorized for Darfur;

11 (5) the amount of funds expended by the De-
12 partment of Defense in support of NATO assistance
13 to AMIS; and

14 (6) a description of the efforts by the United
15 States to obtain troop contributions from other
16 countries to serve in the United Nations peace-
17 keeping operation authorized for Darfur.

18 (c) FORM AND AVAILABILITY OF REPORTS.—

19 (1) FORM.—Reports submitted under this sec-
20 tion shall be in an unclassified form and may include
21 a classified annex.

22 (2) AVAILABILITY.—The unclassified portion of
23 such reports shall be made available to the public.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate com-
3 mittees of Congress” means—

4 (1) the Committee on Armed Services and the
5 Committee on International Relations of the House
6 of Representatives; and

7 (2) the Committee on Armed Services and the
8 Committee on Foreign Relations of the Senate.

9 **SEC. 1228. SENSE OF CONGRESS CONCERNING COOPERA-**
10 **TION WITH RUSSIA ON ISSUES PERTAINING**
11 **TO MISSILE DEFENSE.**

12 It is the sense of Congress that—

13 (1) cooperation between the United States and
14 Russia with regard to missile defense is in the inter-
15 est of the United States;

16 (2) there does not exist strong enough engage-
17 ment between the United States and Russia with re-
18 spect to missile defense cooperation;

19 (3) the United States should explore innovative
20 and nontraditional means of cooperation with Russia
21 on issues pertaining to missile defense; and

22 (4) as part of such an effort, the Secretary of
23 Defense should consider the possibilities for United
24 States-Russian cooperation with respect to missile
25 defense through—

1 (A) the testing of specific elements of the
2 detection and tracking equipment of the Missile
3 Defense Agency of the United States Depart-
4 ment of Defense through the use of Russian
5 target missiles; and

6 (B) the provision of early warning radar to
7 the Missile Defense Agency by the use of Rus-
8 sian radar data.

9 **SEC. 1229. SENSE OF CONGRESS CALLING FOR CONVENING**
10 **OF A SUMMIT FOR A COMPREHENSIVE POLIT-**
11 **ICAL AGREEMENT FOR IRAQ.**

12 (a) IN GENERAL.—It is the sense of Congress that
13 the President should continue working with the Govern-
14 ment of Iraq and the United Nations to convene a summit
15 as soon as possible after the enactment of this Act for
16 the purpose of reaching a comprehensive political agree-
17 ment for Iraq—

18 (1) that promotes the Government of Iraq's Na-
19 tional Reconciliation and Dialogue Plan of June 25,
20 2006, which is designed to focus on many of the
21 fundamental questions dividing Iraqis; and

22 (2) that address the issues of—

23 (A) federalism;

24 (B) the equitable distribution of oil reve-
25 nues;

1 (C) the demobilization and reintegration of
2 armed militias

3 (D) the inducement of the armed opposi-
4 tion to lay down their arms and join the polit-
5 ical process, and

6 (E) the building of a renewed international
7 partnership with Iraq aimed at encouraging the
8 economic recovery and reconstruction of Iraq.

9 (b) SUMMIT PARTICIPANTS.—A summit convened for
10 the purpose stated in subsection (a) should include the fol-
11 lowing participants (as well as other appropriate partici-
12 pants):

13 (1) Representatives of Iraq's neighbors.

14 (2) Representatives of the Arab League.

15 (3) The Secretary General of the North Atlan-
16 tic Treaty Organization.

17 (4) Representatives of the European Union.

18 (5) Leaders of the governments of each perma-
19 nent member of the United Nations Security Coun-
20 cil.

21 **SEC. 1230. SENSE OF CONGRESS ON THE COMMENDABLE**
22 **ACTIONS OF THE ARMED FORCES IN IRAQ.**

23 (a) FINDINGS.—Congress makes the following find-
24 ings:

1 (1) On June 7, 2006, the United States Armed
2 Forces carried out an air strike near the City of
3 Baquba, northeast of Baghdad, Iraq, that resulted
4 in the death of Ahmad Fadeel al-Nazal al-Khalayleh,
5 better known as Abu Musab al-Zarqawi, the leader
6 of the al-Qaeda in Iraq terrorist organization and
7 the most wanted terrorist in Iraq.

8 (2) Zarqawi, as the operational commander of
9 al-Qaeda in Iraq, led a brutal campaign of suicide
10 bombings, car bombings, assassinations, and abduc-
11 tions that caused the deaths of many members of
12 the United States Armed Forces, civilian officials of
13 the United States Government, thousands of inno-
14 cent Iraqi civilians, and innocent civilians of other
15 nations.

16 (3) Zarqawi publicly swore his allegiance to
17 Osama bin Laden and al-Qaeda in 2004, and
18 changed the name of his terrorist organization from
19 the “Monotheism and Holy War Group” to “al-
20 Qaeda in Iraq”.

21 (4) In an audiotape broadcast in December
22 2004, Osama bin Laden, the leader of al-Qaeda’s
23 worldwide terrorist organization, called Zarqawi “the
24 prince of al-Qaeda in Iraq”.

1 (5) Three perpetrators confessed to being paid
2 by Zarqawi to carry out the October 2002 assassina-
3 tion of the United States diplomat, Lawrence Foley,
4 in Amman, Jordan.

5 (6) The Monotheism and Holy War Group
6 claimed responsibility for—

7 (A) the August 2003 suicide attack that
8 destroyed the United Nations headquarters in
9 Baghdad and killed the United Nations envoy
10 to Iraq, Sergio Vieira de Mello, along with 21
11 other people; and

12 (B) the suicide attack on the Imam Ali
13 Mosque in Najaf that occurred less than two
14 weeks later, which killed at least 85 people, in-
15 cluding the Ayatollah Sayed Mohammed Baqr
16 al-Hakim, and wounded dozens more.

17 (7) Zarqawi is believed to have personally be-
18 headed American hostage Nicholas Berg in May
19 2004.

20 (8) In May 2004, Zarqawi was implicated in a
21 car bombing that killed Izzadine Salim, the rotating
22 president of the Iraqi Governing Council.

23 (9) In November 2005, al-Qaeda in Iraq at-
24 tacked three hotels in Amman, Jordan, killing at
25 least 67 innocent civilians.

1 (10) Zarqawi and his terrorist organization
2 were directly responsible for numerous other brutal
3 terrorist attacks against the American and coalition
4 forces, Iraqi security forces and recruits, and inno-
5 cent Iraqi civilians.

6 (11) Zarqawi sought to turn Iraq into a safe
7 haven for al-Qaeda.

8 (12) To achieve that end, Zarqawi stated his
9 opposition to the democratically elected government
10 of Iraq and worked to divide the Iraqi people, fo-
11 ment sectarian violence, and incite a civil war in
12 Iraq.

13 (13) The members of the United States Armed
14 Forces, the intelligence community, and other Fed-
15 eral agencies, along with coalition partners and the
16 Iraqi Security Forces, should be commended for
17 their courage and extraordinary efforts to track
18 down the most wanted terrorist in Iraq and to se-
19 cure a free and prosperous future for the people of
20 Iraq.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that Congress—

23 (1) commends the United States Armed Forces,
24 the intelligence community, and other Federal agen-
25 cies, along with coalition partners, for the actions

1 taken through June 7, 2006, that resulted in the
2 death of Abu Musab al-Zarqawi, the leader of the al-
3 Qaeda in Iraq terrorist organization and the most
4 wanted terrorist in Iraq;

5 (2) commends the United States Armed Forces,
6 the intelligence community, and other agencies for
7 the action referred to in paragraph (1) and their ex-
8 emplary performance in striving to bring freedom,
9 democracy, and security to the people of Iraq;

10 (3) commends the coalition partners of the
11 United States, the new government of Iraq, and
12 members of the Iraqi Security Forces for their in-
13 valuable assistance in the operation referred to in
14 paragraph (1) and their extraordinary efforts to se-
15 cure a free and prosperous Iraq;

16 (4) commends United States civilian and mili-
17 tary leadership for their continuing efforts to elimi-
18 nate the leadership of al-Qaeda in Iraq, and also
19 commends the new government of Iraq, led by Prime
20 Minister Nouri al-Maliki, for its contribution to that
21 achievement;

22 (5) recognizes that the death of Abu Musab al-
23 Zarqawi is a victory for American and coalition
24 forces in the global war on terror and a blow to the
25 al-Qaeda terrorist organization;

1 (6) commends Iraqi Prime Minister Nouri al-
2 Maliki on the finalization of the new Iraqi cabinet;

3 (7) urges the democratically elected government
4 in Iraq to use this opportunity to defeat the terrorist
5 enemy, to put an end to ethnic and sectarian vio-
6 lence, and to achieve a free, prosperous, and secure
7 future for Iraq; and

8 (8) affirms that the Congress will continue to
9 support the United States Armed Forces, the demo-
10 cratically elected unity government of Iraq, and the
11 people of Iraq in their quest to secure a free, pros-
12 perous, and democratic Iraq.

13 **SEC. 1231. ANNUAL REPORT ON FOREIGN SALES OF SIG-**
14 **NIFICANT MILITARY EQUIPMENT MANUFAC-**
15 **TURED IN THE UNITED STATES.**

16 (a) REPORT REQUIRED.—Not later than March 31
17 of each year, the Secretary of Defense shall submit to the
18 congressional defense committees a report on foreign mili-
19 tary sales and direct sales to foreign entities of significant
20 military equipment manufactured in the United States
21 during the preceding calendar year.

22 (b) CONTENTS.—Each report required by subsection
23 (a) shall indicate, for each sale of significant military
24 equipment in excess of \$2,000,000—

1 (1) the nature of the equipment and the dollar
2 value of the sale;

3 (2) the country to which the equipment was
4 sold; and

5 (3) the manufacturer of the equipment and the
6 State in which the equipment was manufactured.

7 (c) PUBLIC AVAILABILITY.—The Secretary of De-
8 fense shall make each report required by subsection (a)
9 publicly available to the maximum extent practicable.

10 (d) SIGNIFICANT MILITARY EQUIPMENT DEFINED.—
11 In this section, the term “significant military equipment”
12 has the meaning given the term in section 47(9) of the
13 Arms Export Control Act (22 U.S.C. 2794(9) note).

14 **TITLE XIII—COOPERATIVE**
15 **THREAT REDUCTION WITH**
16 **STATES OF THE FORMER SO-**
17 **VIET UNION**

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.

Sec. 1302. Funding allocations.

Sec. 1303. Extension of temporary authority to waive limitation on funding for
chemical weapons destruction facility in Russia.

Sec. 1304. National Academy of Sciences study of prevention of proliferation of
biological weapons.

18 **SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-**
19 **DUCTION PROGRAMS AND FUNDS.**

20 (a) SPECIFICATION OF CTR PROGRAMS.—For pur-
21 poses of section 301 and other provisions of this Act, Co-
22 operative Threat Reduction programs are the programs

1 specified in section 1501(b) of the National Defense Au-
2 thorization Act for Fiscal Year 1997 (Public Law 104-
3 201; 110 Stat. 2731; 50 U.S.C. 2362 note).

4 (b) FISCAL YEAR 2007 COOPERATIVE THREAT RE-
5 Duction FUNDS DEFINED.—As used in this title, the
6 term “fiscal year 2007 Cooperative Threat Reduction
7 funds” means the funds appropriated pursuant to the au-
8 thorization of appropriations in section 301 for Coopera-
9 tive Threat Reduction programs.

10 (c) AVAILABILITY OF FUNDS.—Funds appropriated
11 pursuant to the authorization of appropriations in section
12 301 for Cooperative Threat Reduction programs shall be
13 available for obligation for three fiscal years.

14 **SEC. 1302. FUNDING ALLOCATIONS.**

15 (a) FUNDING FOR SPECIFIC PURPOSES.—Of the
16 \$372,128,000 authorized to be appropriated to the De-
17 partment of Defense for fiscal year 2007 in section
18 301(19) for Cooperative Threat Reduction programs, the
19 following amounts may be obligated for the purposes spec-
20 ified:

21 (1) For strategic offensive arms elimination in
22 Russia, \$76,985,000.

23 (2) For nuclear weapons storage security in
24 Russia, \$87,100,000.

1 (3) For nuclear weapons transportation security
2 in Russia, \$33,000,000.

3 (4) For weapons of mass destruction prolifera-
4 tion prevention in the states of the former Soviet
5 Union, \$37,486,000.

6 (5) For biological weapons proliferation preven-
7 tion in the former Soviet Union, \$68,357,000.

8 (6) For chemical weapons destruction in Rus-
9 sia, \$42,700,000.

10 (7) For defense and military contacts,
11 \$8,000,000.

12 (8) For activities designated as Other Assess-
13 ments/Administrative Support, \$18,500,000.

14 (b) REPORT ON OBLIGATION OR EXPENDITURE OF
15 FUNDS FOR OTHER PURPOSES.—No fiscal year 2007 Co-
16 operative Threat Reduction funds may be obligated or ex-
17 pended for a purpose other than a purpose listed in para-
18 graphs (1) through (8) of subsection (a) until 30 days
19 after the date that the Secretary of Defense submits to
20 Congress a report on the purpose for which the funds will
21 be obligated or expended and the amount of funds to be
22 obligated or expended. Nothing in the preceding sentence
23 shall be construed as authorizing the obligation or expend-
24 iture of fiscal year 2007 Cooperative Threat Reduction
25 funds for a purpose for which the obligation or expendi-

1 ture of such funds is specifically prohibited under this title
2 or any other provision of law.

3 (c) LIMITED AUTHORITY TO VARY INDIVIDUAL
4 AMOUNTS.—

5 (1) IN GENERAL.—Subject to paragraphs (2)
6 and (3), in any case in which the Secretary of De-
7 fense determines that it is necessary to do so in the
8 national interest, the Secretary may obligate
9 amounts appropriated for fiscal year 2007 for a pur-
10 pose listed in any of the paragraphs in subsection
11 (a) in excess of the specific amount authorized for
12 that purpose.

13 (2) NOTICE-AND-WAIT REQUIRED.—An obliga-
14 tion of funds for a purpose stated in any of the
15 paragraphs in subsection (a) in excess of the specific
16 amount authorized for such purpose may be made
17 using the authority provided in paragraph (1) only
18 after—

19 (A) the Secretary submits to Congress no-
20 tification of the intent to do so together with a
21 complete discussion of the justification for
22 doing so; and

23 (B) 15 days have elapsed following the
24 date of the notification.

1 (3) RESTRICTION.—The Secretary may not,
2 under the authority provided in paragraph (1), obli-
3 gate amounts for a purpose stated in any of para-
4 graphs (6) through (8) of subsection (a) in excess of
5 125 percent of the specific amount authorized for
6 such purpose.

7 **SEC. 1303. EXTENSION OF TEMPORARY AUTHORITY TO**
8 **WAIVE LIMITATION ON FUNDING FOR CHEM-**
9 **ICAL WEAPONS DESTRUCTION FACILITY IN**
10 **RUSSIA.**

11 Section 1303 of the Ronald W. Reagan National De-
12 fense Authorization Act for Fiscal Year 2005 (Public Law
13 108-375; 118 Stat. 2094; 22 U.S.C. 5952 note) is amend-
14 ed—

15 (1) in subsection (a), by striking “shall not
16 apply for a calendar year for which the President
17 submits to Congress a written certification” and in-
18 serting the following: “shall not apply for a calendar
19 year to the chemical weapons destruction facility
20 that is (as of 2006) under construction at
21 Shchuch’ye in the Russian Federation, if the Presi-
22 dent submits to Congress a written certification, for
23 the calendar year concerned,”; and

24 (2) in subsection (b), by striking “shall expire”
25 and all that follows through the period at the end

1 and inserting “is not effective for calendar years
2 after calendar year 2011.”.

3 **SEC. 1304. NATIONAL ACADEMY OF SCIENCES STUDY OF**
4 **PREVENTION OF PROLIFERATION OF BIO-**
5 **LOGICAL WEAPONS.**

6 (a) **STUDY REQUIRED.**—Not later than 60 days after
7 the date of the enactment of this Act, the Secretary of
8 Defense shall enter into an arrangement with the National
9 Academy of Sciences under which the Academy shall carry
10 out a study to identify areas for further cooperation with
11 Russia and other states of the former Soviet Union under
12 the Cooperative Threat Reduction (CTR) program of the
13 Department of Defense in the specific area of prevention
14 of proliferation biological weapons.

15 (b) **MATTERS TO BE INCLUDED IN STUDY.**—The
16 Secretary shall provide for the study under subsection (a)
17 to include the following:

18 (1) A brief review of any ongoing or previously
19 completed United States Government program
20 (whether conducted through the Cooperative Threat
21 Reduction program or otherwise) in the area of pre-
22 vention of proliferation of biological weapons.

23 (2) An identification of further cooperative
24 work between the United States Government and
25 foreign governments, including technical scientific

1 cooperation, that could effectively be pursued in the
2 area of prevention of proliferation of biological weap-
3 ons and the objectives that such work would be de-
4 signed to achieve.

5 (3) An identification of any obstacles to design-
6 ing and implementing a nonproliferation program
7 (whether conducted through the Cooperative Threat
8 Reduction program or otherwise) that could success-
9 fully accomplish the objectives identified pursuant to
10 paragraph (2), together with recommendations for
11 overcoming such obstacles, including recommenda-
12 tions in the area of coordination among relevant
13 United States Government departments and agen-
14 cies.

15 (c) REPORT.—

16 (1) SECRETARY OF DEFENSE REPORT.—Not
17 later than December 31, 2007, the Secretary of De-
18 fense shall submit to the Committee on Armed Serv-
19 ices of the Senate and the Committee on Armed
20 Services of the House of Representatives a report on
21 the study carried out under subsection (a).

22 (2) MATTERS TO BE INCLUDED.—The report
23 under paragraph (1) shall include the following:

24 (A) The results of the study carried out
25 under subsection (a), including any report re-

1 received from the National Academy of Sciences
2 on such study.

3 (B) An assessment of the study by the
4 Secretary.

5 (C) an action plan for implementing the
6 recommendations from the study, if any, that
7 the Secretary has decided to pursue.

8 (3) FORM OF SUBMITTAL.—The report under
9 paragraph (1) shall be submitted in unclassified
10 form, but may include a classified annex.

11 (d) FUNDING.—Of the amounts made available pur-
12 suant to the authorization of appropriations in section
13 301(19) for Cooperative Threat Reduction programs, not
14 more than \$150,000 shall be available to carry out this
15 section.

16 **TITLE XIV—MATTERS RELATED**
17 **TO DEFENSE AGAINST TER-**
18 **RORISM AND RELATED SECU-**
19 **RITY MATTERS**

Sec. 1401. Enhancement to authority to pay rewards for assistance in combating terrorism.

Sec. 1402. Quarterly reports on Department of Defense response to threat posed by improvised explosive devices.

Sec. 1403. Requirement that all military wheeled vehicles used in Iraq and Afghanistan outside of secure military operating bases be protected by Improvised Explosive Device (IED) jammers.

Sec. 1404. Report on assessment process of Chairman of the Joint Chiefs of Staff relating to Global War on Terrorism.

Sec. 1405. Treatment under Freedom of Information Act of certain confidential information shared with State and local personnel.

Sec. 1406. Database of emergency response capabilities.

1 **SEC. 1401. ENHANCEMENT TO AUTHORITY TO PAY RE-**
2 **WARDS FOR ASSISTANCE IN COMBATING TER-**
3 **RORISM.**

4 (a) INCREASE IN DELEGATION LIMITATION.—Para-
5 graph (2) of section 127b(c) of title 10, United States
6 Code, is amended by striking “\$2,500” and inserting
7 “\$10,000”.

8 (b) EXPANSION OF SENIOR OFFICERS TO WHOM
9 COMBATANT COMMANDER AUTHORITY MAY BE DELE-
10 GATED.—Such paragraph is further amended—

11 (1) by inserting after “deputy commander” the
12 following: “, or to the commander of a command di-
13 rectly subordinate to that commander,”; and

14 (2) by adding at the end the following new sen-
15 tence: “Such a delegation may be made to the com-
16 mander of a command directly subordinate to the
17 commander of a combatant command only with the
18 approval of the Secretary of Defense, the Deputy
19 Secretary of Defense, or an Under Secretary of De-
20 fense to whom authority has been delegated under
21 subparagraph (1)(A).”.

22 **SEC. 1402. QUARTERLY REPORTS ON DEPARTMENT OF DE-**
23 **FENSE RESPONSE TO THREAT POSED BY IM-**
24 **PROVISED EXPLOSIVE DEVICES.**

25 (a) REPORTS REQUIRED.—

1 (1) INITIAL REPORT.—Not later than 90 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall submit to Congress a re-
4 port—

5 (A) regarding the status of the threat
6 posed to United States and allied forces in Iraq
7 and Afghanistan by improvised explosive de-
8 vices; and

9 (B) describing efforts being undertaken by
10 the Department of Defense to defeat that
11 threat.

12 (2) SUPPLEMENTAL QUARTERLY REPORTS.—
13 After the submission of the report under paragraph
14 (1), the Secretary shall submit to Congress a supple-
15 mental report, not later than 30 days after the end
16 of each calendar-year quarter, to account for every
17 reported incident involving the detonation or dis-
18 covery of an improvised explosive device during the
19 preceding quarter that involved United States or al-
20 lied forces in Iraq and Afghanistan.

21 (3) CLASSIFICATION OF REPORTS.—Reports
22 under this section shall be transmitted in an unclas-
23 sified manner with a classified annex, if necessary.

24 (b) JOINT IED DEFEAT ORGANIZATION AND RE-
25 LATED OFFICES.—Each report under subsection (a) shall

1 provide the following information regarding the joint enti-
2 ty in the Office of the Secretary of Defense known as the
3 “Joint IED Defeat Organization” and those portions of
4 all other organizational elements within the Department
5 of Defense that are focused on countering improvised ex-
6 plosive devices:

7 (1) The number of Department of Defense per-
8 sonnel assigned to the Joint IED Defeat Organiza-
9 tion and each other organizational element.

10 (2) The major locations to which such per-
11 sonnel are assigned and the organizational structure
12 of those elements.

13 (3) The projected budget of the Joint IED De-
14 feat Organization and those other elements relating
15 to the counter-IED mission.

16 (4) The level of funding required for adminis-
17 trative costs relating to the counter-IED mission.

18 (c) EXISTING THREAT AND COUNTER MEASURES.—

19 Each report under subsection (a) shall include the fol-
20 lowing information regarding the threat posed by impro-
21 vised explosive devices and the countermeasures employed
22 to defeat those threats:

23 (1) The number of improvised explosive devices
24 being encountered by United States and allied mili-

1 tary personnel, including general trends in tactics
2 and technology used by the enemy.

3 (2) Passive countermeasures employed and the
4 success rate of each such countermeasure.

5 (3) Active countermeasures employed and the
6 success rate of each such countermeasure.

7 (4) Any evidence of assistance to the enemy by
8 foreign countries or other entities not directly in-
9 volved in fighting United States and allied forces in
10 Iraq and Afghanistan.

11 (5) A summary of data collected and reports
12 generated by the Department of Defense on efforts
13 to counter improvised explosive devices in Iraq and
14 Afghanistan and other fronts in the Global War on
15 Terrorism.

16 (d) RESEARCH, DEVELOPMENT, TEST, AND EVALUA-
17 TION OF NEW COUNTERMEASURES.—Each report under
18 subsection (a) shall include the following information re-
19 garding research, development, test, and evaluation activi-
20 ties relating to new active and passive countermeasures
21 and any impediments to those activities:

22 (1) The status of any effort within the Depart-
23 ment of Defense to conduct research, development,
24 test, and evaluation of passive and active counter-

1 measures and to accelerate the introduction of those
2 countermeasures into deployed units.

3 (2) Impediments to introduction of new passive
4 and active countermeasures.

5 (e) INTERDICTION EFFORTS.—

6 (1) DESCRIPTION OF INTERDICTION EF-
7 FORTS.—Each report under subsection (a) shall
8 identify those portions of any office within the De-
9 partment of Defense (in addition to those discussed
10 pursuant to subsection (b)) that are focused on
11 interdiction of improvised explosive devices, together
12 with the personnel and funding requirements for
13 that office (as specified in subsection (b)) and the
14 success of the interdiction efforts of that office.

15 (2) INTERDICTION DEFINED.—For purposes of
16 this subsection, the term “interdiction” includes—

17 (A) the development of intelligence regard-
18 ing persons and locations involved in the manu-
19 facture or deployment of improvised explosive
20 devices; and

21 (B) subsequent action against those per-
22 sons or locations, including efforts to prevent
23 emplacement of improvised explosive devices.

1 **SEC. 1403. REQUIREMENT THAT ALL MILITARY WHEELED**
2 **VEHICLES USED IN IRAQ AND AFGHANISTAN**
3 **OUTSIDE OF SECURE MILITARY OPERATING**
4 **BASES BE PROTECTED BY IMPROVISED EX-**
5 **PLOSIVE DEVICE (IED) JAMMERS.**

6 (a) REQUIREMENT.—The Secretary of Defense shall
7 take such steps as necessary to ensure that by the end
8 of fiscal year 2007 all United States military wheeled vehi-
9 cles used in Iraq and Afghanistan outside of secure mili-
10 tary operating bases are protected by Improvised Explo-
11 sive Device (IED) jammers.

12 (b) FUNDING.—The Secretary shall carry out sub-
13 section (a) using funds provided pursuant to authoriza-
14 tions of appropriations in title XV.

15 (c) REPORT.—Not later than December 15, 2006, the
16 Secretary of Defense shall submit to the congressional de-
17 fense committees a report on the cost and timeline to com-
18 plete compliance with the requirement in subsection (a)
19 that by the end of fiscal year 2007 each vehicle described
20 in that subsection be protected by an Improvised Explosive
21 Device jammer.

22 **SEC. 1404. REPORT ON ASSESSMENT PROCESS OF CHAIR-**
23 **MAN OF THE JOINT CHIEFS OF STAFF RELAT-**
24 **ING TO GLOBAL WAR ON TERRORISM.**

25 Not later than March 1, 2007, the Secretary of De-
26 fense shall submit to the Committee on Armed Services

1 of the Senate and the Committee on Armed Services of
2 the House of Representatives a report on the findings of
3 the semiannual assessment process relating to the Global
4 War on Terrorism that is described in the annex to the
5 National Military Strategic Plan for the War on Ter-
6 rorism, issued by the Secretary of Defense on February
7 1, 2006, that is designated as the Implementation and As-
8 sessment Annex (Annex R).

9 **SEC. 1405. TREATMENT UNDER FREEDOM OF INFORMA-**
10 **TION ACT OF CERTAIN CONFIDENTIAL IN-**
11 **FORMATION SHARED WITH STATE AND**
12 **LOCAL PERSONNEL.**

13 (a) IN GENERAL.—Chapter 3 of title 10, United
14 States Code, is amended by adding at the end the fol-
15 lowing new section:

16 **“§ 130d. Treatment under Freedom of Information**
17 **Act of certain confidential information**
18 **shared with State and local personnel**

19 “Confidential business information and other sen-
20 sitive but unclassified homeland security information in
21 the possession of the Department of Defense that is
22 shared, pursuant to section 892 of the Homeland Security
23 Act of 2002 (6 U.S.C. 482), with State and local personnel
24 (as defined in such section) shall not be subject to dislo-

1 sure under section 552 of title 5 by virtue of the sharing
2 of such information with such personnel.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is amended by adding
5 at the end the following new item:

“130d. Treatment under Freedom of Information Act of certain confidential in-
formation shared with State and local personnel.”.

6 **SEC. 1406. DATABASE OF EMERGENCY RESPONSE CAPA-**
7 **BILITIES.**

8 The Secretary of Defense shall maintain a database
9 of emergency response capabilities that includes the fol-
10 lowing:

11 (1) The types of emergency response capabili-
12 ties that each State’s National Guard, as reported
13 by the States, may be able to provide in response to
14 a domestic natural or manmade disaster, both to
15 their home States and under State-to-State mutual
16 assistance agreements.

17 (2) The types of emergency response capabili-
18 ties that the Department of Defense may be able to
19 provide in support of the National Response Plan’s
20 Emergency Support Functions, and identification of
21 the units that provide these capabilities.

1 **TITLE XV—AUTHORIZATION FOR**
2 **INCREASED COSTS DUE TO**
3 **OPERATION IRAQI FREEDOM**
4 **AND OPERATION ENDURING**
5 **FREEDOM**

- Sec. 1501. Purpose.
- Sec. 1502. Army procurement.
- Sec. 1503. Navy and Marine Corps procurement.
- Sec. 1504. Air Force procurement.
- Sec. 1505. Defense-wide activities procurement.
- Sec. 1506. Research, development, test, and evaluation.
- Sec. 1507. Operation and maintenance.
- Sec. 1508. Defense Health Program.
- Sec. 1509. Classified programs.
- Sec. 1510. Military personnel.
- Sec. 1511. Treatment as additional authorizations.
- Sec. 1512. Transfer authority.
- Sec. 1513. Availability of funds.
- Sec. 1514. Joint Improvised Explosive Device Defeat Fund.
- Sec. 1515. Iraq Freedom Fund.
- Sec. 1516. Iraq Security Forces Fund.
- Sec. 1517. Afghanistan Security Forces Fund.
- Sec. 1518. Submittal to Congress of Department of Defense supplemental and cost of war execution reports.
- Sec. 1519. Limitation on availability of funds for certain purposes relating to Iraq.
- Sec. 1520. Intelligence Community Management Account.

6 **SEC. 1501. PURPOSE.**

7 The purpose of this title is to authorize estimated fu-
8 ture emergency supplemental appropriations for the De-
9 partment of Defense for fiscal year 2007 to provide funds
10 for additional costs due to Operation Iraqi Freedom and
11 Operation Enduring Freedom.

12 **SEC. 1502. ARMY PROCUREMENT.**

13 Funds are hereby authorized to be appropriated for
14 fiscal year 2007 for procurement accounts of the Army
15 in amounts as follows:

- 1 (1) For aircraft procurement, \$1,524,300,000
- 2 (2) For ammunition procurement, \$48,591,000.
- 3 (3) For weapons and tracked combat vehicles
- 4 procurement, \$3,022,836,000.
- 5 (4) For other procurement, \$4,636,810,000.
- 6 (5) For missile procurement, \$3,200,000.

7 **SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.**

8 (a) NAVY.—Funds are hereby authorized to be appro-
9 priated for fiscal year 2007 for procurement accounts for
10 the Navy in amounts as follows:

- 11 (1) For aircraft procurement, \$389,465,000
- 12 (2) For weapons procurement, \$109,400,000.
- 13 (3) For other procurement, \$14,600,000.

14 (b) MARINE CORPS.—Funds are hereby authorized to
15 be appropriated for fiscal year 2007 for the procurement
16 account for the Marine Corps in the amount of
17 \$4,397,926,000.

18 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds
19 are hereby authorized to be appropriated for fiscal year
20 2007 for the procurement account for ammunition for the
21 Navy and the Marine Corps in the amount of
22 \$151,439,000.

1 **SEC. 1504. AIR FORCE PROCUREMENT.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2007 for procurement accounts for the Air
4 Force in amounts as follows:

5 (1) For aircraft procurement, \$2,174,000,000.

6 (2) For other procurement, \$5,650,000.

7 **SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2007 for the procurement account for Defense-
10 wide in the amount of \$127,600,000.

11 **SEC. 1506. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
12 **TION.**

13 Funds are hereby authorized to be appropriated for
14 fiscal year 2007 for the use of the Department of Defense
15 for research, development, test, and evaluation as follows:

16 (1) For the Army, \$2,639,000.

17 (2) For the Navy, \$7,856,000.

18 **SEC. 1507. OPERATION AND MAINTENANCE.**

19 Funds are hereby authorized to be appropriated for
20 fiscal year 2007 for the use of the Armed Forces for ex-
21 penses, not otherwise provided for, for operation and
22 maintenance, in amounts as follows:

23 (1) For the Army, \$28,045,387,000.

24 (2) For the Navy, \$2,007,948,000.

25 (3) For the Marine Corps, \$2,257,089,000.

26 (4) For the Air Force, \$2,478,906,000.

1 (5) For Defense-wide activities,
2 \$1,544,614,000.

3 (6) For the Army National Guard,
4 \$221,500,000.

5 (7) For the Air National Guard, \$2,000,000.

6 (8) For the Army Reserve, \$500,000.

7 **SEC. 1508. DEFENSE HEALTH PROGRAM.**

8 Funds are hereby authorized to be appropriated for
9 the Department of Defense for fiscal year 2007 for ex-
10 penses, not otherwise provided for, the Defense Health
11 Program, in the amount of \$869,200,000 for operation
12 and maintenance.

13 **SEC. 1509. CLASSIFIED PROGRAMS.**

14 Funds are hereby authorized to be appropriated to
15 the Department of Defense for fiscal year 2007 for classi-
16 fied programs, in the amount of \$2,500,000,000.

17 **SEC. 1510. MILITARY PERSONNEL.**

18 There is hereby authorized to be appropriated to the
19 Department of Defense for military personnel accounts for
20 fiscal year 2007 a total of \$8,106,979,000.

21 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

22 The amounts authorized to be appropriated by this
23 title are in addition to amounts otherwise authorized to
24 be appropriated by this Act.

1 **SEC. 1512. TRANSFER AUTHORITY.**

2 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

3 (1) **AUTHORITY.**—Upon determination by the
4 Secretary of Defense that such action is necessary in
5 the national interest, the Secretary may transfer
6 amounts of authorizations made available to the De-
7 partment of Defense in this title for fiscal year 2007
8 between any such authorizations for that fiscal year
9 (or any subdivisions thereof). Amounts of authoriza-
10 tions so transferred shall be merged with and be
11 available for the same purposes as the authorization
12 to which transferred.

13 (2) **LIMITATION.**—The total amount of author-
14 izations that the Secretary may transfer under the
15 authority of this section may not exceed
16 \$2,500,000,000. The transfer authority provided in
17 this section is in addition to any other transfer au-
18 thority available to the Secretary of Defense.

19 (b) **LIMITATIONS.**—The authority provided by this
20 section to transfer authorizations—

21 (1) may only be used to provide authority for
22 items that have a higher priority than the items
23 from which authority is transferred;

24 (2) may not be used to provide authority for an
25 item that has been denied authorization by Con-
26 gress; and

1 (3) may not be combined with the authority
2 under section 1001.

3 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
4 transfer made from one account to another under the au-
5 thority of this section shall be deemed to increase the
6 amount authorized for the account to which the amount
7 is transferred by an amount equal to the amount trans-
8 ferred.

9 (d) NOTICE TO CONGRESS.—A transfer may be made
10 under the authority of this section only after the Secretary
11 of Defense—

12 (1) consults with the chairmen and ranking
13 members of the congressional defense committees
14 with respect to the proposed transfer; and

15 (2) after such consultation, notifies those com-
16 mittees in writing of the proposed transfer not less
17 than five days before the transfer is made.

18 **SEC. 1513. AVAILABILITY OF FUNDS.**

19 Funds in this title shall be made available for obliga-
20 tion to the Army, Navy, Marine Corps, Air Force, and
21 Defense-wide components by the end of the second quarter
22 of fiscal year 2007.

1 **SEC. 1514. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**
2 **FUND.**

3 (a) AUTHORIZATION OF APPROPRIATION.—Funds
4 are hereby authorized for fiscal year 2007 for the Joint
5 Improvised Explosive Device Defeat Fund in the amount
6 of \$2,100,000,000.

7 (b) USE OF FUNDS.—Funds appropriated pursuant
8 to subsection (a) shall be available to the Secretary of De-
9 fense for the purpose of allowing the Director of the Joint
10 Improvised Explosive Device Defeat Organization to inves-
11 tigate, develop, and provide equipment, supplies, services,
12 training, facilities, personnel, and funds to assist United
13 States forces in the defeat of improvised explosive devices.

14 (c) TRANSFER AUTHORITY.—

15 (1) TRANSFERS AUTHORIZED.—Amounts au-
16 thorized to be appropriated by subsection (a) may be
17 transferred from the Joint Improvised Explosive De-
18 vice Defeat Fund to any of the following accounts
19 and funds of the Department of Defense to accom-
20 plish the purposes provided in subsection (b):

21 (A) Military personnel accounts.

22 (B) Operation and maintenance accounts.

23 (C) Procurement accounts.

24 (D) Research, development, test, and eval-
25 uation accounts.

26 (E) Defense working capital funds.

1 (2) ADDITIONAL TRANSFER AUTHORITY.—The
2 transfer authority provided by paragraph (1) is in
3 addition to any other transfer authority available to
4 the Department of Defense.

5 (3) TRANSFERS BACK TO THE FUND.—Upon
6 determination that all or part of the funds trans-
7 ferred from the Joint Improvised Explosive Device
8 Defeat Fund under paragraph (1) are not necessary
9 for the purpose provided, such funds may be trans-
10 ferred back to the Joint Improvised Explosive Device
11 Defeat Fund.

12 (4) PRIOR NOTICE TO CONGRESSIONAL COMMIT-
13 TEES.—Funds may not be obligated from the Joint
14 Improvised Explosive Device Defeat Fund, or trans-
15 ferred under the authority provided in paragraph
16 (1), until five days after the date on which the Sec-
17 retary of Defense notifies the congressional defense
18 committees in writing of the details of the proposed
19 obligation or transfer.

20 (5) EFFECT ON AUTHORIZATION AMOUNTS.—A
21 transfer of an amount to an account under the au-
22 thority in paragraph (1) shall be deemed to increase
23 the amount authorized for such account by an
24 amount equal to the amount transferred.

25 (d) MANAGEMENT PLAN.—

1 (1) PLAN REQUIRED.—Not later than 60 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall submit to the congressional defense com-
4 mittees a plan for the intended management and use
5 of the Joint Improvised Explosive Device Defeat
6 Fund.

7 (2) MATTER TO BE INCLUDED.—The plan re-
8 quired by paragraph (1) shall include an update of
9 the plan required in the paragraph under the head-
10 ing “Joint Improvised Explosive Device Defeat
11 Fund” in chapter 2 of title I of the Emergency Sup-
12 plemental Appropriations Act for Defense, the Glob-
13 al War on Terror, and Hurricane Recovery, 2006
14 (Public Law 109–234; 120 Stat. 424), including
15 identification of—

16 (A) year-to-date transfers and obligations;

17 and

18 (B) projected transfers and obligations
19 through September 30, 2007.

20 (e) QUARTERLY REPORTS.—Not later than 30 days
21 after the end of each fiscal-year quarter, the Secretary
22 shall submit to the congressional defense committees a re-
23 port summarizing the detail of any obligation or transfer
24 of funds from the Joint Improvised Explosive Device De-
25 feat Fund plan required by subsection (d).

1 (f) DURATION OF AUTHORITY.—Amounts appro-
2 priated to the Fund are available for obligation or transfer
3 from the Fund until September 30, 2009.

4 **SEC. 1515. IRAQ FREEDOM FUND.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal year 2007 for the Iraq Freedom
7 Fund in the amount of \$50,000,000.

8 (b) TRANSFER.—

9 (1) TRANSFER AUTHORIZED.—Subject to para-
10 graph (2), amounts authorized to be appropriated by
11 subsection (a) may be transferred from the Iraq
12 Freedom Fund to any accounts as follows:

13 (A) Operation and maintenance accounts
14 of the Armed Forces.

15 (B) Military personnel accounts.

16 (C) Research, development, test, and eval-
17 uation accounts of the Department of Defense.

18 (D) Procurement accounts of the Depart-
19 ment of Defense.

20 (E) Accounts providing funding for classi-
21 fied programs.

22 (F) The operating expenses account of the
23 Coast Guard.

24 (2) NOTICE TO CONGRESS.—A transfer may not
25 be made under the authority in paragraph (1) until

1 five days after the date on which the Secretary of
2 Defense notifies the congressional defense commit-
3 tees in writing of the transfer.

4 (3) TREATMENT OF TRANSFERRED FUNDS.—
5 Amounts transferred to an account under the au-
6 thority in paragraph (1) shall be merged with
7 amounts in such account and shall be made available
8 for the same purposes, and subject to the same con-
9 ditions and limitations, as amounts in such account.

10 (4) EFFECT ON AUTHORIZATION AMOUNTS.—A
11 transfer of an amount to an account under the au-
12 thority in paragraph (1) shall be deemed to increase
13 the amount authorized for such account by an
14 amount equal to the amount transferred.

15 **SEC. 1516. IRAQ SECURITY FORCES FUND.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
17 are hereby authorized to be appropriated for fiscal year
18 2007 for the Iraq Security Forces Fund in the amount
19 of \$1,734,000,000.

20 (b) USE OF FUNDS.—

21 (1) IN GENERAL.—Funds appropriated pursu-
22 ant to subsection (a) shall be available to the Sec-
23 retary of Defense for the purpose of allowing the
24 Commander, Multi-National Security Transition

1 Command—Iraq, to provide assistance to the secu-
2 rity forces of Iraq.

3 (2) TYPES OF ASSISTANCE AUTHORIZED.—As-
4 sistance provided under this section may include the
5 provision of equipment, supplies, services, training,
6 facility and infrastructure repair, renovation, and
7 construction, and funding.

8 (3) SECRETARY OF STATE CONCURRENCE.—As-
9 sistance may be provided under this section only
10 with the concurrence of the Secretary of State.

11 (c) AUTHORITY IN ADDITION TO OTHER AUTHORI-
12 TIES.—The authority to provide assistance under this sec-
13 tion is in addition to any other authority to provide assist-
14 ance to foreign nations.

15 (d) TRANSFER AUTHORITY.—

16 (1) TRANSFERS AUTHORIZED.—Subject to
17 paragraph (2), amounts authorized to be appro-
18 priated by subsection (a) may be transferred from
19 the Iraq Security Forces Fund to any of the fol-
20 lowing accounts and funds of the Department of De-
21 fense to accomplish the purposes provided in sub-
22 section (b):

23 (A) Military personnel accounts.

24 (B) Operation and maintenance accounts.

25 (C) Procurement accounts.

1 (D) Research, development, test, and eval-
2 uation accounts.

3 (E) Defense working capital funds.

4 (F) Overseas Humanitarian, Disaster, and
5 Civic Aid account.

6 (2) ADDITIONAL AUTHORITY.—The transfer au-
7 thority provided by paragraph (1) is in addition to
8 any other transfer authority available to the Depart-
9 ment of Defense.

10 (3) TRANSFERS BACK TO THE FUND.—Upon
11 determination that all or part of the funds trans-
12 ferred from the Iraq Security Forces Fund under
13 paragraph (1) are not necessary for the purpose pro-
14 vided, such funds may be transferred back to the
15 Iraq Security Forces Fund.

16 (4) PRIOR NOTICE TO CONGRESSIONAL COMMIT-
17 TEES.—Funds may not be obligated from the Iraq
18 Security Forces Fund, or transferred under the au-
19 thority provided in paragraph (1), until five days
20 after the date on which the Secretary of Defense no-
21 tifies the congressional defense committees in writ-
22 ing of the details of the proposed obligation or trans-
23 fer.

24 (5) EFFECT ON AUTHORIZATION AMOUNTS.—A
25 transfer of an amount to an account under the au-

1 thority in paragraph (1) shall be deemed to increase
2 the amount authorized for such account by an
3 amount equal to the amount transferred.

4 (e) CONTRIBUTIONS.—

5 (1) AUTHORITY TO ACCEPT CONTRIBUTIONS.—

6 Contributions of funds for the purposes provided in
7 subsection (b) from any person, foreign government,
8 or international organization may be credited to the
9 Iraq Security Forces Fund and used for the pur-
10 poses provided in subsection (b).

11 (2) LIMITATION.—The Secretary may not ac-
12 cept a contribution under this subsection if the ac-
13 ceptance of the contribution would compromise or
14 appear to compromise the integrity of any program
15 of the Department of Defense.

16 (3) NOTIFICATION.—The Secretary shall notify
17 the congressional defense committees in writing
18 upon the receipt and upon the transfer of any con-
19 tribution. Such notice shall delineate the sources and
20 amounts of the funds received and the specific use
21 of such contributions.

22 (f) QUARTERLY REPORTS.—Not later than 30 days
23 after the end of each fiscal-year quarter, the Secretary
24 shall submit to the congressional defense committees a re-
25 port summarizing the details of any obligation or transfer

1 of funds from the Iraq Security Forces Fund during the
2 preceding quarter.

3 (g) DURATION OF AUTHORITY.—Amounts appro-
4 priated or contributed to the Fund are available for obliga-
5 tion or transfer from the Iraq Security Forces Fund until
6 September 30, 2008.

7 **SEC. 1517. AFGHANISTAN SECURITY FORCES FUND.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
9 are hereby authorized to be appropriated for fiscal year
10 2007 for the Afghanistan Security Forces Fund in the
11 amount of \$1,446,300,000.

12 (b) USE OF FUNDS.—

13 (1) IN GENERAL.—Funds appropriated pursu-
14 ant to subsection (a) shall be available to the Sec-
15 retary of Defense for the purpose of allowing the
16 Commander, Office of Security Cooperation—Af-
17 ghanistan, to provide assistance to the security
18 forces of Afghanistan.

19 (2) TYPES OF ASSISTANCE AUTHORIZED.—As-
20 sistance provided under this section may include the
21 provision of equipment, supplies, services, training,
22 facility and infrastructure repair, renovation, and
23 construction, and funding.

1 (3) SECRETARY OF STATE CONCURRENCE.—As-
2 sistance may be provided under this section only
3 with the concurrence of the Secretary of State.

4 (c) AUTHORITY IN ADDITION TO OTHER AUTHORI-
5 TIES.—The authority to provide assistance under this sec-
6 tion is in addition to any other authority to provide assist-
7 ance to foreign nations.

8 (d) TRANSFER AUTHORITY.—

9 (1) TRANSFERS AUTHORIZED.—Subject to
10 paragraph (2), amounts authorized to be appro-
11 priated by subsection (a) may be transferred from
12 the Afghanistan Security Forces Fund to any of the
13 following accounts and funds of the Department of
14 Defense to accomplish the purposes provided in sub-
15 section (b):

16 (A) Military personnel accounts.

17 (B) Operation and maintenance accounts.

18 (C) Procurement accounts.

19 (D) Research, development, test, and eval-
20 uation accounts.

21 (E) Defense working capital funds.

22 (F) Overseas Humanitarian, Disaster, and
23 Civic Aid account.

24 (2) ADDITIONAL AUTHORITY.—The transfer au-
25 thority provided by paragraph (1) is in addition to

1 any other transfer authority available to the Depart-
2 ment of Defense.

3 (3) TRANSFERS BACK TO THE FUND.—Upon
4 determination that all or part of the funds trans-
5 ferred from the Afghanistan Security Forces Fund
6 under paragraph (1) are not necessary for the pur-
7 pose provided, such funds may be transferred back
8 to the Afghanistan Security Forces Fund.

9 (4) PRIOR NOTICE TO CONGRESSIONAL COMMIT-
10 TEES.—Funds may not be obligated from the Af-
11 ghanistan Security Forces Fund, or transferred
12 under the authority provided in paragraph (1), until
13 five days after the date on which the Secretary of
14 Defense notifies the congressional defense commit-
15 tees in writing of the details of the proposed obliga-
16 tion or transfer.

17 (5) EFFECT ON AUTHORIZATION AMOUNTS.—A
18 transfer of an amount to an account under the au-
19 thority in paragraph (1) shall be deemed to increase
20 the amount authorized for such account by an
21 amount equal to the amount transferred.

22 (e) CONTRIBUTIONS.—

23 (1) AUTHORITY TO ACCEPT CONTRIBUTIONS.—
24 Contributions of funds for the purposes provided in
25 subsection (b) from any person, foreign government,

1 or international organization may be credited to the
2 Afghanistan Security Forces Fund and used for the
3 purposes provided in subsection (b).

4 (2) LIMITATION.—The Secretary may not ac-
5 cept a contribution under this subsection if the ac-
6 ceptance of the contribution would compromise or
7 appear to compromise the integrity of any program
8 of the Department of Defense.

9 (3) NOTIFICATION.—The Secretary shall notify
10 the congressional defense committees in writing
11 upon the receipt and upon the transfer of any con-
12 tribution. Such notice shall delineate the sources and
13 amounts of the funds received and the specific use
14 of such contributions.

15 (f) QUARTERLY REPORTS.—Not later than 30 days
16 after the end of each fiscal-year quarter, the Secretary
17 shall submit to the congressional defense committees a re-
18 port summarizing the details of any obligation or transfer
19 of funds from the Afghanistan Security Forces Fund dur-
20 ing the preceding quarter.

21 (g) DURATION OF AUTHORITY.—Amounts appro-
22 priated or contributed to the Fund are available for obliga-
23 tion or transfer from the Afghanistan Security Forces
24 Fund until September 30, 2008.

1 **SEC. 1518. SUBMITTAL TO CONGRESS OF DEPARTMENT OF**
2 **DEFENSE SUPPLEMENTAL AND COST OF WAR**
3 **EXECUTION REPORTS.**

4 Section 1221(e) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2006 (Public Law 109–163; 119
6 Stat. 3462; 10 U.S.C. 113 note) is amended—

7 (1) in the subsection caption by inserting
8 “CONGRESS AND” after “SUBMISSION TO”; and

9 (2) by inserting “the congressional defense
10 committees and” before “the Comptroller General”.

11 **SEC. 1519. LIMITATION ON AVAILABILITY OF FUNDS FOR**
12 **CERTAIN PURPOSES RELATING TO IRAQ.**

13 No funds appropriated pursuant to an authorization
14 of appropriations in this Act may be obligated or expended
15 for a purpose as follows:

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

19 (2) To exercise United States economic control
20 of the oil resources of Iraq.

21 **SEC. 1520. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
22 **COUNT.**

23 There is hereby authorized to be appropriated for the
24 Intelligence Community Management Account for fiscal
25 year 2007 a total of \$19,265,000.

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 2007”.

7 **SEC. 2002. RECOGNITION OF REPRESENTATIVE JOEL**
8 **HEFLEY UPON HIS RETIREMENT FROM THE**
9 **HOUSE OF REPRESENTATIVES.**

10 (a) FINDINGS.—Congress makes the following find-
11 ings:

12 (1) Representative Joel Hefley was elected to
13 represent Colorado’s 5th Congressional district in
14 1986 and has served in the House of Representa-
15 tives since that time with distinction, class, integrity,
16 and honor.

17 (2) Representative Hefley has served on the
18 Committee on Armed Services of the House of Rep-
19 resentatives for 18 years, including service as Chair-
20 man of the Subcommittee on Military Installations
21 and Facilities from 1995 through 2000 and, since
22 2001, as Chairman of the Subcommittee on Readiness.
23

24 (3) Representative Hefley’s colleagues know
25 him to be a fair and effective lawmaker who works

1 for the national interest while never forgetting his
2 Western roots.

3 (4) Representative Hefley's efforts on the Com-
4 mittee on Armed Services have been instrumental to
5 the military value of, and quality of life at, installa-
6 tions in the State of Colorado, including Fort Car-
7 son, Cheyenne Mountain, Peterson Air Force Base,
8 Schriever Air Force Base, Buckley Air Force Base,
9 and the United States Air Force Academy.

10 (5) Representative Hefley was a leader in ef-
11 forts to retain and expand Fort Carson as an essen-
12 tial part of the national defense system during the
13 Defense Base Closure and Realignment process.

14 (6) Representative Hefley has consistently advo-
15 cated for providing members of the Armed Forces
16 and their families with quality, safe, and affordable
17 housing and supportive communities.

18 (7) As a primary architect of the Military
19 Housing Privatization Initiative, Representative
20 Hefley helped lead congressional efforts to establish
21 this initiative to eliminate inadequate housing on
22 military installations, and the first pilot program
23 was located at Fort Carson.

24 (8) Representative Hefley's leadership on the
25 Military Housing Privatization Initiative has allowed

1 for the privatization of more than 121,000 units of
 2 military family housing, which brought meaningful
 3 improvements to living conditions for thousands of
 4 members of the Armed Forces and their spouses and
 5 children at installations throughout the United
 6 States.

7 (b) RECOGNITION.—Congress recognizes and com-
 8 mends Representative Joel Hefley for his 20 years of serv-
 9 ice to benefit the people of Colorado, members of the
 10 Armed Forces and their families, veterans, and the United
 11 States.

12 **TITLE XXI—ARMY**

- Sec. 2101. Authorized Army construction and land acquisition projects
- Sec. 2102. Family housing
- Sec. 2103. Improvements to military family housing units
- Sec. 2104. Authorization of appropriations, Army

13 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 14 **ACQUISITION PROJECTS.**

15 (a) INSIDE THE UNITED STATES.—Using amounts
 16 appropriated pursuant to the authorization of appropria-
 17 tions in section 2104(a)(1), the Secretary of the Army
 18 may acquire real property and carry out military construc-
 19 tion projects for the installations or locations inside the
 20 United States, and in the amounts, set forth in the fol-
 21 lowing table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$24,300,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Alaska	Fort Richardson	\$72,300,000
	Fort Wainwright	\$8,800,000
California	Fort Irwin	\$18,200,000
Colorado	Fort Carson	\$30,800,000
Georgia	Fort Gillem	\$15,000,000
	Fort Stewart/Hunter Army Air Field	\$95,300,000
Hawaii	Schofield Barracks	\$54,500,000
Kansas	Fort Leavenworth	\$23,200,000
	Fort Riley	\$47,400,000
Kentucky	Blue Grass Army Depot	\$3,500,000
	Fort Campbell	\$135,300,000
Louisiana	Fort Polk	\$15,900,000
Maryland	Aberdeen Proving Ground	\$8,800,000
	Fort Detrick	\$12,400,000
Michigan	Detroit Arsenal	\$18,500,000
Missouri	Fort Leonard Wood	\$34,500,000
New Jersey	Picatinny Arsenal	\$9,900,000
New York	Fort Drum	\$218,600,000
North Carolina	Fort Bragg	\$96,900,000
	Sunny Point Military Ocean Terminal	\$46,000,000
Oklahoma	McAlester Army Ammunition Plant	\$3,050,000
Pennsylvania	Letterkenny Depot	\$7,500,000
Texas	Corpus Christi Army Depot	\$12,200,000
	Fort Bliss	\$8,200,000
Utah	Fort Hood	\$93,000,000
	Red River Depot	\$6,000,000
	Dugway Proving Ground	\$14,400,000
Virginia	Fort Belvoir	\$27,000,000
	Fort Lee	\$4,150,000
Washington	Fort Lewis	\$502,600,000

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
Germany	Grafenwoehr	\$157,632,000
	Vilseck	\$19,000,000
Italy	Vicenza	\$223,000,000
Japan	Camp Hansen	\$7,150,000
Korea	Camp Humphreys	\$61,600,000
	Yongpyong	\$7,400,000
Romania	Babadag Range	\$34,800,000

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

State	Installation or Location	Units	Amount
Alaska	Fort Richardson	162	\$70,000,000
	Fort Wainwright	234	\$132,000,000
Arizona	Fort Huachuca	119	\$32,000,000
Arkansas	Pine Bluff Arsenal	10	\$2,900,000
Wisconsin	Fort McCoy	13	\$4,900,000

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 \$16,332,000.

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
 20 authorization of appropriations in section 2104(a)(5)(A),
 21 the Secretary of the Army may improve existing military

1 family housing units in an amount not to exceed
2 \$320,659,000.

3 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal years
6 beginning after September 30, 2006, for military con-
7 struction, land acquisition, and military family housing
8 functions of the Department of the Army in the total
9 amount of \$3,518,450,000 as follows:

10 (1) For military construction projects inside the
11 United States authorized by section 2101(a),
12 \$1,362,200,000.

13 (2) For military construction projects outside
14 the United States authorized by section 2101(b),
15 \$510,582,000.

16 (3) For unspecified minor military construction
17 projects authorized by section 2805 of title 10,
18 United States Code, \$23,930,000.

19 (4) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$219,830,000.

22 (5) For military family housing functions:

23 (A) For construction and acquisition, plan-
24 ning and design, and improvement of military
25 family housing and facilities, \$578,791,000.

1 (B) For support of military family housing
2 (including the functions described in section
3 2833 of title 10, United States Code),
4 \$675,617,000.

5 (6) For the construction of increment 2 of a
6 barracks complex at Fort Drum, New York, author-
7 ized by section 2101(a) of the Military Construction
8 Authorization Act for Fiscal Year 2006 (division B
9 of Public Law 109-163; 119 Stat. 3485),
10 \$16,500,000.

11 (7) For the construction of increment 2 of a
12 barracks complex for the 2nd Brigade at Fort
13 Bragg, North Carolina, authorized by section
14 2101(a) of the Military Construction Authorization
15 Act for Fiscal Year 2006 (division B of Public Law
16 109-163; 119 Stat. 3485), \$31,000,000.

17 (8) For the construction of increment 2 of a
18 barracks complex for the 3rd Brigade at Fort
19 Bragg, North Carolina, authorized by section
20 2101(a) of the Military Construction Authorization
21 Act for Fiscal Year 2006 (division B of Public Law
22 109-163; 119 Stat. 3485), \$50,000,000.

23 (9) For the construction of increment 2 of a
24 barracks complex for divisional artillery at Fort
25 Bragg, North Carolina, authorized by section

1 2101(a) of the Military Construction Authorization
2 Act for Fiscal Year 2006 (division B of Public Law
3 109–163; 119 Stat. 3485), \$37,000,000.

4 (10) For the construction of increment 2 of a
5 defense access road at Fort Belvoir, Virginia, au-
6 thorized by section 2101(a) of the Military Construc-
7 tion Authorization Act for Fiscal Year 2006 (divi-
8 sion B of Public Law 109–163; 119 Stat. 3486),
9 \$13,000,000.

10 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
11 **PROJECTS.**—Notwithstanding the cost variations author-
12 ized by section 2853 of title 10, United States Code, and
13 any other cost variation authorized by law, the total cost
14 of all projects carried out under section 2101 of this Act
15 may not exceed the sum of the following:

16 (1) The total amount authorized to be appro-
17 priated under paragraphs (1) and (2) of subsection
18 (a).

19 (2) \$306,000,000 (the balance of the amount
20 authorized under section 2101(a) for construction of
21 a brigade complex for Fort Lewis, Washington).

22 **TITLE XXII—NAVY**

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification of authority to carry out certain fiscal year 2004,
2005, and 2006 projects.

1 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 (a) **INSIDE THE UNITED STATES.**—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2204(a)(1), the Secretary of the Navy may
 6 acquire real property and carry out military construction
 7 projects for the installations or locations inside the United
 8 States, and in the amounts, set forth in the following
 9 table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$5,966,000
California	Marine Corps Air Station, Camp Pendleton	\$6,412,000
	Marine Corps Air Station, Miramar	\$2,968,000
	Marine Corps Base, Camp Pendleton	\$106,142,000
	Marine Corps Base, Twentymine Palms	\$27,217,000
	Naval Air Station, North Island	\$21,535,000
	Naval Support Activity, Monterey	\$7,380,000
Connecticut	Naval Submarine Base, New London	\$9,580,000
Florida	Cape Canaveral	\$9,900,000
	Naval Air Station, Pensacola	\$13,486,000
Georgia	Marine Corps Logistics Base, Albany	\$70,540,000
	Navy/Naval Submarine Base, Kings Bay	\$20,282,000
Hawaii	Naval Base, Pearl Harbor	\$48,338,000
	Naval Magazine, Pearl Harbor	\$6,010,000
	Naval Shipyard, Pearl Harbor	\$22,000,000
Indiana	Naval Support Activity, Crane	\$6,730,000
Maine	Portsmouth Naval Shipyard	\$9,650,000
Maryland	Naval Air Station, Patuxent River	\$16,316,000
	NMIC/Naval Support Activity, Suitland	\$67,939,000
Mississippi	Naval Air Station, Meridian	\$5,870,000
Nevada	Naval Air Station, Fallon	\$7,730,000
North Carolina	Marine Corps Air Station, Cherry Point	\$2,790,000
	Marine Corps Air Station, New River	\$21,500,000
	Marine Corps Base, Camp Lejeune	\$160,904,000
Rhode Island ...	Naval Station, Newport	\$3,308,000
South Carolina	Marine Corps Air Station, Beaufort	\$25,575,000
Virginia	Marine Corps Base, Quantico	\$30,628,000
	Naval Shipyard, Norfolk	\$34,952,000
	Naval Special Weapons Center, Dahlgren	\$9,850,000
	Naval Station, Norfolk	\$12,062,000
	Naval Support Activity, Norfolk	\$41,712,000
Washington	Naval Air Station, Whidbey Island	\$67,303,000
	Naval Base, Kitsap	\$17,617,000

10 (b) **OUTSIDE THE UNITED STATES.**—Using amounts
 11 appropriated pursuant to the authorization of appropria-

1 tions in section 2204(a)(2), the Secretary of the Navy may
 2 acquire real property and carry out military construction
 3 projects for the installations or locations outside the
 4 United States, and in the amounts, set forth in the fol-
 5 lowing table:

Navy: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	\$37,473,000
Italy	Naval Air Station, Sigonella	\$13,051,000

6 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
 7 propriated pursuant to the authorization of appropriations
 8 in section 2204(a)(3), the Secretary of the Navy may ac-
 9 quire real property and carry out military construction
 10 projects for unspecified installations or locations in the
 11 amount set forth in the following table:

Navy: Unspecified Worldwide

Location	Project	Amount
	Helicopter Support Facility	\$12,185,000

12 **SEC. 2202. FAMILY HOUSING.**

13 (a) CONSTRUCTION AND ACQUISITION.—Using
 14 amounts appropriated pursuant to the authorization of ap-
 15 propriations in section 2204(a)(6)(A), the Secretary of the
 16 Navy may construct or acquire family housing units (in-
 17 cluding land acquisition and supporting facilities) at the
 18 installations, in the number of units, and in the amounts
 19 set forth in the following table:

Navy: Family Housing

Location	Installation	Units	Amount
California	Marine Corps Log. Base, Barstow	74	\$27,851,000
Guam	Naval Station/Base, Guam	176	\$98,174,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2204(a)(6)(A), the Secretary of the Navy may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$2,785,000.

8 **SEC. 2203. 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 2204(a)(6)(A),
13 the Secretary of the Navy may improve existing military
14 family housing units in an amount not to exceed
15 \$180,146,000.

16 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2006, for military con-
20 struction, land acquisition, and military family housing
21 functions of the Department of the Navy in the total
22 amount of \$2,109,367,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2201(a),
3 \$832,982,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2201(b),
6 \$50,524,000.

7 (3) For military construction projects at un-
8 specified worldwide locations authorized by section
9 2201(c), \$12,185,000.

10 (4) For unspecified minor military construction
11 projects authorized by section 2805 of title 10,
12 United States Code, \$8,939,000.

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$70,861,000.

16 (6) For military family housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$308,956,000.

20 (B) For support of military family housing
21 (including functions described in section 2833
22 of title 10, United States Code), \$509,126,000.

23 (7) For the construction of increment 2 of a
24 reclamation and conveyance project for Marine
25 Corps Base, Camp Pendleton, California, authorized

1 by section 2201(a) of the Military Construction Au-
2 thorization Act of Fiscal Year 2006 (division B of
3 Public Law 109–163; 119 Stat. 3490), as amended
4 by section 2205(c) of this Act, \$33,290,000.

5 (8) For the construction of increment 2 of a
6 helicopter hangar replacement at Naval Air Station,
7 Jacksonville, Florida, authorized by section 2201(a)
8 of the Military Construction Authorization Act for
9 Fiscal Year 2006 (division B of Public Law 109–
10 163; 119 Stat. 3489), \$43,250,000.

11 (9) For the construction of increment 2 of re-
12 cruit training barracks infrastructure upgrades at
13 Recruit Training Command, Great Lakes, Illinois,
14 authorized by section 2201(a) of the Military Con-
15 struction Authorization Act for Fiscal Year 2006
16 (division B of Public Law 109–163; 119 Stat.
17 3490), \$23,589,000.

18 (10) For the construction of increment 2 of a
19 field house at the United States Naval Academy,
20 Annapolis, Maryland, authorized by section 2201(a)
21 of the Military Construction Authorization Act of
22 Fiscal Year 2006 (division B of Public Law 109–
23 163; 119 Stat. 3490), \$26,685,000.

24 (11) For the construction of increment 2 of the
25 replacement of Ship Repair Pier 3 at Naval Support

1 Activity, Norfolk Naval Shipyard, Virginia, author-
2 ized by section 2201(a) of the Military Construction
3 Authorization Act of Fiscal Year 2006 (division B of
4 Public Law 109-163; 119 Stat. 3490), \$30,939,000.

5 (12) For the construction of increment 2 of an
6 addition to Hockmuth Hall, Marine Corps Base,
7 Quantico, Virginia, authorized by section 2201(a) of
8 the Military Construction Authorization Act of Fis-
9 cal Year 2006 (division B of Public Law 109-163;
10 119 Stat. 3490), \$10,159,000.

11 (13) For the construction of increment 2 of
12 wharf upgrades at Naval Station Guam, Marianas
13 Islands, authorized by section 2201(b) of the Mili-
14 tary Construction Authorization Act for Fiscal Year
15 2006 (division B of Public Law 109-163; 119 Stat.
16 3490), \$29,772,000.

17 (14) For the construction of increment 2 of
18 wharf upgrades at Yokosuka, Japan, authorized by
19 section 2201(b) of the Military Construction Author-
20 ization Act of Fiscal Year 2006 (division B of Public
21 Law 109-163; 119 Stat. 3490), \$44,360,000.

22 (15) For the construction of increment 2 of
23 bachelor quarters at Naval Station, Everett, Wash-
24 ington, authorized by section 2201(a) of the Military
25 Construction Authorization Act of Fiscal Year 2006

1 (division B of Public Law 109–163; 119 Stat.
2 3490), \$20,917,000.

3 (16) For the construction of increment 3 of the
4 limited area production and storage complex at Stra-
5 tegic Weapons Facility Pacific, Bangor, Washington,
6 authorized by section 2201(a) of the Military Con-
7 struction Authorization Act for Fiscal Year 2005
8 (division B of Public Law 108–375; 118 Stat.
9 2105), as amended by section 2206 of the Military
10 Construction Authorization Act for Fiscal Year 2006
11 (division B of Public Law 109–163; 119 Stat. 3493,
12 \$14,274,000.

13 (17) For the construction of the next increment
14 of the outlying landing field facilities at Wash-
15 ington County, North Carolina, authorized by sec-
16 tion 2201(a) of the Military Construction Authoriza-
17 tion Act for Fiscal Year 2004 (division B of Public
18 Law 108–136; 117 Stat. 1704), as amended by sec-
19 tion 2205(a) of this Act, \$7,926,000.

20 (18) For the construction of increment 4 of pier
21 11 replacement at Naval Station, Norfolk, Virginia,
22 authorized by section 2201(a) of the Military Con-
23 struction Authorization Act for Fiscal Year 2004
24 (division B of Public Law 108–136; 117 Stat.
25 1704), \$30,633,000.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2201 of this Act
6 may not exceed the sum of the following:

7 (1) The total amount authorized to be appro-
8 priated under paragraphs (1), (2), and (3) of sub-
9 section (a).

10 (2) \$56,159,000 (the balance of the amount au-
11 thORIZED under section 2201(a) for construction of
12 an addition to the National Maritime Intelligence
13 Center, Suitland, Maryland).

14 (3) \$31,153,000 (the balance of the amount au-
15 thORIZED under section 2201(a) to recapitalize Hang-
16 ar 5 at Naval Air Station, Whidbey Island, Wash-
17 ington).

18 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
19 **CERTAIN FISCAL YEAR 2004, 2005, AND 2006**
20 **PROJECTS.**

21 (a) FISCAL YEAR 2004 INSIDE THE UNITED STATES
22 PROJECT.—

23 (1) MODIFICATION.—The table in section
24 2201(a) of the Military Construction Authorization
25 Act for Fiscal Year 2004 (division B of Public Law

1 108–136; 117 Stat. 1704), as amended by section
2 2205 of the Military Construction Authorization Act
3 for Fiscal Year 2006 (division B of Public Law 109–
4 163; 119 Stat. 3492), is amended—

5 (A) at the end of the items relating to
6 North Carolina, by inserting a new item enti-
7 tled “Navy Outlying Landing Field, Wash-
8 ington County” in the amount of
9 “\$193,260,000”;

10 (B) by striking the item relating to Var-
11 ious Locations, CONUS; and

12 (C) by striking the amount identified as
13 the total in the amount column and inserting
14 “\$1,489,424,000”.

15 (2) CONFORMING AMENDMENTS.—Section
16 2204(b)(6) of that Act (117 Stat. 1706) is amend-
17 ed—

18 (A) by striking “\$28,750,000” and insert-
19 ing “\$165,650,000”; and

20 (B) by striking “outlying landing field fa-
21 cilities, various locations in the continental
22 United States” and inserting “an outlying land-
23 ing field in Washington County, North Caro-
24 lina”.

1 (b) FISCAL YEAR 2005 INSIDE THE UNITED STATES
2 PROJECT.—

3 (1) MODIFICATION.—The table in section
4 2201(a) of the Military Construction Authorization
5 Act for Fiscal Year 2005 (division B of Public Law
6 108–375; 118 Stat. 2105), as amended by section
7 2206 of the Military Construction Authorization Act
8 for Fiscal Year 2006 (division B of Public Law 109–
9 163; 119 Stat. 3493), is amended—

10 (A) by striking the item relating to Navy
11 Outlying Landing Field, Washington County,
12 North Carolina; and

13 (B) by striking the amount identified as
14 the total in the amount column and inserting
15 “\$825,479,000”.

16 (2) CONFORMING AMENDMENTS.—Section 2204
17 of that Act (118 Stat. 2107), as amended by section
18 2206 of the Military Construction Authorization Act
19 for Fiscal Year 2006 (division B of Public Law 109–
20 163; 119 Stat. 3493), is amended—

21 (A) in subsection (a)—

22 (i) in paragraph (1), by striking
23 “\$752,927,000” and inserting
24 “722,927,000”; and

1 (ii) by adding at the end the following
2 new paragraph:

3 “(10) For the construction of increment 2 of
4 the Navy outlying landing field in Washington Coun-
5 ty, North Carolina, authorized by section 2201(a) of
6 the Military Construction Authorization Act for Fis-
7 cal Year 2004 (division B of Public Law 108–136;
8 117 Stat. 1704), as amended by section 2205(a) of
9 the Military Construction Authorization Act for Fis-
10 cal Year 2007, \$30,000,000.”; and

11 (B) in subsection (b), by striking para-
12 graph (3).

13 (c) FISCAL YEAR 2006 INSIDE THE UNITED STATES
14 PROJECT.—

15 (1) MODIFICATION.—The table in section
16 2201(a) of the Military Construction Authorization
17 Act for Fiscal Year 2006 (division B of Public Law
18 109–163; 119 Stat. 3489) is amended in the item
19 related to Marine Corps Base, Camp Pendleton,
20 California, by striking “\$90,437,000” in the amount
21 column and inserting “\$86,006,000”.

22 (2) CONFORMING AMENDMENTS.—Section
23 2204(b)(2) of that Act (119 Stat. 3492) is amended
24 by striking “\$37,721,000” and inserting
25 “\$33,290,000”.

1 **TITLE XXIII—AIR FORCE**

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2006 project.

2 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 3 **LAND ACQUISITION PROJECTS.**

4 (a) INSIDE THE UNITED STATES.—Using amounts
 5 appropriated pursuant to the authorization of appropria-
 6 tions in section 2304(a)(1), the Secretary of the Air Force
 7 may acquire real property and carry out military construc-
 8 tion projects for the installations or locations inside the
 9 United States, and in the amounts, set forth in the fol-
 10 lowing table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$38,300,000
	Elmendorf Air Force Base	\$68,100,000
Arizona	Davis-Monthan Air Force Base	\$11,800,000
Arkansas	Little Rock Air Force Base	\$9,800,000
California	Beale Air Force Base	\$28,000,000
	Travis Air Force Base	\$85,800,000
Colorado	Buckley Air Force Base	\$10,700,000
	Peterson Air Force Base	\$4,900,000
Delaware	Schriever Air Force Base	\$21,000,000
	Dover Air Force Base	\$30,400,000
Florida	Eglin Air Force Base	\$30,350,000
	Hurlburt Field	\$32,950,000
	MacDill Air Force Base	\$71,000,000
	Tyndall Air Force Base	\$8,200,000
Georgia	Robins Air Force Base	\$59,600,000
Hawaii	Hickam Air Force Base	\$28,538,000
Illinois	Scott Air Force Base	\$28,200,000
Kansas	McConnell Air Force Base	\$3,875,000
Kentucky	Fort Knox	\$3,500,000
Maryland	Andrews Air Force Base	\$29,000,000
Massachusetts	Hanscom Air Force Base	\$12,400,000
Missouri	Whiteman Air Force Base	\$3,800,000
Montana	Malmstrom Air Force Base	\$5,700,000
Nevada	Indian Springs Auxiliary Field	\$49,923,000
New Jersey	McGuire Air Force Base	\$28,500,000
New Mexico	Kirtland Air Force Base	\$11,400,000
North Dakota	Minot Air Force Base	\$9,000,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Oklahoma	Altus Air Force Base	\$9,500,000
	Tinker Air Force Base	\$5,700,000
South Carolina	Charleston Air Force Base	\$10,200,000
	Shaw Air Force Base	\$31,500,000
South Dakota	Ellsworth Air Force Base	\$3,000,000
Texas	Fort Bliss	\$8,500,000
	Lackland Air Force Base	\$13,200,000
	Laughlin Air Force Base	\$12,600,000
	Sheppard Air Force Base	\$7,000,000
Utah	Hill Air Force Base	\$63,400,000
Virginia	Langley Air Force Base	\$57,700,000
Washington	Fairchild Air Force Base	\$4,250,000
Wyoming	Francis E. Warren Air Force Base	\$11,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2304(a)(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
Germany	Ramstein Air Base	\$53,150,000
Guam	Andersen Air Base	\$65,300,000
Korea	Kunsan Air Base	\$37,360,000
	Osan Air Base	\$2,156,000

8 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
 9 propriated pursuant to the authorization of appropriations
 10 in section 2304(a)(3), the Secretary of the Air Force may
 11 acquire real property and carry out military construction
 12 projects for unspecified installations or locations in the
 13 amount set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Classified	Classified Project 1	\$3,377,000
	Classified Project 2	\$4,600,000
	Classified Project 3	\$1,700,000

1 SEC. 2302. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2304(a)(6)(A), the Secretary of the
 5 Air Force may construct or acquire family housing units
 6 (including 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:

Air Force: Family Housing

State or Country	Installation or Location	Units	Amount
Alaska	Eielson Air Force Base	129 ...	\$87,414,000
Idaho	Mountain Home Air Force Base ..	457 ...	\$107,800,000
Missouri	Whiteman Air Force Base	116 ...	\$39,270,000
Montana	Malmstrom Air Force Base	493 ...	\$140,252,000
North Carolina	Seymour Johnson Air Force Base	56	\$22,956,000
North Dakota	Minot Air Force Base	575 ...	\$170,188,000
Texas	Dyess Air Force Base	199 ...	\$49,215,000
Germany	Ramstein Air Base	101 ...	\$59,488,000
	Spangdahlem Air Base	60	\$39,294,000
United Kingdom	Royal Air Force Lakenheath	74	\$35,282,000

9 (b) PLANNING AND DESIGN.—Using amounts appro-
 10 priated pursuant to the authorization of appropriations in
 11 section 2304(a)(6)(A), the Secretary of the Air Force may
 12 carry out architectural and engineering services and con-
 13 struction design activities with respect to the construction
 14 or improvement of military family housing units in an
 15 amount not to exceed \$13,202,000.

1 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2304(a)(6)(A),
6 the Secretary of the Air Force may improve existing mili-
7 tary family housing units in an amount not to exceed
8 \$403,777,000.

9 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
10 **FORCE.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
12 are hereby authorized to be appropriated for fiscal years
13 beginning after September 30, 2006, for military con-
14 struction, land acquisition, and military family housing
15 functions of the Department of the Air Force in the total
16 amount of \$3,231,442,000, as follows:

17 (1) For military construction projects inside the
18 United States authorized by section 2301(a),
19 \$962,286,000.

20 (2) For military construction projects outside
21 the United States authorized by section 2301(b),
22 \$157,966,000.

23 (3) For military construction projects at un-
24 specified worldwide locations authorized by section
25 2301(c), \$9,677,000.

1 (4) For unspecified minor military construction
2 projects authorized by section 2805 of title 10,
3 United States Code, \$15,000,000.

4 (5) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$79,004,000.

7 (6) For military family housing functions:

8 (A) For construction and acquisition, plan-
9 ning and design, and improvement of military
10 family housing and facilities, \$1,168,138,000.

11 (B) For support of military family housing
12 (including functions described in section 2833
13 of title 10, United States Code), \$755,071,000.

14 (7) For the construction of increment 2 of the
15 C-17 maintenance complex at Elmendorf Air Force
16 Base, Alaska, authorized by section 2301(a) of the
17 Military Construction Authorization Act for Fiscal
18 Year 2006 (division B of Public Law 109–163; 119
19 Stat. 3494), \$30,000,000.

20 (8) For the construction of increment 2 of the
21 main base runway at Edwards Air Force Base, Cali-
22 fornia, authorized by section 2301(a) of the Military
23 Construction Authorization Act for Fiscal Year 2006
24 (division B of Public Law 109–163; 119 Stat.
25 3494), \$31,000,000.

1 (b) CONFORMING AMENDMENT.—Section 2304(b)(4)
 2 of that Act (119 Stat. 3496) is amended by striking
 3 “\$29,000,000” and inserting “\$23,300,000”.

4 **TITLE XXIV—DEFENSE**
 5 **AGENCIES**

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Family housing.
- Sec. 2403. Energy conservation projects.
- Sec. 2404. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.
- Sec. 2405. Authorization of appropriations, Defense Agencies.
- Sec. 2406. Modification of authority to carry out certain fiscal year 2006 project.

6 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

7
 8 (a) INSIDE THE UNITED STATES.—Using amounts
 9 appropriated pursuant to the authorization of appropriations in section 2405(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 tables:
 13
 14

Defense Education Activity

State	Installation or Location	Amount
Kentucky	Fort Knox	\$18,108,000

Defense Logistics Agency

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$8,715,000
California	Beale Air Force Base	\$9,000,000
Pennsylvania	Defense Distribution Depot, New Cumberland	\$8,900,000
Virginia	Fort Belvoir	\$5,500,000
Washington	Naval Air Station, Whidbey Island	\$26,000,000

Special Operations Command

State	Installation or Location	Amount
California	Marine Corps Base, Camp Pendleton	\$24,400,000
Colorado	Fort Carson	\$26,100,000
Florida	Hurlburt Field	\$14,482,000
	MacDill Air Force Base	\$27,300,000
Kentucky	Fort Campbell	\$24,500,000
Mississippi	Stennis Space Center	\$10,200,000
North Carolina	Fort Bragg	\$51,768,000
	Marine Corps Base, Camp Lejeune	\$51,600,000
	Pope Air Force Base	\$15,276,000
Virginia	Naval Air Base, Little Creek	\$22,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	\$37,200,000
California	Fort Irwin	\$6,050,000
Florida	MacDill Air Force Base	\$92,000,000
	Naval Hospital, Jacksonville	\$16,000,000
Hawaii	Naval Base, Pearl Harbor	\$7,700,000
Illinois	Naval Hospital, Great Lakes	\$20,000,000
Maryland	Fort Detrick	\$550,000,000
New York	Fort Drum	\$9,700,000
Texas	Fort Hood	\$18,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2405(a)(2), the Secretary of Defense may
 4 acquire real property and carry out military construction
 5 projects for the installations or locations outside the
 6 United States, and in the amounts, set forth in the fol-
 7 lowing tables:

Defense Education Activity

Country	Installation or Location	Amount
Italy	Vicenza	\$47,210,000
Korea	Osan Air Base	\$4,589,000
Spain	Naval Station, Rota	\$23,048,000

Defense Logistics Agency

Country or Possession	Installation or Location	Amount
Japan	Okinawa	\$5,000,000
Wake Island	Wake Island	\$2,600,000

Missile Defense Agency

Country or Possession	Installation or Location	Amount
Kwajalein	Kwajalein Atoll	\$7,592,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid AB	\$44,500,000

TRICARE Management Activity

Country	Installation or Location	Amount
Italy	Vicenza	\$52,000,000

1 SEC. 2402. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2405(a)(9)(A), the Secretary of
 5 Defense may construct or acquire family housing units
 6 (including land acquisition and supporting facilities) at the
 7 location, in the number of units, and in the amount set
 8 forth in the following table:

Defense Logistics Agency: Family Housing

State	Location	Units	Amount
Virginia	Defense Supply Center, Richmond	25	\$7,840,000

9 (b) PLANNING AND DESIGN.—Using amounts appro-
 10 priated pursuant to the authorization of appropriations in
 11 section 2405(a)(9)(A), the Secretary of Defense may carry
 12 out architectural and engineering services and construc-
 13 tion design activities with respect to the construction or

1 improvement of military family housing units in an
2 amount not to exceed \$200,000.

3 **SEC. 2403. ENERGY CONSERVATION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
5 ization of appropriations in section 2405(a)(6), the Sec-
6 retary of Defense may carry out energy conservation
7 projects under section 2865 of title 10, United States
8 Code, in the amount of \$55,000,000.

9 **SEC. 2404. AUTHORIZED BASE CLOSURE AND REALIGN-**
10 **MENT ACTIVITIES FUNDED THROUGH DE-**
11 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
12 **COUNT 2005.**

13 (a) **AUTHORIZED ACTIVITIES.**—Using amounts ap-
14 propriated pursuant to the authorization of appropriations
15 in section 2405(a)(8), the Secretary of Defense may carry
16 out base closure and realignment activities, including real
17 property acquisition and military construction projects, as
18 authorized by the Defense Base Closure and Realignment
19 Act of 1990 (part A of title XXIX of Public Law 101–
20 510; 10 U.S.C. 2687 note) and funded through the De-
21 partment of Defense Base Closure Account 2005 estab-
22 lished by section 2906A of such Act, in the amount of
23 \$5,902,723,000.

24 (b) **CONFORMING AMENDMENTS TO FISCAL YEAR**
25 **2006 AUTHORIZATIONS.**—

1 (1) AUTHORIZED ACTIVITIES.—Title XXIV of
2 the Military Construction Authorization Act for Fis-
3 cal Year 2006 (division B of Public Law 109–163;
4 119 Stat. 3496) is amended by adding at the end
5 the following new section:

6 **“SEC. 2404. AUTHORIZED BASE CLOSURE AND REALIGN-**
7 **MENT ACTIVITIES FUNDED THROUGH DE-**
8 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
9 **COUNT 2005.**

10 “Using amounts appropriated pursuant to the au-
11 thorization of appropriations in section 2403(a)(7), the
12 Secretary of Defense may carry out base closure and re-
13 alignment activities, including real property acquisition
14 and military construction projects, as authorized by the
15 Defense Base Closure and Realignment Act of 1990 (part
16 A of title XXIX of Public Law 101–510; 10 U.S.C. 2687
17 note) and funded through the Department of Defense
18 Base Closure Account 2005 established by section 2906A
19 of such Act, in the amount of \$2,035,466,000.”.

20 (2) AUTHORIZATION OF APPROPRIATIONS AND
21 LIMITATIONS.—Section 2403 of that Act (119 Stat.
22 3499) is amended—

23 (A) in subsection (a)(7)—

24 (i) by striking “as authorized by the
25 Defense Base Closure and Realignment

1 Act of 1990 (part A of title XXIX of Pub-
2 lie Law 101–510; 10 U.S.C. 2687 note)”
3 and inserting “authorized by section 2404
4 of this Act”; and

5 (ii) by striking “section 2906 of such
6 Act” and inserting “section 2906A of the
7 Defense Base Closure and Realignment
8 Act of 1990 (part A of title XXIX of Pub-
9 lic Law 101–510; 10 U.S.C. 2687 note)”;
10 (B) by redesignating subsection (c) as sub-
11 section (d); and

12 (C) by inserting after subsection (b) the
13 following new subsection (c):

14 “(c) LIMITATION ON TOTAL COST OF BASE CLOSURE
15 AND REALIGNMENT ACTIVITIES.—Notwithstanding the
16 cost variations authorized by section 2853 of title 10,
17 United States Code, and any other cost variation author-
18 ized by law, the total cost of all base closure and realign-
19 ment activities, including real property acquisition and
20 military construction projects, carried out under section
21 2404 of this Act may not exceed the sum of the following:

22 “(1) The total amount authorized to be appro-
23 priated under subsection (a)(7).

1 “(2) \$531,000,000 (the balance of the amount
2 authorized under section 2404 for base closure and
3 realignment activities).”.

4 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**
5 **FENSE AGENCIES.**

6 (a) IN GENERAL.—Funds are hereby authorized to
7 be appropriated for fiscal years beginning after September
8 30, 2006, for military construction, land acquisition, and
9 military family housing functions of the Department of
10 Defense (other than the military departments) in the total
11 amount of \$7,163,431,000, as follows:

12 (1) For military construction projects inside the
13 United States authorized by section 2401(a),
14 \$533,099,000.

15 (2) For military construction projects outside
16 the United States authorized by section 2401(b),
17 \$170,789,000.

18 (3) For unspecified minor military construction
19 projects under section 2805 of title 10, United
20 States Code, \$21,672,000.

21 (4) For contingency construction projects of the
22 Secretary of Defense under section 2804 of title 10,
23 United States Code, \$10,000,000.

1 (5) For architectural and engineering services
2 and construction design under section 2807 of title
3 10, United States Code, \$172,950,000.

4 (6) For energy conservation projects authorized
5 by section 2403 of this Act, \$55,000,000.

6 (7) For base closure and realignment activities
7 as authorized by the Defense Base Closure and Re-
8 alignment Act of 1990 (part A of title XXIX of
9 Public Law 101–510; 10 U.S.C. 2687 note) and
10 funded through the Department of Defense Base
11 Closure Account 1990 established by section 2906 of
12 such Act, \$191,220,000.

13 (8) For base closure and realignment activities
14 authorized by section 2404 of this Act and funded
15 through the Department of Defense Base Closure
16 Account 2005 established by section 2906A of the
17 Defense Base Closure and Realignment Act of 1990
18 (part A of title XXIX of Public Law 101–510; 10
19 U.S.C. 2687 note), \$5,236,223,000.

20 (9) For military family housing functions:

21 (A) For construction and acquisition, plan-
22 ning and design, and improvement of military
23 family housing and facilities, \$8,808,000.

1 (B) For support of military family housing
2 (including functions described in section 2833
3 of title 10, United States Code), \$48,506,000.

4 (C) For credit to the Department of De-
5 fense Family Housing Improvement Fund es-
6 tablished by section 2883(a)(1) of title 10,
7 United States Code, \$2,500,000

8 (10) For the construction of increment 2 of the
9 regional security operations center at Augusta, Geor-
10 gia, authorized by section 2401(a) of the Military
11 Construction Authorization Act of Fiscal Year 2006
12 (division B of Public Law 109-163; 119 Stat.
13 3497), as amended by section 7016 of Public Law
14 109-234 (120 Stat. 485), \$77,118,000.

15 (11) For the construction of increment 2 of the
16 regional security operations center at Kunia, Hawaii,
17 authorized by section 2401(a) of the Military Con-
18 struction Authorization Act of Fiscal Year 2006 (di-
19 vision B of Public Law 109-163; 119 Stat. 3497),
20 as amended by section 7017 of Public Law 109-234
21 (120 Stat. 485), \$47,016,000.

22 (12) For the construction of increment 2 of the
23 classified material conversion facility at Fort Meade,
24 Maryland, authorized by section 2401(a) of the Mili-
25 tary Construction Authorization Act of Fiscal Year

1 2006 (division B of Public Law 109–163; 119 Stat.
2 3497), \$11,151,000.

3 (13) For the construction of increment 2 of an
4 operations building, Royal Air Force Menwith Hill
5 Station, United Kingdom, authorized by section
6 2401(b) of the Military Construction Authorization
7 Act of Fiscal Year 2006 (division B of Public Law
8 109–163; 119 Stat. 3498), as amended by section
9 2406 of this Act, \$46,386,000.

10 (14) For the construction of the second incre-
11 ment of certain base closure and realignment activi-
12 ties authorized by section 2404 of the Military Con-
13 struction Authorization Act of Fiscal Year 2006 (di-
14 vision B of Public Law 109–163; 119 Stat. 3500),
15 as added by section 2404(b) of this Act,
16 \$390,000,000.

17 (15) For the construction of increment 7 of a
18 munitions demilitarization facility at Blue Grass
19 Army Depot, Kentucky, authorized by section
20 2401(a) of the Military Construction Authorization
21 Act for Fiscal Year 2000 (division B of Public Law
22 106–65; 113 Stat. 835), as amended by section
23 2405 of the Military Construction Authorization Act
24 of 2002 (division B of Public Law 107–107; 115
25 Stat. 1298), and section 2405 of the Military Con-

1 construction Authorization Act for Fiscal Year 2003
2 (division B of Public Law 107–314; 116 Stat.
3 2698), \$99,157,000.

4 (16) For the construction of increment 8 of a
5 munitions demilitarization facility at Pueblo Chem-
6 ical Activity, Colorado, authorized by section
7 2401(a) of the Military Construction Authorization
8 Act for Fiscal Year 1997 (division B of Public Law
9 104–201; 110 Stat. 2775), as amended by section
10 2406 of the Military Construction Authorization Act
11 for Fiscal Year 2000 (division B of Public Law 106–
12 65; 113 Stat. 839), and section 2407 of the Military
13 Construction Authorization Act for Fiscal Year 2003
14 (division B of Public Law 107–314; 116 Stat.
15 2698), \$41,836,000.

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 2401 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) \$46,400,000 (the balance of the amount au-
2 thorized under section 2401(a) for construction of a
3 health clinic at MacDill Air Force Base, Florida).

4 (3) \$521,000,000 (the balance of the amount
5 authorized under section 2401(a) for stage 1 of the
6 replacement of the Army Medical Research Institute
7 of Infectious Diseases at Fort Detrick, Maryland).

8 (c) LIMITATION ON TOTAL COST OF BASE CLOSURE
9 AND REALIGNMENT ACTIVITIES.—Notwithstanding the
10 cost variations authorized by section 2853 of title 10,
11 United States Code, and any other cost variation author-
12 ized by law, the total cost of all base closure and realign-
13 ment activities, including real property acquisition and
14 military construction projects, carried out under section
15 2404(a) of this Act may not exceed the sum of the fol-
16 lowing:

17 (1) The total amount authorized to be appro-
18 priated under subsection (a)(8).

19 (2) \$666,500,000 (the balance of the amount
20 authorized under section 2404(a) for base closure
21 and realignment activities).

22 (d) CONGRESSIONAL NOTIFICATION REGARDING
23 BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Not
24 later later 14 days after the date on which funds appro-
25 priated pursuant to the authorization of appropriations in

1 subsection (a)(8) are first obligated for a particular pro-
2 gram, project, or activity, the Secretary of Defense shall
3 submit to the congressional defense committees a report
4 describing the program, project, or activity.

5 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
6 **CERTAIN FISCAL YEAR 2006 PROJECT.**

7 (a) **MODIFICATION OF OUTSIDE THE UNITED**
8 **STATES NATIONAL SECURITY AGENCY PROJECT.**—The
9 table relating to the National Security Agency in section
10 2401(b) of the Military Construction Authorization Act
11 for Fiscal Year 2006 (division B of Public Law 109–163;
12 119 Stat. 3498) is amended in the item relating to
13 Menwith Hill, United Kingdom, by striking
14 “\$86,354,000” in the amount column and inserting
15 “\$91,383,000”.

16 (b) **CONFORMING AMENDMENTS.**—Section
17 2403(b)(5) of that Act (119 Stat. 3500) is amended by
18 striking “\$44,657,000” and inserting “\$49,686,000”.

19 **TITLE XXV—NORTH ATLANTIC**
20 **TREATY ORGANIZATION SE-**
21 **CURITY INVESTMENT PRO-**
22 **GRAM**

Sec. 2501. Authorized NATO construction and land acquisition projects

Sec. 2502. Authorization of appropriations, NATO

1 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
2 **ACQUISITION PROJECTS.**

3 The Secretary of Defense may make contributions for
4 the North Atlantic Treaty Organization Security Invest-
5 ment program as provided in section 2806 of title 10,
6 United States Code, in an amount not to exceed the sum
7 of the amount authorized to be appropriated for this pur-
8 pose in section 2502 and the amount collected from the
9 North Atlantic Treaty Organization as a result of con-
10 struction previously financed by the United States.

11 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

12 Funds are hereby authorized to be appropriated for
13 fiscal years beginning after September 30, 2006, for con-
14 tributions by the Secretary of Defense under section 2806
15 of title 10, United States Code, for the share of the United
16 States of the cost of projects for the North Atlantic Treaty
17 Organization Security Investment program authorized by
18 section 2501, in the amount of \$200,985,000.

19 **TITLE XXVI—GUARD AND**
20 **RESERVE FORCES FACILITIES**

Sec. 2601. Authorized Guard and Reserve construction and land acquisition
projects

21 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
22 **TION AND LAND ACQUISITION PROJECTS.**

23 Funds are hereby authorized to be appropriated for
24 fiscal years beginning after September 30, 2006, for the

1 costs of acquisition, architectural and engineering services,
2 and construction of facilities for the Guard and Reserve
3 Forces, and for contributions therefor, under chapter
4 1803 of title 10, United States Code (including the cost
5 of acquisition of land for those facilities), in the following
6 amounts:

7 (1) For the Department of the Army—

8 (A) for the Army National Guard of the
9 United States, \$561,375,000; and

10 (B) for the Army Reserve, \$190,617,000.

11 (2) For the Department of the Navy, for the
12 Navy Reserve and Marine Corps Reserve,
13 \$49,998,000.

14 (3) For the Department of the Air Force—

15 (A) for the Air National Guard of the
16 United States, \$294,283,000; and

17 (B) for the Air Force Reserve,
18 \$56,836,000.

19 **TITLE XXVII—EXPIRATION AND**
20 **EXTENSION OF AUTHORIZA-**
21 **TIONS**

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 2004 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 2003 projects.

Sec. 2704. Effective date.

1 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
3 **LAW.**

4 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
5 YEARS.—Except as provided in subsection (b), all author-
6 izations contained in titles XXI through XXVI for military
7 construction projects, land acquisition, family housing
8 projects and facilities, and contributions to the North At-
9 lantic Treaty Organization Security Investment program
10 (and authorizations of appropriations therefor) shall ex-
11 pire on the later of—

12 (1) October 1, 2009; or

13 (2) the date of the enactment of an Act author-
14 izing funds for military construction for fiscal year
15 2010.

16 (b) EXCEPTION.—Subsection (a) shall not apply to
17 authorizations for military construction projects, land ac-
18 quisition, family housing projects and facilities, and con-
19 tributions to the North Atlantic Treaty Organization Se-
20 curity Investment program (and authorizations of appro-
21 priations therefor), for which appropriated funds have
22 been obligated before the later of—

23 (1) October 1, 2009; or

24 (2) the date of the enactment of an Act author-
25 izing funds for fiscal year 2010 for military con-
26 struction projects, land acquisition, family housing

1 projects and facilities, or contributions to the North
 2 Atlantic Treaty Organization Security Investment
 3 program.

4 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 5 **FISCAL YEAR 2004 PROJECTS.**

6 (a) EXTENSION AND RENEWAL.—Notwithstanding
 7 section 2701 of the Military Construction Authorization
 8 Act for Fiscal Year 2004 (division B of Public Law 108–
 9 136; 117 Stat. 1716), authorizations set forth in the ta-
 10 bles in subsection (b), as provided in section 2101, 2301,
 11 2302, 2401, or 2601 of that Act shall remain in effect
 12 until October 1, 2007, or the date of the enactment of
 13 an Act authorizing funds for military construction for fis-
 14 cal year 2008, whichever is later.

15 (b) TABLES.—The tables referred to in subsection (a)
 16 are as follows:

Army: Extension of 2004 Project Authorizations

Installation or Location	Project	Amount
Aviano Air Base, Italy	Joint deployment facility	\$15,500,000
Fort Wainwright, Alaska	Training range complex	\$47,000,000

Air Force: Extension of 2004 Project Authorizations

Installation or Location	Project	Amount
Eglin Air Force Base, Florida	Family housing (279 units) ..	\$32,166,000
Hickam Air Force Base, Hawaii	Parking ramp	\$10,102,000
Travis Air Force Base, California	Family housing (56 units)	\$12,723,000

Defense Wide: Extension of 2004 Project Authorization

Installation or Location	Agency and Project	Amount
Hickam Air Force Base, Hawaii	DLA hydrant fuel system	\$14,100,000

Army National Guard: Extension of 2004 Project Authorizations

Installation or Location	Project	Amount
Albuquerque, New Mexico	Readiness center	\$2,533,000
Fort Indiantown Gap, Pennsylvania	Training range	\$15,338,000
Gary, Indiana	Aviation support facility ..	\$15,581,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 2003 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 2003 (division B of Public Law 107–314; 116 Stat.
6 2700), authorizations set forth in the table in subsection
7 (b), as provided in section 2302 of that Act and extended
8 by section 2702 of the Military Construction Authoriza-
9 tion Act for Fiscal Year 2006 (division B of Public Law
10 109–163; 119 Stat. 3502), shall remain in effect until Oc-
11 tober 1, 2007, or the date of the enactment of an Act
12 authorizing funds for military construction for fiscal year
13 2008, whichever is later.

14 (b) TABLES.—The table referred to in subsection (a)
15 is as follows:

Air Force: Extension of 2003 Project Authorizations

Installation or Location	Project	Amount
Eglin Air Force Base, Florida	Family housing (134 units) ..	\$15,906,000
Eglin Air Force Base, Florida	Family housing office	\$597,000
Randolph Air Force Base, Texas	Housing maintenance facility	\$447,000

16 **SEC. 2704. EFFECTIVE DATE.**

17 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
18 of this Act shall take effect on the later of—

1 (1) October 1, 2006; or

2 (2) the date of the enactment of this Act.

3 **TITLE XXVIII—MILITARY CON-**
4 **STRUCTION GENERAL PROVI-**
5 **SIONS**

Subtitle A—Military Construction Program and Military Family Housing
Changes

- Sec. 2801. Increase in maximum annual amount authorized to be obligated for emergency military construction.
- Sec. 2802. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.
- Sec. 2803. Repeal of requirement to determine availability of suitable alternative housing for acquisition in lieu of construction of new family housing.
- Sec. 2804. Authority to continue to occupy leased family housing for United States Southern Command personnel.
- Sec. 2805. Consideration of alternative and more efficient uses for general officer and flag officer quarters in excess of 6,000 square feet.
- Sec. 2806. Modification of notification requirements related to cost variation authority.
- Sec. 2807. Consideration of local comparability of floor areas in construction, acquisition, and improvement of military unaccompanied housing.
- Sec. 2808. Certification required for military construction projects for facilities designed to provide training in urban operations.
- Sec. 2809. Authority to carry out military construction projects in connection with industrial facility investment program.
- Sec. 2810. Repeal of special requirement for military construction contracts on Guam.
- Sec. 2811. Temporary expansion of authority to convey property at military installations to support military construction.
- Sec. 2812. Pilot projects for acquisition or construction of military unaccompanied housing.

Subtitle B—Real Property and Facilities Administration

- Sec. 2821. Congressional notice requirements, in advance of acquisition of land by condemnation for military purposes.
- Sec. 2822. Consolidation of Department of Defense authorities regarding granting of easements for rights-of-way.
- Sec. 2823. Authority to grant restrictive easements for conservation purposes in connection with land conveyances.
- Sec. 2824. Maximum term of leases for structures and real property relating to structures in foreign countries needed for purposes other than family housing.
- Sec. 2825. Consolidation of laws relating to transfer of Department of Defense real property within the Department of Defense and to other Federal agencies.

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- Sec. 2826. Defense access road program.
- Sec. 2827. Reports on Army operational ranges.

Subtitle C—Base Closure and Realignment

- Sec. 2831. Modification of deposit requirements in connection with lease proceeds received at military installations approved for closure or realignment after January 1, 2005.
- Sec. 2832. Report on Air Force and Air National Guard bases affected by 2005 round of defense base closure and realignment.

Subtitle D—Land Conveyances

- Sec. 2841. Conveyance of easement, Pine Bluff Arsenal, Arkansas.
- Sec. 2842. Modification of land transfer authority, Potomac Annex, District of Columbia.
- Sec. 2843. Land conveyance, Naval Air Station, Barbers Point, Hawaii.
- Sec. 2844. Land conveyances, Omaha, Nebraska.
- Sec. 2845. Land conveyance, Hopkinton, New Hampshire.
- Sec. 2846. Land conveyance, North Hills Army Reserve Center, Allison Park, Pennsylvania.
- Sec. 2847. Transfer of jurisdiction, Fort Jackson, South Carolina.
- Sec. 2848. Sense of Congress regarding land conveyance involving Army Reserve Center, Marshall, Texas.
- Sec. 2849. Modifications to land conveyance authority, Engineering Proving Ground, Fort Belvoir, Virginia.
- Sec. 2850. Land conveyance, Radford Army Ammunition Plant, New River Unit, Virginia.

Subtitle E—Energy Security

- Sec. 2851. Consolidation and enhancement of laws to improve Department of Defense energy efficiency and conservation.
- Sec. 2852. Department of Defense goal regarding use of renewable energy to meet electricity needs.
- Sec. 2853. Congressional notification of cancellation ceiling for Department of Defense energy savings performance contracts.
- Sec. 2854. Use of energy efficiency products in new construction.

Subtitle F—Other Matters

- Sec. 2861. Availability of research and technical assistance under Defense Economic Adjustment Program.
- Sec. 2862. Availability of community planning assistance relating to encroachment of civilian communities on military facilities used for training by the Armed Forces.
- Sec. 2863. Prohibitions against making certain military airfields or facilities available for use by civil aircraft.
- Sec. 2864. Modification of certain transportation projects.
- Sec. 2865. Availability of funds for South County Commuter Rail project, Providence, Rhode Island.
- Sec. 2866. Fox Point Hurricane Barrier, Providence, Rhode Island.
- Sec. 2867. Federal funding for fixed guideway projects.
- Sec. 2868. Feasibility study regarding use of General Services Administration property for Fort Belvoir, Virginia, realignment.

1 **Subtitle A—Military Construction**
2 **Program and Military Family**
3 **Housing Changes**

4 **SEC. 2801. INCREASE IN MAXIMUM ANNUAL AMOUNT AU-**
5 **THORIZED TO BE OBLIGATED FOR EMER-**
6 **GENCY MILITARY CONSTRUCTION.**

7 Section 2803(c)(1) of title 10, United States Code,
8 is amended by striking “\$45,000,000” and inserting
9 “\$50,000,000”.

10 **SEC. 2802. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED**
11 **AUTHORITY TO USE OPERATION AND MAIN-**
12 **TENANCE FUNDS FOR CONSTRUCTION**
13 **PROJECTS OUTSIDE THE UNITED STATES.**

14 Section 2808(a) of the Military Construction Author-
15 ization 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.
19 2128) and section 2809 of the Military Construction Au-
20 thorization Act for Fiscal Year 2006 (division B of Public
21 Law 109–163; 119 Stat. 3508), is further amended by
22 striking “and 2006” and inserting “through 2007”.

1 **SEC. 2803. REPEAL OF REQUIREMENT TO DETERMINE**
2 **AVAILABILITY OF SUITABLE ALTERNATIVE**
3 **HOUSING FOR ACQUISITION IN LIEU OF CON-**
4 **STRUCTION OF NEW FAMILY HOUSING.**

5 (a) IN GENERAL.—Section 2823 of title 10, United
6 States Code, is repealed.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of subchapter II of chapter 169 of such
9 title is amended by striking the item relating to section
10 2823.

11 **SEC. 2804. AUTHORITY TO CONTINUE TO OCCUPY LEASED**
12 **FAMILY HOUSING FOR UNITED STATES**
13 **SOUTHERN COMMAND PERSONNEL.**

14 Section 2828(b)(4) of title 10, United States Code,
15 is amended by adding at the end the following new sub-
16 paragraph:

17 “(D) Until September 30, 2008, the Secretary of the
18 Army may authorize family members of a member of the
19 armed forces on active duty who is assigned to a family-
20 member-restricted area and who, before such assignment,
21 was occupying a housing unit leased under this paragraph,
22 to remain in the leased housing unit until the member
23 completes the assignment. Costs incurred for the leased
24 housing unit during the assignment shall be included in
25 the costs subject to the limitation under subparagraph
26 (B).”.

1 **SEC. 2805. CONSIDERATION OF ALTERNATIVE AND MORE**
2 **EFFICIENT USES FOR GENERAL OFFICER**
3 **AND FLAG OFFICER QUARTERS IN EXCESS OF**
4 **6,000 SQUARE FEET.**

5 (a) REPORTING REQUIREMENTS.—Subsection (e)(1)
6 of section 2831 of title 10, United States Code, is amend-
7 ed—

8 (1) in subparagraph (A), by striking “and” at
9 the end of the subparagraph;

10 (2) in subparagraph (B)—

11 (A) by striking “so identified” and insert-
12 ing “identified under subparagraph (A)”; and

13 (B) by striking the period at the end of the
14 subparagraph and inserting a semicolon; and

15 (3) by adding at the end the following new sub-
16 paragraphs:

17 “(C) identifying each family housing unit in ex-
18 cess of 6,000 square feet used, or intended for use,
19 as quarters for a general officer or flag officer;

20 “(D) for each family housing unit identified
21 under subparagraph (C), specifying any alternative
22 and more efficient use to which the unit could be
23 converted (which would include any costs necessary
24 to convert the unit) and containing an explanation
25 of the reasons why the unit is not being converted
26 to the alternative use; and

1 “(E) for each family housing unit identified
2 under subparagraph (C) for which costs under sub-
3 paragraph (A) or new construction costs are antici-
4 pated to exceed \$100,000 in the next fiscal year,
5 specifying any alternative use to which the unit
6 could be converted (which would include any costs
7 necessary to convert the unit) and an estimate of the
8 costs to demolish and rebuild the unit to private sec-
9 tor standards.”.

10 (b) **STYLISTIC AMENDMENTS.**—Such section is fur-
11 ther amended—

12 (1) in subsection (a), by inserting “**ESTABLISH-**
13 **MENT.—**” after “(a)”;

14 (2) in subsection (b), by inserting “**CREDITS TO**
15 **ACCOUNT.—**” after “(b)”;

16 (3) in subsection (c), by inserting “**AVAIL-**
17 **ABILITY OF AMOUNTS IN ACCOUNT.—**” after “(c)”;

18 and

19 (4) in subsection (d), by inserting “**USE OF AC-**
20 **COUNT.—**” after “(d)”;

21 (5) in the heading of subsection (e), by striking
22 “**COST OF**”;

1 **SEC. 2806. MODIFICATION OF NOTIFICATION REQUIRE-**
2 **MENTS RELATED TO COST VARIATION AU-**
3 **THORITY.**

4 Section 2853(c) of title 10, United States Code, is
5 amended by striking “if—” and paragraphs (1), (2), and
6 (3) and inserting the following: “if the variation in cost
7 or reduction in the scope of work is approved by the Sec-
8 retary concerned and—

9 “(1) in the case of a cost increase or a reduc-
10 tion in the scope of work—

11 “(A) the Secretary concerned notifies the
12 appropriate committees of Congress in writing
13 of the cost increase or reduction in scope and
14 the reasons therefor, including a description of
15 the funds proposed to be used to finance any
16 increased costs; and

17 “(B) a period of 21 days has elapsed after
18 the date on which the notification is received by
19 the committees or, if over sooner, a period of 14
20 days has elapsed after the date on which a copy
21 of the notification is provided in an electronic
22 medium pursuant to section 480 of this title; or

23 “(2) in the case of a cost decrease, the Sec-
24 retary concerned notifies the appropriate committees
25 of Congress in writing not later than 14 days after
26 the date funds are obligated in connection with the

1 military construction project or military family hous-
2 ing project.”.

3 **SEC. 2807. CONSIDERATION OF LOCAL COMPARABILITY OF**
4 **FLOOR AREAS IN CONSTRUCTION, ACQUISI-**
5 **TION, AND IMPROVEMENT OF MILITARY UN-**
6 **ACCOMPANIED HOUSING.**

7 (a) COMPARABILITY OF FLOOR AREAS.—

8 (1) IN GENERAL.—Section 2856 of title 10,
9 United States Code, is amended to read as follows:

10 **“§ 2856. Military unaccompanied housing: local com-**
11 **parability of floor areas**

12 “In the construction, acquisition, and improvement of
13 military unaccompanied housing, the Secretary concerned
14 shall ensure that the floor areas of such housing in a par-
15 ticular locality (as designated by the Secretary concerned
16 for purposes of this section) do not exceed the floor areas
17 of similar housing in the private sector in that locality.”.

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions at the beginning of subchapter III of chapter
20 169 of such title is amended by striking the item re-
21 lating to section 2856 and inserting the following
22 new item:

“2856. Military unaccompanied housing: local comparability of floor areas.”.

23 (b) CONFORMING AMENDMENTS REGARDING ALTER-
24 NATIVE ACQUISITION AND IMPROVEMENT AUTHORITY.—
25 Section 2880(b) of such title is amended—

1 (1) by striking “(1) Section 2826” and insert-
2 ing “Sections 2826 and 2856”;

3 (2) by inserting “or military unaccompanied
4 housing” after “military family housing”; and

5 (3) by striking paragraph (2).

6 **SEC. 2808. CERTIFICATION REQUIRED FOR MILITARY CON-**
7 **STRUCTION PROJECTS FOR FACILITIES DE-**
8 **SIGNED TO PROVIDE TRAINING IN URBAN**
9 **OPERATIONS.**

10 (a) CERTIFICATION REQUIRED.—Section 2859 of
11 title 10, United States Code, is amended by adding at the
12 end the following new subsection:

13 “(d) CERTIFICATION REQUIRED FOR MILITARY CON-
14 STRUCTION PROJECTS DESIGNED TO PROVIDE TRAINING
15 IN URBAN OPERATIONS.—(1) Except as provided in para-
16 graph (3), the Secretary concerned may not carry out a
17 military construction project to construct a facility de-
18 signed to provide training in urban operations for mem-
19 bers of the armed forces or personnel of the Department
20 of Defense or other Federal agencies until—

21 “(A) the Secretary of Defense approves a strat-
22 egy for training and facility construction for oper-
23 ations in urban terrain; and

24 “(B) the Under Secretary of Defense for Per-
25 sonnel and Readiness evaluates the project and cer-

1 tifies to the appropriate committees of Congress that
2 the project—

3 “(i) is consistent with the strategy; and

4 “(ii) incorporates the appropriate capabili-
5 ties for joint and interagency use in accordance
6 with the strategy.

7 “(2) The Under Secretary of Defense for Personnel
8 and Readiness shall conduct the evaluation required by
9 paragraph (1)(B) in consultation with the Commander of
10 the United States Joint Forces Command.

11 “(3) This subsection shall not apply with respect to
12 a military construction project carried out under the au-
13 thority of section 2803, 2804, or 2808 of this title or sec-
14 tion 2808 of the Military Construction Authorization Act
15 for Fiscal Year 2004 (division B of Public Law 108–136;
16 117 Stat. 1723).”.

17 (b) CLERICAL AMENDMENTS.—

18 (1) SECTION HEADING.—The heading of such
19 section is amended to read as follows:

20 **“§ 2859. Construction requirements related to**
21 **antiterrorism and force protection or**
22 **urban-training operations”.**

23 (2) TABLE OF SECTIONS.—The table of sections
24 at the beginning of subchapter III of chapter 169 of
25 such title is amended by striking the item relating

1 to section 2859 and inserting the following new
2 item:

“2859. Construction requirements related to antiterrorism and force protection or urban-training operations.”.

3 (c) EFFECTIVE DATE.—Subsection (d) of section
4 2859 of title 10, United States Code, as added by sub-
5 section (a), shall apply with respect to military construc-
6 tion projects described in such subsection (d) for which
7 funds are first provided for fiscal year 2007 or thereafter.

8 **SEC. 2809. AUTHORITY TO CARRY OUT MILITARY CON-**
9 **STRUCTION PROJECTS IN CONNECTION WITH**
10 **INDUSTRIAL FACILITY INVESTMENT PRO-**
11 **GRAM.**

12 (a) AUTHORITY.—Subchapter III of chapter 169 of
13 title 10, United States Code, is amended by inserting after
14 section 2860 the following new section:

15 **“§ 2861. Military construction projects in connection**
16 **with industrial facility investment pro-**
17 **gram**

18 “(a) AUTHORITY.—The Secretary of Defense may
19 carry out a military construction project, not previously
20 authorized, for the purpose of carrying out activities under
21 section 2474(a)(2) of this title, using funds appropriated
22 or otherwise made available for that purpose in military
23 construction accounts.

1 “(b) CREDITING OF FUNDS TO CAPITAL BUDGET.—
2 Funds appropriated or otherwise made available in a fiscal
3 year for the purpose of carrying out a military construc-
4 tion project with respect to a covered depot (as defined
5 in subsection (e) of section 2476 of this title) may be cred-
6 ited to the amount required by subsection (a) of such sec-
7 tion to be invested in the capital budgets of the covered
8 depots in that fiscal year.

9 “(c) NOTICE AND WAIT REQUIREMENT.—When a de-
10 cision is made to carry out a project under subsection (a),
11 the Secretary of Defense shall notify in writing the appro-
12 priate committees of Congress of that decision and the
13 savings estimated to be realized from the project. The
14 project may then be carried out only after the end of the
15 21-day period beginning on the date the notification is re-
16 ceived by such committees or, if earlier, the end of the
17 14-day period beginning on the date on which a copy of
18 the notification is provided in an electronic medium pursu-
19 ant to section 480 of this title.

20 “(d) ANNUAL REPORT.—Not later than December 31
21 of each year, the Secretary shall submit to Congress a re-
22 port describing actions taken under this section and the
23 savings realized from such actions during the fiscal year
24 ending in the year in which the report is submitted.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such subchapter is amended by insert-
3 ing after the item relating to section 2860 the following
4 new item:

“2861. Military construction projects in connection with industrial facility investment program.”.

5 **SEC. 2810. REPEAL OF SPECIAL REQUIREMENT FOR MILI-**
6 **TARY CONSTRUCTION CONTRACTS ON GUAM.**

7 (a) REPEAL.—Section 2864 of title 10, United States
8 Code, is repealed.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of subchapter III of chapter 169 of such
11 title is amended by striking the item relating to section
12 2864.

13 **SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY TO**
14 **CONVEY PROPERTY AT MILITARY INSTALLA-**
15 **TIONS TO SUPPORT MILITARY CONSTRUC-**
16 **TION.**

17 (a) TEMPORARY INCLUSION OF ALL MILITARY IN-
18 STALLATIONS.—Subsection (a) of section 2869 of title 10,
19 United States Code, is amended—

20 (1) by redesignating paragraphs (1) and (2) as
21 subparagraphs (A) and (B), respectively;

22 (2) by inserting “(1)” before “The Secretary
23 concerned”;

1 (3) by striking “located on a military installa-
2 tion that is closed or realigned under a base closure
3 law” and inserting “described in paragraph (2)”;
4 and

5 (4) by adding at the end the following new
6 paragraphs:

7 “(2) Paragraph (1) applies with respect to real prop-
8 erty under the jurisdiction of the Secretary concerned
9 that—

10 “(A) is located on a military installation that is
11 closed or realigned under a base closure law; or

12 “(B) is located on a military installation not
13 covered by subparagraph (A) and is determined to
14 be excess to the needs of the Department of De-
15 fense.

16 “(3) Subparagraph (B) of paragraph (2) shall apply
17 only during the period beginning on the date of the enact-
18 ment of the John Warner National Defense Authorization
19 Act for Fiscal Year 2007 and ending on September 30,
20 2008. Any conveyance of real property described in such
21 subparagraph for which the Secretary concerned has pro-
22 vided the advance public notice required by subsection
23 (d)(1) before the expiration date may be completed after
24 that date.”.

1 (b) USE OF AUTHORITY TO SUPPORT AGREEMENTS
2 TO LIMIT ENCROACHMENTS.—Subparagraph (A) of para-
3 graph (1) of subsection (a) of such section, as redesi-
4 gned and amended by subsection (a), is further amended
5 by striking “land acquisition” and inserting “land acquisi-
6 tion, including the acquisition of all right, title, and inter-
7 est or a lesser interest in real property under an agree-
8 ment entered into under section 2684a of this title to limit
9 encroachments and other constraints on military training,
10 testing, and operations”.

11 (c) ADVANCE NOTICE OF USE OF AUTHORITY; CON-
12 TENT OF NOTICE.—Subsection (d) of such section is
13 amended—

14 (1) in paragraph (1), by striking “closed or re-
15 aligned under the base closure laws is to be con-
16 veyed” and inserting “is proposed for conveyance”;

17 (2) by striking paragraph (2) and inserting the
18 following new paragraph:

19 “(2) The Secretary concerned may not enter into an
20 agreement under subsection (a) for the conveyance of real
21 property until—

22 “(A) the Secretary submits to Congress notice
23 of the conveyance, including—

24 “(i) a description of the real property to be
25 conveyed by the Secretary under the agreement;

1 “(ii) a description of the military construc-
2 tion project, land acquisition, military family
3 housing, or military unaccompanied housing to
4 be carried out under the agreement in exchange
5 for the conveyance of the property; and

6 “(iii) the amount of any payment to be
7 made under subsection (b) or under section
8 2684a(d) of this title to equalize the fair mar-
9 ket values of the property to be conveyed and
10 the military construction project, land acquisi-
11 tion, military family housing, or military unac-
12 companied housing to be carried out under the
13 agreement in exchange for the conveyance of
14 the property; and

15 “(B) the waiting period applicable to that no-
16 tice under paragraph (3) expires.

17 “(3) If the notice submitted under paragraph (2)
18 deals with the conveyance of real property located on a
19 military installation that is closed or realigned under a
20 base closure law or the conveyance of real property under
21 an agreement entered into under section 2684a of this
22 title, the Secretary concerned may enter into the agree-
23 ment under subsection (a) for the conveyance of the prop-
24 erty after a period of 21 days has elapsed from the date
25 of receipt of the notice or, if over sooner, a period of 14

1 days has elapsed from the date on which a copy of the
2 notice is provided in an electronic medium pursuant to sec-
3 tion 480 of this title. In the case of other real property
4 to be conveyed under subsection (a), the Secretary con-
5 cerned may enter into the agreement only after a period
6 of 60 days has elapsed from the date of receipt of the
7 notice or, if over sooner, a period of 45 days has elapsed
8 from the date on which the electronic copy is provided.”.

9 (d) DEPOSIT AND USE OF FUNDS.—Subsection (e)
10 of such section is amended to read as follows:

11 “(e) DEPOSIT AND USE OF FUNDS.—(1) Except as
12 provided in paragraph (2), the Secretary concerned may
13 deposit funds received under subsection (b) in the Depart-
14 ment of Defense housing funds established under section
15 2883(a) of this title.

16 “(2) During the period specified in paragraph (3) of
17 subsection (a), the Secretary concerned shall deposit funds
18 received under subsection (b) in the appropriation ‘For-
19 eign Currency Fluctuations, Construction, Defense’.

20 “(3) The funds deposited under paragraph (2) shall
21 be available, in such amounts as provided in appropriation
22 Acts, for the purpose of paying increased costs of overseas
23 military construction and family housing construction or
24 improvement associated with unfavorable fluctuations in
25 currency exchange rates. The use of such funds for this

1 purpose does not relieve the Secretary concerned from the
2 duty to provide advance notice to Congress under section
3 2853(c) of this title whenever the Secretary approves an
4 increase in the cost of an overseas project under such sec-
5 tion.”.

6 (e) ANNUAL REPORTS; EFFECT OF FAILURE TO
7 SUBMIT.—Subsection (f) of such section is amended—

8 (1) by redesignating paragraphs (1), (2), and
9 (3) as subparagraphs (A), (B), and (C), respectively;
10 (2) in subparagraph (C), as so redesignated, by
11 inserting before the period at the end the following:
12 “and of excess real property at military installa-
13 tions”;

14 (3) by striking “(f)” and all that follows
15 through “the following:” and inserting the following:

16 “(f) ANNUAL REPORTS; EFFECT OF FAILURE TO
17 SUBMIT.—(1) Not later than March 15 of each year, the
18 Secretary of Defense shall submit to Congress a report
19 detailing the following:”; and

20 (4) by adding at the end the following new
21 paragraph:

22 “(2) If the report for a year is not submitted to Con-
23 gress by the date specified in paragraph (1), the Secretary
24 concerned may not enter into an agreement under sub-
25 section (a) after that date for the conveyance of real prop-

1 erty until the date on which the report is finally sub-
2 mitted.”.

3 (f) CLERICAL AMENDMENTS.—

4 (1) SECTION HEADING.—The heading of such
5 section is amended to read as follows:

6 **“§ 2869. Conveyance of property at military installa-
7 tions to support military construction or
8 limit encroachment”.**

9 (2) TABLE OF SECTIONS.—The table of sections
10 at the beginning of subchapter III of chapter 169 of
11 such title is amended by striking the item relating
12 to section 2869 and inserting the following new
13 item:

“2869. Conveyance of property at military installations to support military con-
struction or limit encroachment.”.

14 (g) CONFORMING AMENDMENTS TO AUTHORITY TO
15 LIMIT ENCROACHMENTS.—Subsection (d)(3) of section
16 2684a of such title is amended—

17 (1) by redesignating subparagraphs (B) and
18 (C) as subparagraphs (C) and (D), respectively;

19 (2) in subparagraph (C), as so redesignated, by
20 striking “in the sharing of acquisition costs of real
21 property, or an interest in real property, under para-
22 graph (1)(B)” and inserting “under subparagraph
23 (A), either through the contribution of funds or ex-
24 cess real property, or both,”; and

1 (3) by inserting after subparagraph (A) the fol-
2 lowing new subparagraph (B):

3 “(B) In lieu of or in addition to making a monetary
4 contribution toward the cost of acquiring a parcel of real
5 property, or an interest therein, pursuant to an agreement
6 under this section, the Secretary concerned may convey,
7 using the authority provided by section 2869 of this title,
8 real property described in paragraph (2) of subsection (a)
9 of such section, subject to the limitation in paragraph (3)
10 of such subsection.”.

11 **SEC. 2812. PILOT PROJECTS FOR ACQUISITION OR CON-**
12 **STRUCTION OF MILITARY UNACCOMPANIED**
13 **HOUSING.**

14 (a) **REDUCTION OF APPLICABLE NOTIFICATION PE-**
15 **RIODS.**—Section 2881a of title 10, United States Code,
16 is amended by striking “90 days” both places it appears
17 and inserting “30 days”.

18 (b) **EXTENSION OF AUTHORITY.**—Subsection (f) of
19 such section is amended by striking “2007” and inserting
20 “2009”.

1 **Subtitle B—Real Property and**
2 **Facilities Administration**

3 **SEC. 2821. CONGRESSIONAL NOTICE REQUIREMENTS, IN**
4 **ADVANCE OF ACQUISITION OF LAND BY CON-**
5 **DEMNATION FOR MILITARY PURPOSES.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the Secretary of Defense, when acquiring land
8 for military purposes, should—

9 (1) make every effort to acquire the land by
10 means of purchases from willing sellers; and

11 (2) employ condemnation, eminent domain, or
12 seizure procedures only as a measure of last resort
13 in cases of compelling national security requirements
14 or at the request of the seller.

15 (b) ADVANCE NOTICE OF USE OF CONDEMNATION;
16 EXCEPTIONS.—Section 2663 of title 10, United States
17 Code, is amended—

18 (1) in subsection (a)(1), “The Secretary” and
19 inserting “Subject to subsection (f), the Secretary”;
20 and

21 (2) by adding at the end the following new sub-
22 sections:

23 “(f) ADVANCE NOTICE OF USE OF CONDEMNATION.—(1) Before commencing any legal proceeding to ac-
24 quire any interest in land under subsection (a), including
25

1 acquisition for temporary use, by condemnation, eminent
2 domain, or seizure, the Secretary of the military depart-
3 ment concerned shall—

4 “(A) pursue, to the maximum extent prac-
5 ticable, all other available options for the acquisition
6 or use of the land, such as the purchase of an ease-
7 ment or the execution of a land exchange; and

8 “(B) submit to the congressional defense com-
9 mittees a report containing—

10 “(i) a description of the land to be ac-
11 quired;

12 “(ii) a certification that negotiations with
13 the owner or owners of the land occurred, and
14 that the Secretary tendered consideration in an
15 amount equal to the fair market value of the
16 land, as determined by the Secretary; and

17 “(iii) an explanation of the other ap-
18 proaches considered for acquiring use of the
19 land, the reasons for the acquisition of the land,
20 and the reasons why alternative acquisition
21 strategies are inadequate.

22 “(2) The Secretary concerned may have proceedings
23 brought in the name of the United States to acquire the
24 land after the end of the 21-day period beginning on the
25 date on which the report is received by the committees

1 or, if over sooner, the end of the 14-day period beginning
2 on the date on which a copy of the report is provided in
3 an electronic medium pursuant to section 480 of this title.

4 “(g) EXCEPTION TO ADVANCE NOTICE REQUIRE-
5 MENT.—If the Secretary of a military department deter-
6 mines that the use of condemnation, eminent domain, or
7 seizure to acquire an interest in land is required under
8 subsection (a) to satisfy a requirement vital to national
9 security, and that any delay would be detrimental to na-
10 tional security or the protection of health, safety, or the
11 environment, the Secretary may have proceedings brought
12 in the name of the United States to acquire the land in
13 advance of submitting the report required by subsection
14 (f)(1)(B). However, the Secretary shall submit the report
15 not later than seven days after commencement of the legal
16 proceedings with respect to the land.”.

17 **SEC. 2822. CONSOLIDATION OF DEPARTMENT OF DEFENSE**
18 **AUTHORITIES REGARDING GRANTING OF**
19 **EASEMENTS FOR RIGHTS-OF-WAY.**

20 (a) CONSOLIDATION.—Subsection (a) of section 2668
21 of title 10, United States Code, is amended—

22 (1) in the matter preceding paragraph (1)—

23 (A) by striking “he” both places it appears
24 and inserting “the Secretary”; and

1 (B) by striking “his control, to a State,
2 Commonwealth, or possession, or political sub-
3 division thereof, or to a citizen, association,
4 partnership, or corporation of a State, Com-
5 monwealth, or possession,” and inserting “the
6 Secretary’s control”;

7 (2) in paragraph (2), by striking “oil pipe
8 lines” and inserting “gas, water, sewer, and oil pipe
9 lines”; and

10 (3) in paragraph (13), by striking “he considers
11 advisable, except a purpose covered by section 2669
12 of this title” and inserting “the Secretary considers
13 advisable”.

14 (b) **STYLISTIC AMENDMENTS.**—Such section is fur-
15 ther amended—

16 (1) in subsection (a), by inserting “**AUTHOR-**
17 **IZED TYPES OF EASEMENTS.—**” after “(a)”;

18 (2) in subsection (b), by inserting “**LIMITATION**
19 **ON SIZE OF EASEMENT.—**” after “(b)”;

20 (3) in subsection (c), by inserting “**TERMI-**
21 **NATION.—**” after “(c)”;

22 (4) in subsection (d), by inserting “**NOTICE TO**
23 **DEPARTMENT OF THE INTERIOR.—**” after “(d)”;

24 and

1 (5) in subsection (e), by inserting “DISPOSI-
2 TION OF CONSIDERATION.—” after “(e)”.

3 (c) CONFORMING REPEAL.—Section 2669 of such
4 title is repealed.

5 (d) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of chapter 159 of such title is amended
7 by striking the item related to section 2669.

8 **SEC. 2823. AUTHORITY TO GRANT RESTRICTIVE EASE-**
9 **MENTS FOR CONSERVATION PURPOSES IN**
10 **CONNECTION WITH LAND CONVEYANCES.**

11 (a) RESTRICTIVE EASEMENTS.—Chapter 159 of title
12 10, United States Code, is amended by inserting after sec-
13 tion 2668 the following new section:

14 **“§ 2668a. Easements: granting restrictive easements**
15 **in connection with land conveyances**

16 “(a) AUTHORITY TO INCLUDE RESTRICTIVE EASE-
17 MENT.—In connection with the conveyance of real prop-
18 erty by the Secretary concerned under any provision of
19 law, the Secretary concerned may grant an easement to
20 an entity specified in subsection (b) restricting future uses
21 of the conveyed real property for a conservation purpose
22 consistent with section 170(h)(4)(A)(iv) of the Internal
23 Revenue Code of 1986 (26 U.S.C. 170(h)(4)(A)(iv)).

24 “(b) AUTHORIZED RECIPIENTS.—An easement under
25 subsection (a) may be granted only to—

1 “(1) a State or local government; or

2 “(2) a qualified organization, as that term is
3 defined in section 170(h) of the Internal Revenue
4 Code of 1986 (26 U.S.C. 170(h)).

5 “(c) LIMITATIONS ON USE OF EASEMENT AUTHOR-
6 ITY.—An easement under subsection (a) may not be
7 granted unless—

8 “(1) the proposed recipient of the easement
9 consents to the receipt of the easement;

10 “(2) the Secretary concerned determines that
11 the easement is in the public interest and the con-
12 servation purpose to be promoted by the easement
13 cannot be effectively achieved through the applica-
14 tion of State law by the State or a local government
15 without the grant of restrictive easements;

16 “(3) the jurisdiction that encompasses the prop-
17 erty to be subject to the easement authorizes the
18 grant of restrictive easements; and

19 “(4) the Secretary can give or assign to a third
20 party the responsibility for monitoring and enforcing
21 easements granted under this section.

22 “(d) CONSIDERATION.—Easements granted under
23 this section shall be without consideration from the recipi-
24 ent.

1 “(e) ACREAGE LIMITATION.—No easement granted
2 under this section may include more land than is nec-
3 essary for the easement.

4 “(f) TERMS AND CONDITIONS.—The grant of an
5 easement under this section shall be subject to such addi-
6 tional terms and conditions as the Secretary concerned
7 considers appropriate to protect the interests of the
8 United States.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of such chapter is amended by inserting
11 after the item relating to section 2668 the following new
12 item:

“2668a. Easements: granting restrictive easements in connection with land con-
veyances.”.

13 **SEC. 2824. MAXIMUM TERM OF LEASES FOR STRUCTURES**
14 **AND REAL PROPERTY RELATING TO STRUC-**
15 **TURES IN FOREIGN COUNTRIES NEEDED FOR**
16 **PURPOSES OTHER THAN FAMILY HOUSING.**

17 Section 2675(a) of title 10, United States Code, is
18 amended by striking “five years” and inserting “10
19 years”.

1 **SEC. 2825. CONSOLIDATION OF LAWS RELATING TO TRANS-**
2 **FER OF DEPARTMENT OF DEFENSE REAL**
3 **PROPERTY WITHIN THE DEPARTMENT OF DE-**
4 **FENSE AND TO OTHER FEDERAL AGENCIES.**

5 (a) INCLUSION OF TRANSFER AUTHORITY BETWEEN
6 ARMED FORCES.—Section 2696 of title 10, United States
7 Code, is amended—

8 (1) by redesignating subsections (a) and (b) as
9 subsections (b) and (c), respectively; and

10 (2) by inserting before subsection (b), as so re-
11 designated, the following new subsection:

12 “(a) TRANSFERS BETWEEN ARMED FORCES.—If ei-
13 ther of the Secretaries concerned requests it and the other
14 approves, real property may be transferred, without com-
15 pensation, from one armed force to another. Section
16 2571(d) of this title shall apply to the transfer of real
17 property under this subsection.”.

18 (b) INCLUSION OF DEPARTMENT OF JUSTICE PRO-
19 GRAM TO SCREEN AND CONVEY OF PROPERTY FOR COR-
20 RECTIONAL FACILITIES.—The text of section 2693 of
21 such title is amended—

22 (1) by redesignating paragraphs (1), (2), and
23 (3) of subsection (a) as subparagraphs (A), (B), and
24 (C), respectively;

25 (2) by redesignating paragraphs (1) and (2) of
26 subsection (b) as subparagraphs (A) and (B), re-

1 spectively, and in such subparagraph (B), as so re-
2 designated, by striking “this section” and inserting
3 “paragraph (1)”;

4 (3) by striking “(a) Except as provided in sub-
5 section (b)” and inserting “(f) SCREENING AND
6 CONVEYANCE OF PROPERTY FOR CORRECTIONAL
7 FACILITIES PURPOSES.—(1) Except as provided in
8 paragraph (2)”;

9 (4) by striking “(b) The provisions of this sec-
10 tion” and inserting “(2) Paragraph (1)”;

11 (5) by transferring the text, as so redesignated
12 and amended, to appear as a new subsection (f) at
13 the end of section 2696 of such title.

14 (c) CONFORMING AMENDMENTS.—

15 (1) CONFORMING AMENDMENT TO AUTHORITY
16 ON INTERCHANGE OF PROPERTY AND SERVICES.—
17 Section 2571(a) of such title is amended by striking
18 “and real estate”.

19 (2) REPEAL OF SUPERSEDED AUTHORITY ON
20 SCREENING AND TRANSFER FOR CORRECTIONAL
21 PURPOSES.—Section 2693 of such title is repealed.

22 (3) CONFORMING AMENDMENTS TO CONSOLI-
23 DATED AUTHORITY.—Section 2696 of such title is
24 amended—

1 (A) in subsection (b), as redesignated by
2 subsection (a)(1), by striking “SCREENING RE-
3 QUIREMENT.—” and inserting “SCREENING
4 REQUIREMENTS FOR ADDITIONAL FEDERAL
5 USE.—”;

6 (B) in subsection (c)(1), as redesignated
7 by subsection (a)(1), by striking “subsection
8 (a)” in the first sentence and inserting “sub-
9 section (b)”;

10 (C) in subsection (d), by striking “sub-
11 section (b)(1)” and inserting “subsection
12 (c)(1)”; and

13 (D) in subsection (e), by striking “this sec-
14 tion” and inserting “subsection (b)”.

15 (d) CLERICAL AMENDMENTS.—

16 (1) SECTION 2571.—(A) The heading of section
17 2571 of such title is amended to read as follows:

18 **“§ 2571. Interchange of supplies and services”.**

19 (B) The table of sections at the beginning of
20 chapter 153 of such title is amended by striking the
21 item relating to section 2571 and inserting the fol-
22 lowing new item:

“2571. Interchange of supplies and services.”.

23 (2) SECTIONS 2693 AND 2696.—(A) The heading
24 of section 2696 of such title is amended to read as
25 follows:

1 **“§ 2696. Real property: transfer between armed forces**
2 **and screening requirements for other**
3 **Federal use”.**

4 (B) The table of sections at the beginning of
5 chapter 159 of such title is amended—

6 (i) by striking the item relating to section
7 2693; and

8 (ii) by striking the item relating to section
9 2696 and inserting the following new item:

“2696. Real property: transfer between armed forces and screening require-
ments for other Federal use.”.

10 **SEC. 2826. DEFENSE ACCESS ROAD PROGRAM.**

11 Section 2837 of the Military Construction Authoriza-
12 tion Act for Fiscal Year 2006 (division B of Public Law
13 109–163; 119 Stat. 3522) is amended—

14 (1) in subsection (a)—

15 (A) by inserting “and transit systems”
16 after “that roads”; and

17 (B) by striking “that is” and inserting
18 “that are”; and

19 (2) in subsection (b)—

20 (A) by striking “and” at the end of para-
21 graph (1); and

22 (B) by striking paragraph (2) and insert-
23 ing the following new paragraphs:

1 “(2) to determine whether the existing surface
2 transportation infrastructure, including roads and
3 transit at each installation identified under para-
4 graph (1) is adequate to support the increased traf-
5 fic associated with the increase in the number of de-
6 fense personnel described in that paragraph; and

7 “(3) to determine whether the defense access
8 road program adequately considers the complete
9 range of surface transportation options, including
10 roads and other means of transit, necessary to sup-
11 port the national defense.”.

12 **SEC. 2827. REPORTS ON ARMY OPERATIONAL RANGES.**

13 (a) REPORT ON PINON CANYON MANEUVER SITE.—

14 (1) REPORT REQUIRED.—Not later than No-
15 vember 30, 2006, the Secretary of the Army shall
16 submit to the congressional defense committees a re-
17 port containing an analysis of any potential expan-
18 sion of the Pinon Canyon Maneuver Site at Fort
19 Carson, Colorado.

20 (2) ELEMENTS OF REPORT.—The report re-
21 quired under paragraph (1) shall include the fol-
22 lowing:

23 (A) A description of the current and pro-
24 jected military requirements of the Army for
25 training at the Pinon Canyon Maneuver Site.

1 (B) An analysis of the reasons for any
2 changes in those requirements, including the ex-
3 tent to which the changes are the result of—

4 (i) an increase in military personnel
5 using the Pinon Canyon Maneuver Site
6 due to decisions made as part of the 2005
7 round of defense base closure and realign-
8 ment under the Defense Base Closure and
9 Realignment Act of 1990 (part A of title
10 XXIX of Public Law 101–510; 10 U.S.C.
11 2687 note);

12 (ii) the conversion of Army brigades
13 to a modular format;

14 (iii) the Integrated Global Presence
15 and Basing Strategy;

16 (iv) high operational tempos; or

17 (v) surge requirements.

18 (C) A proposed plan for addressing those
19 requirements, including a description of any
20 proposed expansion of the existing Pinon Can-
21 yon Maneuver Site by acquiring privately held
22 land surrounding the site and an analysis of al-
23 ternative approaches that would not require ex-
24 pansion.

1 (3) ADDITIONAL ELEMENTS.—If the expansion
2 of the Pinon Canyon Maneuver Site is recommended
3 in the plan required by paragraph (2)(C), the report
4 shall also include the following:

5 (A) An assessment of the economic impact
6 on local communities of expanding the Pinon
7 Canyon Maneuver Site by acquiring privately
8 held land surrounding the site.

9 (B) An assessment of the environmental
10 impact of expanding the Pinon Canyon Maneu-
11 ver Site.

12 (C) An estimate of the costs associated
13 with the potential expansion, including land ac-
14 quisition, range improvements, installation of
15 utilities, environmental restoration, and other
16 environmental activities in connection with the
17 acquisition.

18 (D) An assessment of options for compen-
19 sating local communities for the loss of prop-
20 erty tax revenue as a result of the expansion of
21 Pinon Canyon Maneuver Site.

22 (E) An assessment of whether the acquisi-
23 tion of additional land at the Pinon Canyon
24 Maneuver Site can be carried out by the Sec-
25 retary solely through transactions, including

1 land exchanges and the lease or purchase of
2 easements, with willing sellers of the privately
3 held land.

4 (b) LIMITATION ON REAL PROPERTY ACQUISITION
5 PENDING REPORT.—The Secretary of the Army may not
6 carry out any acquisition of real property to expand the
7 Pinon Canyon Maneuver Site until at least 30 days after
8 the date on which the Secretary submits the report re-
9 quired under subsection (a).

10 (c) REPORT ON POTENTIAL EXPANSION OF ARMY
11 OPERATIONAL RANGES.—

12 (1) REPORT REQUIRED.—Not later than Feb-
13 ruary 1, 2007, the Secretary of the Army shall sub-
14 mit to the congressional defense committees a report
15 containing an assessment of the Army operational
16 ranges used to support range activities.

17 (2) CONTENT.—The report required under
18 paragraph (1) shall include the following informa-
19 tion:

20 (A) The size, description, and mission-es-
21 sential tasks supported by each Army oper-
22 ational range during fiscal year 2003.

23 (B) A description of the projected changes
24 in Army operational range requirements, includ-
25 ing the size, characteristics, and attributes for

1 mission-essential activities at each range and
2 the extent to which any changes in require-
3 ments are a result of—

4 (i) decisions made as part of the 2005
5 round of defense base closure and realign-
6 ment under the Defense Base Closure and
7 Realignment Act of 1990 (part A of title
8 XXIX of Public Law 101–510; 10 U.S.C.
9 2687 note);

10 (ii) the conversion of Army brigades
11 to a modular format;

12 (iii) the Integrated Global Presence
13 and Basing Strategy;

14 (iv) high operational tempos; or

15 (v) surge requirements.

16 (C) The projected deficit or surplus of land
17 at each Army operational range, and a descrip-
18 tion of the Army’s plan to address that pro-
19 jected deficit or surplus of land as well as the
20 upgrade of range attributes at each existing
21 Army operational range.

22 (D) A description of the Army’s
23 prioritization process and investment strategy
24 to address the potential expansion or upgrade
25 of Army operational ranges.

1 (E) An analysis of alternatives to the ex-
2 pansion of Army operational ranges, including
3 an assessment of the joint use of operational
4 ranges under the jurisdiction, custody, or con-
5 trol of the Secretary of another military depart-
6 ment.

7 (3) DEFINITIONS.—In this subsection:

8 (A) The term “Army operational range”
9 has the meaning given the term “operational
10 range” in section 101(e)(3) of title 10, United
11 States Code, except that the term is limited to
12 operational ranges under the jurisdiction, cus-
13 tody, or control of the Secretary of the Army.

14 (B) The term “range activities” has the
15 meaning given that term in section 101(e)(2) of
16 such title.

17 **Subtitle C—Base Closure and** 18 **Realignment**

19 **SEC. 2831. MODIFICATION OF DEPOSIT REQUIREMENTS IN** 20 **CONNECTION WITH LEASE PROCEEDS RE-** 21 **CEIVED AT MILITARY INSTALLATIONS AP-** 22 **PROVED FOR CLOSURE OR REALIGNMENT** 23 **AFTER JANUARY 1, 2005.**

24 Section 2667(d) of title 10, United States Code, is
25 amended—

1 (1) in paragraph (1)(B)(ii), by striking “para-
2 graph (4) or (5)” and inserting “paragraph (4), (5),
3 or (6)”;

4 (2) in paragraph (5), by inserting after “lease
5 under subsection (f)” the following: “at a military
6 installation approved for closure or realignment
7 under a base closure law before January 1, 2005,”;
8 and

9 (3) by adding at the end the following new
10 paragraph:

11 “(6) Money rentals received by the United States
12 from a lease under subsection (f) at a military installation
13 approved for closure or realignment under a base closure
14 law on or after January 1, 2005, shall be deposited into
15 the account established under section 2906A(a) of the De-
16 fense Base Closure and Realignment Act of 1990 (part
17 A of title XXIX of Public Law 101-510; 10 U.S.C. 2687
18 note).”.

19 **SEC. 2832. REPORT ON AIR FORCE AND AIR NATIONAL**
20 **GUARD BASES AFFECTED BY 2005 ROUND OF**
21 **DEFENSE BASE CLOSURE AND REALIGN-**
22 **MENT.**

23 (a) REPORT.—Not later than January 1, 2007, the
24 Secretary of the Air Force shall submit to Congress a re-
25 port on planning by the Department of the Air Force for

1 future roles and missions for each Air Force and Air Na-
2 tional Guard installation that—

3 (1) will have the number of aircraft, weapon
4 systems, or functions assigned to the installation re-
5 duced or eliminated as a result of decisions made as
6 part of the 2005 round of defense base closure and
7 realignment under the Defense Base Closure and
8 Realignment Act of 1990 (part A of title XXIX of
9 Public Law 101–510; 10 U.S.C. 2687 note); or

10 (2) will serve as a receiving location for the re-
11 alignment of aircraft, weapons systems, or functions
12 as a result of such decisions.

13 (b) ELEMENTS OF REPORT.—The report required
14 under subsection (a) shall include the following:

15 (1) An assessment of the capabilities, character-
16 istics, and capacity of the facilities, other infrastruc-
17 ture, and personnel at each installation described in
18 subsection (a).

19 (2) A description of the planning process used
20 by the Department of the Air Force to determine fu-
21 ture roles and missions at each installation described
22 in subsection (a), including an analysis of alter-
23 natives for installations to support each future role
24 or mission.

1 (3) A description of the future roles and mis-
2 sions under consideration for each Air Force and Air
3 National Guard installation, including installations
4 described in subsection (a), and an explanation of
5 the criteria and decision-making process to make
6 final decisions about future roles and missions for
7 each installation.

8 (4) A timeline for decisions on the final deter-
9 mination of future roles and missions for each in-
10 stallation described in subsection (a).

11 **Subtitle D—Land Conveyances**

12 **SEC. 2841. CONVEYANCE OF EASEMENT, PINE BLUFF ARSE-** 13 **NAL, ARKANSAS.**

14 (a) CONVEYANCE AUTHORIZED.—The Secretary of
15 the Army may convey, without consideration, to Jefferson
16 County, Arkansas (in this section referred to as the
17 “County”), all right, title, and interest of the United
18 States in and to an easement that was acquired by the
19 United States in 1942 for the benefit of Pine Bluff Arse-
20 nal, Arkansas, and encumbers the real property described
21 in subsection (c) if the Secretary determines that the con-
22 veyance and subsequent use of the easement will not ad-
23 versely impact the mission of Pine Bluff Arsenal. The con-
24 veyance shall include all appurtenances to the easement

1 and any improvements thereon constructed by the United
2 States.

3 (b) PURPOSE OF CONVEYANCE.—The conveyance au-
4 thorized by subsection (a) is for the sole purpose of per-
5 mitting the County to construct, maintain, and operate a
6 railroad over, upon, and across the real property encum-
7 bered by the easement.

8 (c) DESCRIPTION OF PROPERTY ENCUMBERED BY
9 EASEMENT.—The real property encumbered by the ease-
10 ment is situated in Jefferson County, Arkansas, consists
11 of approximately 38.18 acres, and is described as PBR
12 Tract No. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,
13 34, 35, 36, 37, 38, 38-A and 39 and includes the real
14 property described in a Warranty Deed from C.C. Neal
15 and Pearlee Neal dated August 14, 1942. If the Secretary
16 determines that an additional survey is necessary to better
17 determine the legal description of the real property encum-
18 bered by the easement, a survey satisfactory to the Sec-
19 retary shall be conducted.

20 (d) FURTHER TRANSFER, ASSIGNMENTS, OR PER-
21 MITS.—Subject to subsection (b), the County may make
22 such further transfer or assignments, grant such permits,
23 or make such other arrangements with regard to the ease-
24 ment conveyed under subsection (a) as the County con-

1 siders beneficial and appropriate for the interests of the
2 County.

3 (e) PAYMENT OF COSTS OF CONVEYANCES.—

4 (1) PAYMENT REQUIRED.—The Secretary shall
5 require the County to cover costs to be incurred by
6 the Secretary, or to reimburse the Secretary for
7 costs incurred by the Secretary, to carry out a con-
8 veyance under subsection (a), including survey costs,
9 related to the conveyance. If amounts are collected
10 from the County in advance of the Secretary incur-
11 ring the actual costs, and the amount collected ex-
12 ceeds the costs actually incurred by the Secretary to
13 carry out the conveyance, the Secretary shall refund
14 the excess amount to the County.

15 (2) TREATMENT OF AMOUNTS RECEIVED.—
16 Amounts received under paragraph (1) as reim-
17 bursement for costs incurred by the Secretary to
18 carry out a conveyance under subsection (a) shall be
19 credited to the fund or account that was used to
20 cover the costs incurred by the Secretary in carrying
21 out the conveyance. Amounts so credited shall be
22 merged with amounts in such fund or account and
23 shall be available for the same purposes, and subject
24 to the same conditions and limitations, as amounts
25 in such fund or account.

1 (f) ADDITIONAL TERM AND CONDITIONS.—The Sec-
2 retary may require such additional terms and conditions
3 in connection with the conveyance under subsection (a) as
4 the Secretary considers appropriate to protect the inter-
5 ests of the United States.

6 **SEC. 2842. MODIFICATION OF LAND TRANSFER AUTHORITY,**
7 **POTOMAC ANNEX, DISTRICT OF COLUMBIA.**

8 Section 2831(a) of the National Defense Authoriza-
9 tion Act for Fiscal Year 1997 (Public Law 104–201; 110
10 Stat. 2795) is amended by striking “consisting of approxi-
11 mately 3 acres” and inserting “consisting of approxi-
12 mately 4 acres and containing two buildings, known as
13 building 6 and building 7”.

14 **SEC. 2843. LAND CONVEYANCE, NAVAL AIR STATION, BAR-**
15 **BERS POINT, HAWAII.**

16 (a) CONVEYANCE OF PROPERTY.—Not later than
17 September 30, 2008, the Secretary of the Navy shall enter
18 into a binding agreement to convey, by sale, lease, or a
19 combination thereof, to any public or private person or en-
20 tity outside the Department of Defense certain parcels of
21 real property, including any improvements thereon, con-
22 sisting of approximately 499 acres located at the former
23 Naval Air Station, Barbers Point, Oahu, Hawaii, that are
24 subject to the Ford Island Master Development Agree-
25 ment developed pursuant to section 2814(a)(2) of title 10,

1 United States Code, for the purpose of promoting the ben-
2 efcial development of the real property.

3 (b) USE OF EXISTING AUTHORITY.—To implement
4 subsection (a), the Secretary may utilize the special con-
5 veyance and lease authorities provided to the Secretary by
6 subsections (b) and (c) of section 2814 of title 10, United
7 States Code, for the purpose of developing or facilitating
8 the development of Ford Island, Hawaii.

9 (c) DESCRIPTION OF PROPERTY.—The exact acreage
10 and legal description of real property to be conveyed under
11 subsection (a) shall be determined by a survey satisfactory
12 to the Secretary.

13 (d) ADDITIONAL TERMS AND CONDITIONS.—The
14 Secretary may require such additional terms and condi-
15 tions in connection with a conveyance under subsection (a)
16 as the Secretary considers appropriate to protect the inter-
17 ests of the United States.

18 **SEC. 2844. LAND CONVEYANCES, OMAHA, NEBRASKA.**

19 (a) CONVEYANCES AUTHORIZED.—

20 (1) ARMY CONVEYANCE.—The Secretary of the
21 Army may convey to the Metropolitan Community
22 College Area, a public community college located in
23 Omaha, Nebraska (in this section referred to as the
24 “College”) all right, title, and interest of the United
25 States in and to three parcels of real property under

1 the control of the Army Reserve, including any im-
2 provements thereon, consisting of approximately
3 5.42 acres on the Fort Omaha campus at the Col-
4 lege, for educational purposes.

5 (2) NAVY CONVEYANCE.—The Secretary of the
6 Navy may convey to the College all right, title, and
7 interest of the United States in and to a parcel of
8 real property under the control of the Navy Reserve
9 and Marine Corps Reserve, including any improve-
10 ments thereon, consisting of approximately 6.57
11 acres on the Fort Omaha campus at the College, for
12 educational purposes.

13 (b) CONSIDERATION.—

14 (1) IN GENERAL.—As consideration for each
15 conveyance under subsection (a), the College shall
16 provide the United States, whether by cash payment,
17 in-kind consideration, or a combination thereof, an
18 amount that is not less than the fair market value
19 of the conveyed property, as determined pursuant to
20 an appraisal acceptable to the Secretary concerned.

21 (2) REDUCED TUITION RATES.—The Secretary
22 concerned may accept as in-kind consideration under
23 paragraph (1) reduced tuition rates for military per-
24 sonnel at the College.

25 (c) PAYMENT OF COSTS OF CONVEYANCES.—

1 (1) PAYMENT REQUIRED.—The Secretary con-
2 cerned shall require the College to cover costs to be
3 incurred by the Secretary, or to reimburse the Sec-
4 retary for costs incurred by the Secretary, to carry
5 out a conveyance under subsection (a), including
6 survey costs, related to the conveyance. If amounts
7 are collected from the College in advance of the Sec-
8 retary incurring the actual costs, and the amount
9 collected exceeds the costs actually incurred by the
10 Secretary to carry out the conveyance, the Secretary
11 shall refund the excess amount to the College.

12 (2) TREATMENT OF AMOUNTS RECEIVED.—
13 Amounts received under paragraph (1) as reim-
14 bursement for costs incurred by the Secretary con-
15 cerned to carry out a conveyance under subsection
16 (a) shall be credited to the fund or account that was
17 used to cover the costs incurred by the Secretary in
18 carrying out the conveyance. Amounts so credited
19 shall be merged with amounts in such fund or ac-
20 count and shall be available for the same purposes,
21 and subject to the same conditions and limitations,
22 as amounts in such fund or account.

23 (d) DESCRIPTION OF PROPERTY.—The exact acreage
24 and legal description of the real property to be conveyed

1 under subsection (a) shall be determined by surveys satis-
2 factory to the Secretary concerned.

3 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
4 Secretary concerned may require such additional terms
5 and conditions in connection with the conveyances under
6 subsection (a) as the Secretary considers appropriate to
7 protect the interests of the United States.

8 **SEC. 2845. LAND CONVEYANCE, HOPKINTON, NEW HAMP-**
9 **SHIRE.**

10 (a) **CONVEYANCE AUTHORIZED.**—The Secretary of
11 the Army may convey to the Town of Hopkinton, New
12 Hampshire (in this section referred to as the “Town”),
13 all right, title, and interest of the United States in and
14 to a parcel of real property, including any improvements
15 thereon, consisting of approximately 90 acres located at
16 a site in Hopkinton, New Hampshire, known as the “Kast
17 Hill” property for the purpose of permitting the Town to
18 use the existing sand and gravel resources on the property
19 and to ensure perpetual conservation of the property.

20 (b) **CONSIDERATION.**—

21 (1) **IN GENERAL.**—As consideration for the con-
22 veyance under subsection (a), the Town shall, sub-
23 ject to paragraph (2), provide to the United States,
24 whether by cash payment, in-kind consideration, or
25 a combination thereof, an amount that is not less

1 than the fair market value of the conveyed property,
2 as determined pursuant to an appraisal acceptable
3 to the Secretary.

4 (2) WAIVER OF PAYMENT OF CONSIDER-
5 ATION.—The Secretary may waive the requirement
6 for consideration under paragraph (1) if the Sec-
7 retary determines that the Town will not use the ex-
8 isting sand and gravel resources to generate revenue.

9 (c) REVERSIONARY INTEREST.—If the Secretary de-
10 termines at any time that the real property conveyed
11 under subsection (a) is not being used in accordance with
12 the purpose of the conveyance specified in such subsection,
13 all right, title, and interest in and to all or any portion
14 of the property shall revert, at the option of the Secretary,
15 to the United States, and the United States shall have
16 the right of immediate entry onto the property. Any deter-
17 mination of the Secretary under this subsection shall be
18 made on the record after an opportunity for a hearing.

19 (d) PROHIBITION ON RECONVEYANCE OF LAND.—
20 The Town may not reconvey any of the land acquired from
21 the United States under subsection (a) without the prior
22 approval of the Secretary.

23 (e) PAYMENT OF COSTS OF CONVEYANCE.—

24 (1) PAYMENT REQUIRED.—The Secretary shall
25 require the Town to cover costs to be incurred by

1 the Secretary, or to reimburse the Secretary for
2 costs incurred by the Secretary, to carry out the
3 conveyance under subsection (a), including survey
4 costs, costs related to environmental documentation,
5 and other administrative costs related to the convey-
6 ance. If amounts are collected from the Town in ad-
7 vance of the Secretary incurring the actual costs,
8 and the amount collected exceeds the costs actually
9 incurred by the Secretary to carry out the convey-
10 ance, the Secretary shall refund the excess amount
11 to the Town.

12 (2) TREATMENT OF AMOUNTS RECEIVED.—
13 Amounts received as reimbursement under para-
14 graph (1) shall be credited to the fund or account
15 that was used to cover the costs incurred by the Sec-
16 retary in carrying out the conveyance. Amounts so
17 credited shall be merged with amounts in such fund
18 or account and shall be available for the same pur-
19 poses, and subject to the same conditions and limita-
20 tions, as amounts in such fund or account.

21 (f) DESCRIPTION OF PROPERTY.—The exact acreage
22 and legal description of the real property to be conveyed
23 under subsection (a) shall be determined by a survey satis-
24 factory to the Secretary.

1 (g) ADDITIONAL TERMS AND CONDITIONS.—The
2 Secretary may require such additional terms and condi-
3 tions in connection with the conveyance of real property
4 under subsection (a) as the Secretary consider appropriate
5 to protect the interests of the United States.

6 **SEC. 2846. LAND CONVEYANCE, NORTH HILLS ARMY RE-**
7 **SERVE CENTER, ALLISON PARK, PENNSYLVANIA.**
8

9 (a) CONVEYANCE AUTHORIZED.—The Secretary of
10 the Army may convey to the North Allegheny School Dis-
11 trict (in this section referred to as the “School District”)
12 all right, title, and interest of the United States in and
13 to a parcel of real property consisting of approximately
14 11.15 acres and containing the North Hills Army Reserve
15 Center in Allison Park, Pennsylvania, for the purpose of
16 permitting the School District to use the property for edu-
17 cational and recreational purposes and for parking facili-
18 ties related thereto.

19 (b) CONSIDERATION.—The Secretary may waive any
20 requirement for consideration in connection with the con-
21 veyance under subsection (a) if the Secretary determines
22 that, were the conveyance of the property to be made
23 under subchapter III of chapter 5 of title 40, United
24 States Code, for the same purpose specified in subsection
25 (a), the conveyance could be made without consideration.

1 (c) REVERSIONARY INTEREST.—If the Secretary de-
2 termines at any time that the real property conveyed
3 under subsection (a) is not being used in accordance with
4 the purpose of the conveyance specified in such subsection,
5 all right, title, and interest in and to all or any portion
6 of the property shall revert, at the option of the Secretary,
7 to the United States, and the United States shall have
8 the right of immediate entry onto the property. Any deter-
9 mination of the Secretary under this subsection shall be
10 made on the record after an opportunity for a hearing.

11 (d) PAYMENT OF COSTS OF CONVEYANCE.—

12 (1) PAYMENT REQUIRED.—The Secretary shall
13 require the School District to cover costs to be in-
14 curred by the Secretary, or to reimburse the Sec-
15 retary for costs incurred by the Secretary, to carry
16 out the conveyance under subsection (a), including
17 survey costs, costs related to environmental docu-
18 mentation, and other administrative costs related to
19 the conveyance. If amounts are collected from the
20 School District in advance of the Secretary incurring
21 the actual costs, and the amount collected exceeds
22 the costs actually incurred by the Secretary to carry
23 out the conveyance, the Secretary shall refund the
24 excess amount to the School District.

1 thereon, consisting of approximately 600 acres and com-
2 prising a portion of Fort Jackson, South Carolina.

3 (b) USE OF LAND.—The Secretary of Veterans Af-
4 fairs shall establish on the real property transferred under
5 subsection (a) a national cemetery under chapter 24 of
6 title 38, United States Code.

7 (c) LEGAL DESCRIPTION.—The exact acreage and
8 legal description of the real property to be transferred
9 under this section shall be determined by a survey satis-
10 factory to the Secretary of the Army. The cost of the sur-
11 vey shall be borne by the Secretary of Veterans Affairs.

12 (d) ADDITIONAL TERMS AND CONDITIONS.—The
13 Secretary of the Army may require such additional terms
14 and conditions in connection with the transfer under this
15 section as the Secretary of the Army considers appropriate
16 to protect the interests of the United States.

17 **SEC. 2848. SENSE OF CONGRESS REGARDING LAND CON-**
18 **VEYANCE INVOLVING ARMY RESERVE CEN-**
19 **TER, MARSHALL, TEXAS.**

20 It is the sense of Congress that the Secretary of the
21 Army should consider the feasibility of conveying the
22 Army Reserve Center at 1209 Pinecrest Drive East in
23 Marshall, Texas, to the Marshall-Harrison County Vet-
24 erans Association for the purpose of assisting the efforts
25 of the Association in erecting a veterans memorial, cre-

1 ating a park, and establishing a museum recognizing and
2 honoring the sacrifices and accomplishments of veterans
3 of the Armed Forces.

4 **SEC. 2849. MODIFICATIONS TO LAND CONVEYANCE AU-**
5 **THORITY, ENGINEERING PROVING GROUND,**
6 **FORT BELVOIR, VIRGINIA.**

7 (a) CONSTRUCTION OF SECURITY BARRIER.—Section
8 2836 of the Military Construction Authorization Act for
9 Fiscal Year 2002 (division B of Public Law 107–107; 115
10 Stat. 1314), as amended by section 2846 of the Military
11 Construction Authorization Act for Fiscal Year 2006 (di-
12 vision B of Public Law 109–163; 119 Stat. 3527), is fur-
13 ther amended—

14 (1) in subsection (b)(4), by striking
15 “\$3,880,000” and inserting “\$4,880,000”; and

16 (2) in subsection (d)—

17 (A) in paragraph (1), by inserting after
18 “Virginia,” the following: “and the construction
19 of a security barrier, as applicable,”; and

20 (B) in paragraph (2), by inserting after
21 “Building 191” the following: “and the con-
22 struction of a security barrier, as applicable”.

23 (b) AUTHORITY TO ENTER INTO ALTERNATIVE
24 AGREEMENT FOR DESIGN AND CONSTRUCTION OF FAIR-

1 FAX COUNTY PARKWAY PORTION.—Such section 2836 is
2 further amended—

3 (1) in subsection (b)—

4 (A) by amending paragraph (1) to read as
5 follows:

6 “(1) except as provided in subsection (f), design
7 and construct, at its expense and for public benefit,
8 the portion of the Fairfax County Parkway through
9 the Engineer Proving Ground (in this section re-
10 ferred to as the ‘Parkway portion’);” and

11 (B) in paragraph (2), by inserting after
12 “C514” the following: “, RW-214 (in this sec-
13 tion referred to as ‘Parkway project’)”;

14 (2) by redesignating subsection (f) as sub-
15 section (g);

16 (3) by inserting after subsection (e) the fol-
17 lowing new subsection:

18 “(f) ALTERNATE AGREEMENT FOR CONSTRUCTION
19 OF ROAD.—(1) The Secretary of the Army may, in con-
20 nection with the conveyance authorized under subsection
21 (a), enter into an agreement with the Commonwealth pro-
22 viding for the design and construction by the Department
23 of the Army or the United States Department of Trans-
24 portation of the Parkway portion and other portions of
25 the Fairfax County Parkway off the Engineer Proving

1 Ground that are necessary to complete the Parkway
2 project (in this subsection referred to as the ‘alternate
3 agreement’) if the Secretary determines that the alternate
4 agreement is in the best interests of the United States
5 to support the permanent relocation of additional military
6 and civilian personnel at Fort Belvoir pursuant to deci-
7 sions made as part of the 2005 round of defense base clo-
8 sure and realignment under the Defense Base Closure and
9 Realignment Act of 1990 (part A of title XXIX of Public
10 Law 101–510; 10 U.S.C. 2687 note).

11 “(2) If the Secretary of Defense certifies that the
12 Parkway portion is important to the national defense pur-
13 suant to section 210 of title 23, United States Code, the
14 Secretary of the Army may enter into an agreement with
15 the Secretary of Transportation to carry out the alternate
16 agreement under the Defense Access Road Program.

17 “(3) The Commonwealth shall pay to the Secretary
18 of the Army the costs of the design and construction of
19 the Parkway portion and any other portions of the Fairfax
20 County Parkway off the Engineer Proving Ground de-
21 signed and constructed under the alternate agreement.
22 The Secretary shall apply such payment to the design and
23 construction provided for in the alternate agreement.

24 “(4) Using the authorities available to the Secretary
25 under chapter 160 of title 10, United States Code, and

1 funds deposited in the Environmental Restoration Ac-
2 count, Army, established by section 2703(a) of such title
3 and appropriated for this purpose, the Secretary may
4 carry out environmental restoration activities on real prop-
5 erty under the jurisdiction of the Secretary in support of
6 the construction of the Parkway portion.

7 “(5) The alternate agreement shall be subject to the
8 following conditions:

9 “(A) The Commonwealth shall acquire and re-
10 tain all necessary right, title, and interest in any
11 real property not under the jurisdiction of the Sec-
12 retary that is necessary for construction of the Park-
13 way portion or for construction of any other portions
14 of the Fairfax County Parkway off the Engineer
15 Proving Ground that will be constructed under the
16 alternate agreement, and shall grant to the United
17 States all necessary access to and use of such prop-
18 erty for such construction.

19 “(B) The Secretary shall receive consideration
20 from the Commonwealth as required in subsections
21 (b)(2), (b)(3), and (b)(4) and shall carry out the ac-
22 ceptance and disposition of funds in accordance with
23 subsection (d).

24 “(6) The design of the Parkway portion under the
25 alternate agreement shall be subject to the approval of the

1 Secretary and the Commonwealth in accordance with the
2 Virginia Department of Transportation Approved Plan,
3 dated June 15, 2004, Project #R000-029-249, PE-108,
4 C-514, RW-214. For each phase of the design and con-
5 struction of the Parkway portion under the alternate
6 agreement, the Secretary may—

7 “(A) accept funds from the Commonwealth; or

8 “(B) transfer funds received from the Common-
9 wealth to the United States Department of Trans-
10 portation.

11 “(7) Upon completion of the construction of the
12 Parkway portion and any other portions of the Fairfax
13 County Parkway off the Engineer Proving Ground re-
14 quired under the alternate agreement, the Secretary shall
15 carry out the conveyance under subsection (a). As a condi-
16 tion of such conveyance carried out under the alternate
17 agreement, the Secretary shall receive a written commit-
18 ment, in a form satisfactory to the Secretary, that the
19 Commonwealth agrees to accept all responsibility for the
20 costs of operation and maintenance of the Parkway por-
21 tion upon conveyance to the Commonwealth of such real
22 property.”; and

23 (4) in subsection (g), as redesignated by para-
24 graph (2), by inserting “or the alternate agreement

1 authorized under subsection (f)” after “conveyance
2 under subsection (a)”.

3 **SEC. 2850. LAND CONVEYANCE, RADFORD ARMY AMMUNI-**
4 **TION PLANT, NEW RIVER UNIT, VIRGINIA.**

5 (a) CONVEYANCE AUTHORIZED.—The Secretary of
6 the Army may convey, without consideration, to the Com-
7 monwealth of Virginia on behalf of the Virginia Depart-
8 ment of Veterans Services (in this section referred to as
9 the “Commonwealth”) all right, title, and interest of the
10 United States in and to a parcel of real property, including
11 any improvements thereon, consisting of approximately 85
12 acres at the Radford Army Ammunition Plant, New River
13 Unit, Virginia, for the purpose of permitting the Common-
14 wealth to establish on the property a cemetery operated
15 by the Commonwealth for veterans of the Armed Forces.

16 (b) REVERSIONARY INTEREST.—If the Secretary de-
17 termines at any time that the real property conveyed
18 under subsection (a) is not being used in accordance with
19 the purpose of the conveyance specified in such subsection,
20 all right, title, and interest in and to the property shall
21 revert, at the option of the Secretary, to the United States,
22 and the United States shall have the right of immediate
23 entry onto the property. Any determination of the Sec-
24 retary under this subsection shall be made on the record
25 after an opportunity for a hearing.

1 (c) PAYMENT OF COSTS OF CONVEYANCE.—

2 (1) PAYMENT REQUIRED.—The Secretary shall
3 require the Commonwealth to cover costs to be in-
4 curred by the Secretary, or to reimburse the Sec-
5 retary for costs incurred by the Secretary, to carry
6 out the conveyance under subsection (a), including
7 survey costs, costs related to environmental docu-
8 mentation, and other administrative costs related to
9 the conveyance. If amounts are collected from the
10 Commonwealth in advance of the Secretary incur-
11 ring the actual costs, and the amount collected ex-
12 ceeds the costs actually incurred by the Secretary to
13 carry out the conveyance, the Secretary shall refund
14 the excess amount to the Commonwealth.

15 (2) TREATMENT OF AMOUNTS RECEIVED.—
16 Amounts received as reimbursement under para-
17 graph (1) shall be credited to the fund or account
18 that was used to cover the costs incurred by the Sec-
19 retary in carrying out the conveyance. Amounts so
20 credited shall be merged with amounts in such fund
21 or account and shall be available for the same pur-
22 poses, and subject to the same conditions and limita-
23 tions, as amounts in such fund or account.

24 (d) DESCRIPTION OF REAL PROPERTY.—The exact
25 acreage and legal description of the real property to be

1 conveyed under subsection (a) shall be determined by a
2 survey satisfactory to the Secretary.

3 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
4 Secretary may require such additional terms and condi-
5 tions in connection with the conveyance under subsection
6 (a) as the Secretary considers appropriate to protect the
7 interests of the United States.

8 **Subtitle E—Energy Security**

9 **SEC. 2851. CONSOLIDATION AND ENHANCEMENT OF LAWS**
10 **TO IMPROVE DEPARTMENT OF DEFENSE EN-**
11 **ERGY EFFICIENCY AND CONSERVATION.**

12 (a) **CREATION OF NEW CHAPTER.**—

13 (1) **REORGANIZATION OF SECTION 2865 OF**
14 **TITLE 10.**—Title 10, United States Code, is amend-
15 ed by inserting after chapter 172 the following new
16 chapter:

17 **“CHAPTER 173—ENERGY SECURITY**

“Subchapter	
“I. Energy Security Activities	2911
“II. Energy-Related Procurement	2922
“III. General Provisions	2925

18 **“SUBCHAPTER I—ENERGY SECURITY**
19 **ACTIVITIES**

- “Sec.
- “2911. Energy performance goals and plan for Department of Defense.
- “2912. Availability and use of energy cost savings.
- “2913. Energy savings contracts and activities.
- “2914. Energy conservation construction projects.
- “2915. New construction: use of renewable forms of energy and energy efficient products.

“2916. Sale of electricity from alternate energy and cogeneration production facilities.

“2917. Development of geothermal energy on military lands.

“2918. Fuel sources for heating systems; prohibition on converting certain heating facilities.

1 **“§ 2911. Energy performance goals and plan for De-**
2 **partment of Defense**

3 “(a) ENERGY PERFORMANCE GOALS.—(1) The Sec-
4 retary of Defense shall submit to the congressional defense
5 committees the energy performance goals for the Depart-
6 ment of Defense regarding transportation systems, sup-
7 port systems, utilities, and infrastructure and facilities.

8 “(2) The energy performance goals shall be sub-
9 mitted annually not later than the date on which the
10 President submits to Congress the budget for the next fis-
11 cal year under section 1105 of title 31 and cover that fis-
12 cal year as well as the next five, 10, and 20 years. The
13 Secretary shall identify changes to the energy performance
14 goals since the previous submission.

15 “(b) ENERGY PERFORMANCE PLAN.—The Secretary
16 of Defense shall develop, and update as necessary, a com-
17 prehensive plan to help achieve the energy performance
18 goals for the Department of Defense.

19 “(c) SPECIAL CONSIDERATIONS.—For the purpose of
20 developing and implementing the energy performance
21 goals and energy performance plan, the Secretary of De-
22 fense shall consider at a minimum the following:

1 “(1) Opportunities to reduce the current rate of
2 consumption of energy.

3 “(2) Opportunities to reduce the future demand
4 and the requirements for the use of energy.

5 “(3) Opportunities to implement conservation
6 measures to improve the efficient use of energy.

7 “(4) Opportunities to pursue alternative energy
8 initiatives, including the use of alternative fuels in
9 military vehicles and equipment.

10 “(5) Cost effectiveness, cost savings, and net
11 present value of alternatives.

12 “(6) The value of diversification of types and
13 sources of energy used.

14 “(7) The value of economies-of-scale associated
15 with fewer energy types used.

16 “(8) The value of the use of renewable energy
17 sources.

18 “(9) The potential for an action to serve as an
19 incentive for members of the armed forces and civil-
20 ian personnel to reduce energy consumption or adopt
21 an improved energy performance measure.

22 “(d) SELECTION OF ENERGY CONSERVATION MEAS-
23 URES.—(1) For the purpose of implementing the energy
24 performance plan, the Secretary of Defense shall provide
25 that the selection of energy conservation measures, includ-

1 ing energy efficient maintenance, shall be limited to those
2 measures that—

3 “(A) are readily available;

4 “(B) demonstrate an economic return on the in-
5 vestment;

6 “(C) are consistent with the energy perform-
7 ance goals and energy performance plan for the De-
8 partment; and

9 “(D) are supported by the special consider-
10 ations specified in subsection (c).

11 “(2) In this subsection, the term ‘energy efficient
12 maintenance’ includes—

13 “(A) the repair of military vehicles, equipment,
14 or facility and infrastructure systems, such as light-
15 ing, heating, or cooling equipment or systems, or in-
16 dustrial processes, by replacement with technology
17 that—

18 “(i) will achieve energy savings over the
19 life-cycle of the equipment or system being re-
20 paired; and

21 “(ii) will meet the same end needs as the
22 equipment or system being repaired; and

23 “(B) improvements in an operation or mainte-
24 nance process, such as improved training or im-
25 proved controls, that result in energy savings.

1 **“§ 2912. Availability and use of energy cost savings**

2 “(a) AVAILABILITY.—An amount of the funds appro-
3 priated to the Department of Defense for a fiscal year that
4 is equal to the amount of energy cost savings realized by
5 the Department, including financial benefits resulting
6 from shared energy savings contracts entered into under
7 section 2913 of this title, shall remain available for obliga-
8 tion under subsection (b) until expended, without addi-
9 tional authorization or appropriation.

10 “(b) USE.—The Secretary of Defense shall provide
11 that the amount that remains available for obligation
12 under subsection (a) and the funds made available under
13 section 2916(b)(2) of this title shall be used as follows:

14 “(1) One-half of the amount shall be used for
15 the implementation of additional energy conservation
16 measures at buildings, facilities, or installations of
17 the Department of Defense or related to vehicles and
18 equipment of the Department, which are designated,
19 in accordance with regulations prescribed by the
20 Secretary of Defense, by the head of the depart-
21 ment, agency, or instrumentality that realized the
22 savings referred to in subsection (a).

23 “(2) One-half of the amount shall be used at
24 the installation at which the savings were realized,
25 as determined by the commanding officer of such in-

1 stallation consistent with applicable law and regula-
2 tions, for—

3 “(A) improvements to existing military
4 family housing units;

5 “(B) any unspecified minor construction
6 project that will enhance the quality of life of
7 personnel; or

8 “(C) any morale, welfare, or recreation fa-
9 cility or service.

10 “(c) TREATMENT OF CERTAIN FINANCIAL INCEN-
11 TIVES.—Financial incentives received from gas or electric
12 utilities under section 2913 of this title shall be credited
13 to an appropriation designated by the Secretary of De-
14 fense. Amounts so credited shall be merged with the ap-
15 propriation to which credited and shall be available for the
16 same purposes and the same period as the appropriation
17 with which merged.

18 “(d) CONGRESSIONAL NOTIFICATION.—The Sec-
19 retary of Defense shall include in the budget material sub-
20 mitted to Congress in connection with the submission of
21 the budget for a fiscal year pursuant to section 1105 of
22 title 31 a separate statement of the amounts available for
23 obligation under this section in that fiscal year.

1 **“§ 2913. Energy savings contracts and activities**

2 “(a) SHARED ENERGY SAVINGS CONTRACTS.—(1)

3 The Secretary of Defense shall develop a simplified meth-
4 od of contracting for shared energy savings contract serv-
5 ices that will accelerate the use of these contracts with
6 respect to military installations and will reduce the admin-
7 istrative effort and cost on the part of the Department
8 of Defense as well as the private sector.

9 “(2) In carrying out paragraph (1), the Secretary of
10 Defense may—

11 “(A) request statements of qualifications (as
12 prescribed by the Secretary of Defense), including fi-
13 nancial and performance information, from firms en-
14 gaged in providing shared energy savings con-
15 tracting;

16 “(B) designate from the statements received,
17 with an update at least annually, those firms that
18 are presumptively qualified to provide shared energy
19 savings services;

20 “(C) select at least three firms from the quali-
21 fying list to conduct discussions concerning a par-
22 ticular proposed project, including requesting a tech-
23 nical and price proposal from such selected firms for
24 such project; and

25 “(D) select from such firms the most qualified
26 firm to provide shared energy savings services pur-

1 suant to a contractual arrangement that the Sec-
2 retary determines is fair and reasonable, taking into
3 account the estimated value of the services to be
4 rendered and the scope and nature of the project.

5 “(3) In carrying out paragraph (1), the Secretary
6 may also provide for the direct negotiation, by depart-
7 ments, agencies, and instrumentalities of the Department
8 of Defense, of contracts with shared energy savings con-
9 tractors that have been selected competitively and ap-
10 proved by any gas or electric utility serving the depart-
11 ment, agency, or instrumentality concerned.

12 “(b) PARTICIPATION IN GAS OR ELECTRIC UTILITY
13 PROGRAMS.—The Secretary of Defense shall permit and
14 encourage each military department, Defense Agency, and
15 other instrumentality of the Department of Defense to
16 participate in programs conducted by any gas or electric
17 utility for the management of energy demand or for en-
18 ergy conservation.

19 “(c) ACCEPTANCE OF FINANCIAL INCENTIVE,
20 GOODS, OR SERVICES.—The Secretary of Defense may
21 authorize any military installation to accept any financial
22 incentive, goods, or services generally available from a gas
23 or electric utility, to adopt technologies and practices that
24 the Secretary determines are in the interests of the United

1 States and consistent with the energy performance goals
2 for the Department of Defense.

3 “(d) AGREEMENTS WITH GAS OR ELECTRIC UTILI-
4 TIES.—(1) The Secretary of Defense may authorize the
5 Secretary of a military department having jurisdiction
6 over a military installation to enter into agreements with
7 gas or electric utilities to design and implement cost-effec-
8 tive demand and conservation incentive programs (includ-
9 ing energy management services, facilities alterations, and
10 the installation and maintenance of energy saving devices
11 and technologies by the utilities) to address the require-
12 ments and circumstances of the installation.

13 “(2) If an agreement under this subsection provides
14 for a utility to advance financing costs for the design or
15 implementation of a program referred to in that para-
16 graph to be repaid by the United States, the cost of such
17 advance may be recovered by the utility under terms no
18 less favorable than those applicable to its most favored
19 customer.

20 “(3) Subject to the availability of appropriations, re-
21 payment of costs advanced under paragraph (2) shall be
22 made from funds available to a military department for
23 the purchase of utility services.

24 “(4) An agreement under this subsection shall pro-
25 vide that title to any energy-saving device or technology

1 installed at a military installation pursuant to the agree-
2 ment vest in the United States. Such title may vest at
3 such time during the term of the agreement, or upon expi-
4 ration of the agreement, as determined to be in the best
5 interests of the United States.

6 **“§ 2914. Energy conservation construction projects**

7 “(a) PROJECTS AUTHORIZED.—The Secretary of De-
8 fense may carry out a military construction project for en-
9 ergy conservation, not previously authorized, using funds
10 appropriated or otherwise made available for that purpose.

11 “(b) CONGRESSIONAL NOTIFICATION.—When a deci-
12 sion is made to carry out a project under this section, the
13 Secretary of Defense shall notify in writing the appro-
14 priate committees of Congress of that decision. The
15 project may then be carried out only after the end of the
16 21-day period beginning on the date the notification is re-
17 ceived by such committees or, if earlier, the end of the
18 14-day period beginning on the date on which a copy of
19 the notification is provided in an electronic medium pursu-
20 ant to section 480 of this title.

21 “SUBCHAPTER II—ENERGY-RELATED

22 PROCUREMENT

“Sec.

“2922. Liquid fuels and natural gas: contracts for storage, handling, or dis-
tribution.

“2922a. Contracts for energy or fuel for military installations.

“2922b. Procurement of energy systems using renewable forms of energy.

“2922c. Procurement of gasohol as motor vehicle fuel.

“2922d. Procurement of fuel derived from coal, oil shale, and tar sands.

“2922e. Acquisition of certain fuel sources: authority to waive contract procedures; acquisition by exchange; sales authority.

“2922f. Preference for energy efficient electric equipment.

1 “SUBCHAPTER III—GENERAL PROVISIONS

“Sec.

“2925. Annual report.

2 “§ 2925. Annual report

3 “(a) REPORT REQUIRED.—As part of the annual
4 submission of the energy performance goals for the De-
5 partment of Defense under section 2911 of this title, the
6 Secretary of Defense shall submit a report containing the
7 following:

8 “(1) A description of the progress made to
9 achieve the goals of the Energy Policy Act of 2005
10 (Public Law 109–58) and the energy performance
11 goals for the Department of Defense during the pre-
12 ceding fiscal year.

13 “(2) A description of the actions taken to im-
14 plement the energy performance plan in effect under
15 section 2911 of this title and carry out this chapter
16 during the preceding fiscal year.

17 “(3) A description of the energy savings real-
18 ized from such actions.

19 “(4) An estimate of the types and quantities of
20 energy consumed by the Department of Defense and
21 members of the armed forces and civilian personnel
22 residing or working on military installations during

1 the preceding fiscal year, including a breakdown of
2 energy consumption by user groups and types of en-
3 ergy, energy costs, and the quantities of renewable
4 energy produced or procured by the Department.

5 “(5) A description of the types and amount of
6 financial incentives received under section 2913 of
7 this title during the preceding fiscal year and the ap-
8 propriation account or accounts to which the incen-
9 tives were credited.

10 “(b) INITIAL REPORT.—In the first report required
11 under this section, the Secretary of Defense shall include
12 the following:

13 “(1) Such recommendations for changes to this
14 chapter as the Secretary considers appropriate to
15 improve energy performance.

16 “(2) A description of how responsibility over en-
17 ergy performance is distributed within the Depart-
18 ment of Defense and a discussion on whether such
19 responsibilities should be consolidated within a single
20 entity.

21 “(3) A discussion of the manner in which the
22 Secretary intends to balance the considerations spec-
23 ified in subsection (c) of section 2911 of this title in
24 developing and implementing the energy perform-
25 ance goals and energy performance plan.

1 “(4) A discussion of the extent to which non-
2 direct energy costs are considered in making re-
3 search and development, procurement, and construc-
4 tion decisions.”.

5 (2) CONFORMING REPEAL.—Section 2865 of
6 title 10, United States Code, is repealed.

7 (b) INCLUSION OF ADDITIONAL ENERGY-RELATED
8 SECTIONS.—

9 (1) TRANSFER AND REDESIGNATION OF CHAP-
10 TER 159 AND 169 PROVISIONS.—Sections 2857, 2867,
11 2689, and 2690 of title 10, United States Code,
12 are—

13 (A) transferred to chapter 173 of such
14 title, as added by subsection (a)(1);

15 (B) inserted after section 2914; and

16 (C) redesignated as sections 2915, 2916,
17 2917, and 2918, respectively.

18 (2) TRANSFER AND REDESIGNATION OF CHAP-
19 TER 141 PROVISIONS.—Sections 2388, 2394, 2394a,
20 2398, 2398a, 2404, and 2410c of such title are—

21 (A) transferred to chapter 173 of such
22 title, as added by subsection (a)(1);

23 (B) inserted after the table of sections of
24 subchapter II of such chapter; and

1 (C) redesignated as sections 2922, 2922a,
2 2922b, 2922c, 2922d, 2922e, and 2922f, re-
3 spectively.

4 (3) CONFORMING AMENDMENTS.—Chapter 173
5 of such title, as added by subsection (a)(1), is
6 amended—

7 (A) in section 2915 (former section 2857),
8 as transferred and redesignated by paragraph
9 (1)—

10 (i) in subsection (a), by striking
11 “would be practical and economically fea-
12 sible” and inserting “is consistent with the
13 energy performance goals and energy per-
14 formance plan for the Department of De-
15 fense developed under section 2911 of this
16 title and supported by the special consider-
17 ations specified in subsection (c) of such
18 section”; and

19 (ii) in subsection (b), by striking “in
20 those cases in which use of such forms of
21 energy has the potential for reduced en-
22 ergy costs”;

23 (B) in subsection (b)(2) of section 2916
24 (former section 2867), as transferred and re-
25 designated by paragraph (1), by striking “sec-

1 tion 2865(a) of this title” and inserting “sec-
2 tion 2911(b) of this title”;

3 (C) in subsection (a)(1) of section 2922a
4 (former section 2394), as transferred and re-
5 designated by paragraph (2), by striking “sec-
6 tion 2689 of this title” and inserting “section
7 2917 of this title”;

8 (D) in section 2922b (former section
9 2394a), as transferred and redesignated by
10 paragraph (2)—

11 (i) in subsection (a)—

12 (I) by striking “possible and will
13 be cost effective, reliable, and other-
14 wise suited” and inserting “possible,
15 suited”; and

16 (II) by striking “his jurisdiction”
17 and inserting “the jurisdiction of the
18 Secretary, consistent with the energy
19 performance goals and energy per-
20 formance plan for the Department of
21 Defense developed under section 2911
22 of this title, and supported by the spe-
23 cial considerations specified in sub-
24 section (c) of such section”;

25 (ii) in subsection (b)—

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1 (I) by striking “cost effective
2 and”; and

3 (II) by striking “section 2857 of
4 this title” and inserting “section 2915
5 of this title”; and

6 (iii) by striking subsection (c); and

7 (E) in subsection (a) of section 2922f
8 (former section 2410c), as transferred and re-
9 designated by paragraph (2)—

10 (i) by striking “When cost effective,
11 in” and inserting “In”; and

12 (ii) by striking “procurement, as the
13 case may be.” and inserting “procurement,
14 if providing such a preference is consistent
15 with the energy performance goals and en-
16 ergy performance plan for the Department
17 of Defense developed under section 2911 of
18 this title and supported by the special con-
19 siderations specified in subsection (c) of
20 such section.”.

21 (4) APPLICABILITY OF CHAPTER 169 DEFINI-
22 TIONS.—Section 2801(c) of such title is amended by
23 inserting “and chapter 173 of this title” after
24 “chapter” in the matter preceding paragraph (1).

25 (c) CLERICAL AMENDMENTS.—

1 (1) REFERENCE TO NEW CHAPTER.—The ta-
2 bles of chapters at the beginning of subtitle A of
3 title 10, United States Code, and at the beginning
4 of part IV of such subtitle, are each amended by in-
5 serting after the item relating to chapter 172 the
6 following new item:

“173. ENERGY SECURITY.....2911”.

7 (2) CHAPTER 141.—The table of sections at the
8 beginning of chapter 141 of such title is amended by
9 striking the items relating to sections 2388, 2394,
10 2394a, 2398, 2398a, 2404, and 2410c.

11 (3) CHAPTER 159.—The table of sections at the
12 beginning of chapter 159 of such title is amended by
13 striking the items relating to sections 2689 and
14 2690.

15 (4) CHAPTER 169.—The table of sections at the
16 beginning of subchapter III of chapter 169 of such
17 title is amended by striking the items relating to sec-
18 tions 2857, 2865, and 2867.

19 (d) CONFORMING AMENDMENT TO WATER CON-
20 SERVATION AUTHORITY.—Subsection (b) of section 2866
21 of title 10, United States Code, is amended to read as
22 follows:

23 “(b) USE OF FINANCIAL INCENTIVES AND WATER
24 COST SAVINGS.—(1) Financial incentives received from
25 utilities for management of water demand or water con-

1 servation under subsection (a)(2) shall be credited to an
2 appropriation designated by the Secretary of Defense.
3 Amounts so credited shall be merged with the appropria-
4 tion to which credited and shall be available for the same
5 purposes and the same period as the appropriation with
6 which merged.

7 “(2) Water cost savings realized under subsection
8 (a)(3) shall be used as follows:

9 “(A) One-half of the amount shall be used for
10 water conservation activities at such buildings, facili-
11 ties, or installations of the Department of Defense
12 as may be designated (in accordance with regula-
13 tions prescribed by the Secretary of Defense) by the
14 head of the department, agency, or instrumentality
15 that realized the water cost savings.

16 “(B) One-half of the amount shall be used at
17 the installation at which the savings were realized,
18 as determined by the commanding officer of such in-
19 stallation consistent with applicable law and regula-
20 tions, for—

21 “(i) improvements to existing military fam-
22 ily housing units;

23 “(ii) any unspecified minor construction
24 project that will enhance the quality of life of
25 personnel; or

1 “(iii) any morale, welfare, or recreation fa-
2 cility or service.

3 “(3) The Secretary of Defense shall include in the
4 budget material submitted to Congress in connection with
5 the submission of the budget for a fiscal year pursuant
6 to section 1105 of title 31 a separate statement of the
7 amounts available for obligation under this subsection in
8 that fiscal year.”.

9 **SEC. 2852. DEPARTMENT OF DEFENSE GOAL REGARDING**
10 **USE OF RENEWABLE ENERGY TO MEET ELEC-**
11 **TRICITY NEEDS.**

12 Section 2911 of title 10, United States Code, as
13 added by section 2851 of this Act, is amended by adding
14 at the end the following new subsection:

15 “(e) GOAL REGARDING USE OF RENEWABLE EN-
16 ERGY TO MEET ELECTRICITY NEEDS.—It shall be the
17 goal of the Department of Defense—

18 “(1) to produce or procure not less than 25
19 percent of the total quantity of electric energy it
20 consumes within its facilities and in its activities
21 during fiscal year 2025 and each fiscal year there-
22 after from renewable energy sources (as defined in
23 section 203(b) of the Energy Policy Act of 2005 (42
24 U.S.C. 15852(b))); and

1 “(2) to produce or procure electric energy from
2 renewable energy sources whenever the use of such
3 renewable energy sources is consistent with the en-
4 ergy performance goals and energy performance plan
5 for the Department and supported by the special
6 considerations specified in subsection (c).”.

7 **SEC. 2853. CONGRESSIONAL NOTIFICATION OF CANCELLA-**
8 **TION CEILING FOR DEPARTMENT OF DE-**
9 **FENSE ENERGY SAVINGS PERFORMANCE**
10 **CONTRACTS.**

11 Section 2913 of title 10, United States Code, as
12 added by section 2851 of this Act, is amended by adding
13 at the end the following new subsection:

14 “(e) CONGRESSIONAL NOTIFICATION OF CANCELLA-
15 TION CEILING FOR ENERGY SAVINGS PERFORMANCE
16 CONTRACTS.—When a decision is made to award an en-
17 ergy savings performance contract that contains a clause
18 setting forth a cancellation ceiling in excess of \$7,000,000,
19 the Secretary of Defense shall submit to the appropriate
20 committees of Congress written notification of the pro-
21 posed contract and of the proposed cancellation ceiling for
22 the contract. The notification shall include the justifica-
23 tion for the proposed cancellation ceiling. The contract
24 may then be awarded only after the end of the 30-day
25 period beginning on the date the notification is received

1 by such committees or, if earlier, the end of the 15-day
2 period beginning on the date on which a copy of the notifi-
3 cation is provided in an electronic medium pursuant to
4 section 480 of this title.”.

5 **SEC. 2854. USE OF ENERGY EFFICIENCY PRODUCTS IN NEW**
6 **CONSTRUCTION.**

7 (a) USE OF ENERGY EFFICIENT PRODUCTS.—Sec-
8 tion 2915 of title 10, United States Code, as transferred,
9 redesignated, and amended by section 2851(b) of this Act,
10 is amended by adding at the end the following new sub-
11 section:

12 “(e) USE OF ENERGY EFFICIENCY PRODUCTS IN
13 NEW CONSTRUCTION.—(1) The Secretary of Defense
14 shall ensure, to the maximum extent practicable, that en-
15 ergy efficient products meeting the requirements of the
16 Department of Defense are used in new facility construc-
17 tion by or for the Department carried out under chapter
18 169 of this title if such products are readily available and
19 their use is consistent with the energy performance goals
20 and energy performance plan for the Department devel-
21 oped under section 2911 of this title and supported by
22 the special considerations specified in subsection (c) of
23 such section.

24 “(2) In determining the energy efficiency of products,
25 the Secretary shall consider products that—

1 “(A) meet or exceed Energy Star specifications;

2 or

3 “(B) are listed on the Federal Energy Manage-
4 ment Program Product Energy Efficiency Rec-
5 ommendations product list of the Department of En-
6 ergy.”.

7 (b) CLERICAL AMENDMENTS.—Such section is fur-
8 ther amended—

9 (1) by striking the section heading and insert-
10 ing the following:

11 **“§ 2915. New construction: use of renewable forms of**
12 **energy and energy efficient products”;**

13 (2) in subsection (a), by inserting “USE OF RE-
14 NEWABLE FORMS OF ENERGY ENCOURAGED.—”
15 after “(a)”;

16 (3) in subsection (b), by inserting “CONSIDER-
17 ATION DURING DESIGN PHASE OF PROJECTS.—”
18 after “(b)”;

19 (4) in subsection (c), by inserting “DETER-
20 MINATION OF COST EFFECTIVENESS.—” after
21 “(c)”; and

22 (5) in subsection (d), by inserting “EXCEPTION
23 TO SQUARE FEET AND COST PER SQUARE FOOT
24 LIMITATIONS.—” after “(d)”.

1 **Subtitle F—Other Matters**

2 **SEC. 2861. AVAILABILITY OF RESEARCH AND TECHNICAL**
3 **ASSISTANCE UNDER DEFENSE ECONOMIC AD-**
4 **JUSTMENT PROGRAM.**

5 Section 2391 of title 10, United States Code, is
6 amended by inserting after subsection (b) the following
7 new subsection:

8 “(c) RESEARCH AND TECHNICAL ASSISTANCE.—The
9 Secretary of Defense may make grants to, or conclude co-
10 operative agreements or enter into contracts with, another
11 Federal agency, a State or local government, or any pri-
12 vate entity to conduct research and provide technical as-
13 sistance in support of activities under this section or Exec-
14 utive Order 12788 (57 Fed. Reg. 2213), as amended by
15 section 33 of Executive Order 13286 (68 Fed. Reg.
16 10625) and Executive Order 13378 (70 Fed. Reg.
17 28413).”.

18 **SEC. 2862. AVAILABILITY OF COMMUNITY PLANNING AS-**
19 **SISTANCE RELATING TO ENCROACHMENT OF**
20 **CIVILIAN COMMUNITIES ON MILITARY FA-**
21 **CILITIES USED FOR TRAINING BY THE**
22 **ARMED FORCES.**

23 Section 2391(d)(1) of title 10, United States Code,
24 is amended by adding at the end the following new sen-
25 tence: “For purposes of subsection (b)(1)(D), the term

1 ‘military installation’ includes a military facility owned
2 and operated by any of the several States, the District
3 of Columbia, the Commonwealth of Puerto Rico, American
4 Samoa, Guam, or the Virgin Islands, even though the fa-
5 cility is not under the jurisdiction of the Department of
6 Defense, if the Secretary of Defense determines that the
7 military facility is subject to significant use for training
8 by the armed forces.”.

9 **SEC. 2863. PROHIBITIONS AGAINST MAKING CERTAIN MILI-**
10 **TARY AIRFIELDS OR FACILITIES AVAILABLE**
11 **FOR USE BY CIVIL AIRCRAFT.**

12 (a) PROHIBITIONS.—With respect to each military in-
13 stallation specified in subsection (b), the Secretary of De-
14 fense and the Secretary of the Navy may not enter into
15 an agreement, or authorize any other person to enter into
16 an agreement, that would—

17 (1) authorize civil aircraft to regularly use an
18 airfield or any other property at the installation; or

19 (2) convey any real property at the installation,
20 including any airfield at the installation, for the pur-
21 pose of permitting the use of the property by civil
22 aircraft.

23 (b) COVERED INSTALLATIONS.—The prohibitions in
24 subsection (a) apply with respect to the following military
25 installations:

1 (1) Marine Corps Air Station, Camp Pendleton,
2 California.

3 (2) Marine Corps Air Station, Miramar, Cali-
4 fornia.

5 (3) Marine Corps Base, Camp Pendleton, Cali-
6 fornia.

7 (4) Naval Air Station, North Island, California.

8 (c) REPEAL OF EXISTING LIMITED PROHIBITION.—
9 Section 2894 of the Military Construction Authorization
10 Act for Fiscal Year 1996 (division B of Public Law 104–
11 106; 110 Stat. 592) is repealed.

12 **SEC. 2864. MODIFICATION OF CERTAIN TRANSPORTATION**
13 **PROJECTS.**

14 (a) HIGH PRIORITY PROJECTS.—The table in section
15 1702 of the Safe, Accountable, Flexible, Efficient Trans-
16 portation Equity Act: A Legacy for Users (Public Law
17 109–59; 119 Stat. 1256) is amended—

18 (1) in the item designated as project 4333 (119
19 Stat. 1422), by striking “Plan and construct, land
20 acquisition, Detroit West Riverfront Greenway” in
21 the project description column and inserting “De-
22 troit Riverfront Conservancy, Riverfront walkway,
23 greenway, and adjacent land planning, construction,
24 and land acquisition from Gabriel Richard Park at

1 the Douglas Mac Arthur Bridge to Riverside Park
2 at the Ambassador Bridge, Detroit”; and

3 (2) in the item designated as project 4651 (119
4 Stat. 1434), by striking “Grading, paving” and all
5 that follows through “Airport” in the project de-
6 scription column and inserting “Grading, paving,
7 roads, and the transfer of rail-to-truck for the inter-
8 modal facility at Rickenbacker Airport, Columbus,
9 Ohio”.

10 (b) TRANSPORTATION IMPROVEMENT PROJECT.—

11 The table in section 1934(c) of such Act (119 Stat. 1485)
12 is amended in the item designated as project 196 (119
13 Stat. 1495) by striking “Detroit Riverfront Conservancy”
14 and all that follows through “Detroit” in the project de-
15 scription column and inserting “Detroit Riverfront Con-
16 servancy, Riverfront walkway, greenway, and adjacent
17 land planning, construction, and land acquisition from Ga-
18 briel Richard Park at the Douglas Mac Arthur Bridge to
19 Riverside Park at the Ambassador Bridge, Detroit”.

20 **SEC. 2865. AVAILABILITY OF FUNDS FOR SOUTH COUNTY**
21 **COMMUTER RAIL PROJECT, PROVIDENCE,**
22 **RHODE ISLAND.**

23 Funds available for the South County Commuter Rail
24 project, Providence, Rhode Island, authorized by para-
25 graphs (34) and (35) of section 3043(d) of the Safe, Ac-

1 countable, Flexible, Efficient Transportation Equity Act:
2 A Legacy for Users (Public Law 109–59; 119 Stat. 1650)
3 shall be available for the purchase of commuter rail equip-
4 ment for the South County Commuter Rail project upon
5 the receipt by the Rhode Island Department of Transpor-
6 tation of an approved environmental assessment for the
7 South County Commuter Rail project.

8 **SEC. 2866. FOX POINT HURRICANE BARRIER, PROVIDENCE,**
9 **RHODE ISLAND.**

10 (a) ASSUMPTION OF RESPONSIBILITY FOR BAR-
11 RIER.—Not later than two years after the date of the en-
12 actment of this Act, the Secretary of the Army, acting
13 through the Chief of Engineers, shall assume responsi-
14 bility for the annual operation and maintenance of the Fox
15 Point Hurricane Barrier in Providence, Rhode Island.

16 (b) IDENTIFICATION AND CONVEYANCE OF RE-
17 QUIRED STRUCTURES.—The City of Providence, Rhode
18 Island, in coordination with the Secretary, shall identify
19 any land and structures required for the continued oper-
20 ation and maintenance, repair, replacement, rehabilita-
21 tion, and structural integrity of the Fox Point Hurricane
22 Barrier. The City shall convey to the Secretary, by quit-
23 claim deed and without consideration, all right, title, and
24 interest of the City in and to the land and structures so
25 identified.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Secretary such
3 funds as are necessary for each fiscal year for the oper-
4 ation and maintenance, including repair, replacement, and
5 rehabilitation, of the Fox Point Hurricane Barrier.

6 **SEC. 2867. FEDERAL FUNDING FOR FIXED GUIDEWAY**
7 **PROJECTS.**

8 The Federal Transit Administration’s Dear Colleague
9 letter dated April 29, 2005 (C-05-05), which requires
10 fixed guideway projects to achieve a “medium” cost-effec-
11 tiveness rating for the Federal Transit Administration to
12 recommend such projects for funding, shall not apply to
13 the Northstar Corridor Commuter Rail Project in Min-
14 nesota.

15 **SEC. 2868. FEASIBILITY STUDY REGARDING USE OF GEN-**
16 **ERAL SERVICES ADMINISTRATION PROPERTY**
17 **FOR FORT BELVOIR, VIRGINIA, REALIGN-**
18 **MENT.**

19 (a) FEASIBILITY STUDY.—Not later than 180 days
20 after the date of the enactment of this Act, the Secretary
21 of the Army shall submit to Congress a report evaluating
22 the costs, benefits, feasibility, and suitability of locating
23 support functions for Fort Belvoir and the Engineering
24 Proving Grounds, Virginia, on property currently occupied

1 by General Services Administration warehouses in Spring-
2 field, Virginia.

3 (b) CONSULTATION.—The Secretary of the Army
4 shall carry out this section in consultation with the Admin-
5 istrator of General Services.

6 **DIVISION C—DEPARTMENT OF**
7 **ENERGY NATIONAL SECURITY**
8 **AUTHORIZATIONS AND**
9 **OTHER AUTHORIZATIONS**
10 **TITLE XXXI—DEPARTMENT OF**
11 **ENERGY NATIONAL SECURITY**
12 **PROGRAMS**

Subtitle A—National Security Programs Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Defense nuclear waste disposal.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Plan for transformation of National Nuclear Security Administra-
tion nuclear weapons complex.
- Sec. 3112. Extension of Facilities and Infrastructure Recapitalization Program.
- Sec. 3113. Utilization of contributions to Global Threat Reduction Initiative.
- Sec. 3114. Utilization of contributions to Second Line of Defense program.
- Sec. 3115. Two-year extension of authority for appointment of certain sci-
entific, engineering, and technical personnel.
- Sec. 3116. National Academy of Sciences study of quantification of margins
and uncertainty methodology for assessing and certifying the
safety and reliability of the nuclear stockpile.
- Sec. 3117. Consolidation of counterintelligence programs of Department of En-
ergy and National Nuclear Security Administration.
- Sec. 3118. Notice-and-wait requirement applicable to certain third-party financ-
ing arrangements.
- Sec. 3119. Extension of deadline for transfer of lands to Los Alamos County,
New Mexico, and of lands in trust for the Pueblo of San
Ildefonso.
- Sec. 3120. Limitations on availability of funds for Waste Treatment and Immo-
bilization Plant.
- Sec. 3121. Report on Russian Surplus Fissile Materials Disposition Program.

Sec. 3122. Limitation on availability of funds for construction of MOX Fuel Fabrication Facility.

Sec. 3123. Education of future nuclear engineers.

Sec. 3124. Technical correction related to authorization of appropriations for fiscal year 2006.

1 **Subtitle A—National Security**
2 **Programs Authorizations**

3 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
4 **TION.**

5 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
6 are hereby authorized to be appropriated to the Depart-
7 ment of Energy for fiscal year 2007 for the activities of
8 the National Nuclear Security Administration in carrying
9 out programs necessary for national security in the
10 amount of \$9,300,811,000, to be allocated as follows:

11 (1) For weapons activities, \$6,417,676,000.

12 (2) For defense nuclear nonproliferation activi-
13 ties, \$1,701,426,000.

14 (3) For naval reactors, \$795,133,000.

15 (4) For the Office of the Administrator for Nu-
16 clear Security, \$386,576,000.

17 (b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—
18 From funds referred to in subsection (a) that are available
19 for carrying out plant projects, the Secretary of Energy
20 may carry out the following new plant projects:

21 (1) For weapons activities:

22 Project 07–D–140, project engineering and de-
23 sign, various locations, \$4,977,000.

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1 Project 07-D-220, Radioactive Liquid Waste
2 Treatment Facility upgrade, Los Alamos National
3 Laboratory, Los Alamos, New Mexico, \$14,828,000.

4 Project 07-D-253, Technical Area 1 Heating
5 Systems Modernization, Sandia National Labora-
6 tories, Albuquerque, New Mexico, \$14,500,000.

7 (2) For defense nuclear nonproliferation activi-
8 ties:

9 Project 07-SC-05, Physical Sciences Facility,
10 Pacific Northwest National Laboratory, Richland,
11 Washington, \$4,220,000.

12 (3) For naval reactors:

13 Project 07-D-190, project engineering and de-
14 sign, Materials Research Technology Complex,
15 Bettis Atomic Power Laboratory, West Mifflin,
16 Pennsylvania, \$1,485,000.

17 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

18 Funds are hereby authorized to be appropriated to
19 the Department of Energy for fiscal year 2007 for defense
20 environmental cleanup activities in carrying out programs
21 necessary for national security in the amount of
22 \$5,435,312,000.

23 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

24 Funds are hereby authorized to be appropriated to
25 the Department of Energy for fiscal year 2007 for other

1 defense activities in carrying out programs necessary for
2 national security in the amount of \$717,788,000.

3 **SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

4 Funds are hereby authorized to be appropriated to
5 the Department of Energy for fiscal year 2007 for defense
6 nuclear waste disposal for payment to the Nuclear Waste
7 Fund established in section 302(c) of the Nuclear Waste
8 Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount
9 of \$358,080,000.

10 **Subtitle B—Program Authoriza-**
11 **tions, Restrictions, and Limita-**
12 **tions**

13 **SEC. 3111. PLAN FOR TRANSFORMATION OF NATIONAL NU-**
14 **CLEAR SECURITY ADMINISTRATION NU-**
15 **CLEAR WEAPONS COMPLEX.**

16 (a) PLAN REQUIRED.—Subtitle A of title XLII of the
17 Atomic Energy Defense Act (division D of Public Law
18 107-314) is amended by inserting after section 4213 (50
19 U.S.C. 2533) the following new section:

20 **“SEC. 4214. PLAN FOR TRANSFORMATION OF NATIONAL NU-**
21 **CLEAR SECURITY ADMINISTRATION NU-**
22 **CLEAR WEAPONS COMPLEX.**

23 “(a) PLAN REQUIRED.—The Secretary of Energy
24 shall develop a plan to transform the nuclear weapons
25 complex so as to achieve a responsive infrastructure by

1 2030. The plan shall be designed to accomplish the fol-
2 lowing objectives:

3 “(1) To maintain the safety, reliability, and se-
4 curity of the United States nuclear weapons stock-
5 pile.

6 “(2) To continue Stockpile Life Extension Pro-
7 grams that the Nuclear Weapons Council considers
8 necessary.

9 “(3) To prepare to produce replacement war-
10 heads under the Reliable Replacement Warhead pro-
11 gram at a rate necessary to meet future stockpile re-
12 quirements, commencing with a first production unit
13 in 2012 and achieving steady-state production using
14 modern manufacturing processes by 2025.

15 “(4) To eliminate, within the nuclear weapons
16 complex, duplication of production capability except
17 to the extent required to ensure the safety, reli-
18 ability, and security of the stockpile.

19 “(5) To maintain the current philosophy within
20 the national security laboratories of peer review of
21 nuclear weapons designs while eliminating duplica-
22 tion of laboratory capabilities except to the extent
23 required to ensure the safety, reliability, and secu-
24 rity of the stockpile.

1 “(6) To maintain the national security mission,
2 and in particular the science-based Stockpile Stew-
3 ardship Program, as the primary mission of the na-
4 tional security laboratories while optimizing the
5 work-for-others activities of those laboratories to
6 support other national security objectives in fields
7 such as defense, intelligence, and homeland security.

8 “(7) To consolidate to the maximum extent
9 practicable, and to provide for the ultimate disposi-
10 tion of, special nuclear material throughout the nu-
11 clear weapons complex, with the ultimate goal of
12 eliminating Category I and II special nuclear mate-
13 rial from the national security laboratories no later
14 than March 1, 2012, so as to further reduce the
15 footprint of the nuclear weapons complex, reduce se-
16 curity costs, and reduce transportation costs for spe-
17 cial nuclear material. This objective does not pre-
18 clude the retention of Category I and II special nu-
19 clear materials at a national security laboratory if
20 the transformation plan required by this subsection
21 envisions a pit production capability (including in-
22 terim pit production) at a national security labora-
23 tory.

1 “(8) To employ a risk-based approach to ensure
2 compliance with Design Basis Threat security re-
3 quirements.

4 “(9) To expeditiously dismantle inactive nuclear
5 weapons to reduce the size of the stockpile to the
6 lowest level required by the Nuclear Weapons Coun-
7 cil.

8 “(10) To operate the nuclear weapons complex
9 in a more cost-effective manner.

10 “(b) REPORT.—Not later than February 1, 2007, the
11 Secretary of Energy shall submit to the congressional de-
12 fense committees a report on the transformation plan re-
13 quired by subsection (a). The report shall address each
14 of the objectives required by subsection (c) and also in-
15 clude each of the following:

16 “(1) A comprehensive list of the capabilities, fa-
17 cilities, and project staffing that the National Nu-
18 clear Security Administration will need to have in
19 place at the nuclear weapons complex as of 2030 to
20 meet the requirements of the transformation plan.

21 “(2) A comprehensive list of the capabilities
22 and facilities that the National Nuclear Security Ad-
23 ministration currently has in place at the nuclear
24 weapons complex that will not be needed as of 2030
25 to meet the requirements of the transformation plan.

1 “(3) A plan for implementing the trans-
2 formation plan, including a schedule with incre-
3 mental milestones.

4 “(c) CONSULTATION.—The Secretary of Energy shall
5 develop the transformation plan required by subsection (a)
6 in consultation with the Secretary of Defense and the Nu-
7 clear Weapons Council.

8 “(d) DEFINITION.—In this section, the term ‘national
9 security laboratory’ has the meaning given such term in
10 section 3281 of the National Nuclear Security Administra-
11 tion Act (50 U.S.C. 2471).”.

12 (b) INCLUSION IN FUTURE-YEARS NUCLEAR SECU-
13 RITY PROGRAM.—Section 3253 of the National Nuclear
14 Security Administration Act (50 U.S.C. 2453) is amended
15 in subsection (b) by adding at the end the following new
16 paragraph:

17 “(5) A statement of proposed budget authority,
18 estimated expenditures, and proposed appropriations
19 necessary to support the programs required to im-
20 plement the plan to transform the nuclear weapons
21 complex under section 4214 of the Atomic Energy
22 Defense Act, together with a detailed description of
23 how the funds identified for each program element
24 specified pursuant to paragraph (1) in the budget
25 for the Administration for each fiscal year during

1 that five-fiscal-year period will help ensure that
2 those programs are implemented. The statement
3 shall assume year-to-year funding profiles that ac-
4 count for increases only for projected inflation.”.

5 **SEC. 3112. EXTENSION OF FACILITIES AND INFRASTRUC-**
6 **TURE RECAPITALIZATION PROGRAM.**

7 Section 3114 of the National Defense Authorization
8 Act for Fiscal Year 2004 (Public Law 108-136; 50 U.S.C.
9 2453 note), as amended by section 3113 of the Ronald
10 W. Reagan National Defense Authorization Act for Fiscal
11 Year 2005 (Public Law 108-375; 118 Stat. 2160), is
12 amended—

13 (1) in subsection (a)(3)(F), by striking “2011”
14 and inserting “2013”; and

15 (2) in subsection (b), by striking “2011” and
16 inserting “2013”.

17 **SEC. 3113. UTILIZATION OF CONTRIBUTIONS TO GLOBAL**
18 **THREAT REDUCTION INITIATIVE.**

19 Section 3132 of the Ronald W. Reagan National De-
20 fense Authorization Act for Fiscal Year 2005 (Public Law
21 108—375; 118 Stat. 2166; 50 U.S.C. 2569) is amended—

22 (1) by redesignating subsection (f) as sub-
23 section (g); and

24 (2) by adding after subsection (e) the following
25 new subsection:

1 “(f) PARTICIPATION BY OTHER GOVERNMENTS AND
2 ORGANIZATIONS.—

3 “(1) IN GENERAL.—The Secretary of Energy
4 may, with the concurrence of the Secretary of State,
5 enter into one or more agreements with any person
6 (including a foreign government, international orga-
7 nization, or multinational entity) that the Secretary
8 of Energy considers appropriate under which the
9 person contributes funds for purposes of the pro-
10 grams described in paragraph (2).

11 “(2) PROGRAMS COVERED.—The programs de-
12 scribed in this paragraph are the following inter-
13 national programs within the Global Threat Reduc-
14 tion Initiative:

15 “(A) The International Radiological Threat
16 Reduction program.

17 “(B) The Emerging Threats and Gap Ma-
18 terials program.

19 “(C) The Reduced Enrichment for Re-
20 search and Test Reactors program.

21 “(D) The Russian Research Reactor Fuel
22 Return program.

23 “(E) The Global Research Reactor Secu-
24 rity program.

1 “(F) The Kazakhstan Spent Fuel pro-
2 gram.

3 “(3) RETENTION AND USE OF AMOUNTS.—Not-
4 withstanding section 3302 of title 31, United States
5 Code, the Secretary of Energy may retain and use
6 amounts contributed under an agreement under
7 paragraph (1) for purposes of the programs de-
8 scribed in paragraph (2). Amounts so contributed
9 shall be retained in a separate fund established in
10 the Treasury for such purposes and shall be avail-
11 able for use without further appropriation and with-
12 out fiscal year limitation.

13 “(4) RETURN OF AMOUNTS NOT USED WITHIN
14 5 YEARS.—If an amount contributed under an agree-
15 ment under paragraph (1) is not used under this
16 subsection within 5 years after it was contributed,
17 the Secretary of Energy shall return that amount to
18 the person who contributed it.

19 “(5) NOTICE TO CONGRESSIONAL DEFENSE
20 COMMITTEES.—Not later than 30 days after the re-
21 ceipt of an amount contributed under paragraph (1),
22 the Secretary of Energy shall submit to the congres-
23 sional defense committees a notice specifying the
24 purpose and value of the contribution and identi-
25 fying the person who contributed it. The Secretary

1 may not use the amount until 15 days after the no-
2 tice is submitted.

3 “(6) ANNUAL REPORT.—Not later than October
4 31 of each year, the Secretary of Energy shall sub-
5 mit to the congressional defense committees a report
6 on the receipt and use of amounts under this sub-
7 section during the preceding fiscal year. Each report
8 for a fiscal year shall set forth—

9 “(A) a statement of any amounts received
10 under this subsection, including, for each such
11 amount, the value of the contribution and the
12 person who contributed it;

13 “(B) a statement of any amounts used
14 under this subsection, including, for each such
15 amount, the purposes for which the amount was
16 used; and

17 “(C) a statement of the amounts retained
18 but not used under this subsection, including,
19 for each such amount, the purposes (if known)
20 for which the Secretary intends to use the
21 amount.

22 “(7) EXPIRATION.—The authority to accept, re-
23 tain, and use contributions under this subsection ex-
24 pires on December 31, 2013.”.

1 **SEC. 3114. UTILIZATION OF CONTRIBUTIONS TO SECOND**
2 **LINE OF DEFENSE PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Energy may,
4 with the concurrence of the Secretary of State, enter into
5 one or more agreements with any person (including a for-
6 eign government, international organization, or multi-
7 national entity) that the Secretary of Energy considers ap-
8 propriate under which the person contributes funds for
9 purposes of the Second Line of Defense program of the
10 National Nuclear Security Administration.

11 (b) RETENTION AND USE OF AMOUNTS.—Notwith-
12 standing section 3302 of title 31, United States Code, the
13 Secretary of Energy may retain and use amounts contrib-
14 uted under an agreement under subsection (a) for pur-
15 poses of the Second Line of Defense program. Amounts
16 so contributed shall be retained in a separate fund estab-
17 lished in the Treasury for such purposes and shall be
18 available for use without further appropriation and with-
19 out fiscal year limitation.

20 (c) RETURN OF AMOUNTS NOT USED WITHIN 5
21 YEARS.—If an amount contributed under an agreement
22 under subsection (a) is not used under this section within
23 5 years after it was contributed, the Secretary of Energy
24 shall return that amount to the person who contributed
25 it.

1 (d) NOTICE TO CONGRESSIONAL DEFENSE COMMIT-
2 TEES.—Not later than 30 days after the receipt of an
3 amount contributed under subsection (a), the Secretary of
4 Energy shall submit to the congressional defense commit-
5 tees a notice specifying the purpose and value of the con-
6 tribution and identifying the person who contributed it.
7 The Secretary may not use the amount until 15 days after
8 the notice is submitted.

9 (e) ANNUAL REPORT.—Not later than October 31 of
10 each year, the Secretary of Energy shall submit to the con-
11 gressional defense committees a report on the receipt and
12 use of amounts under this section during the preceding
13 fiscal year. Each report for a fiscal year shall set forth—

14 (1) a statement of any amounts received under
15 this section, including, for each such amount, the
16 value of the contribution and the person who con-
17 tributed it;

18 (2) a statement of any amounts used under this
19 section, including, for each such amount, the pur-
20 poses for which the amount was used; and

21 (3) a statement of the amounts retained but not
22 used under this section, including, for each such
23 amount, the purposes (if known) for which the Sec-
24 retary intends to use the amount.

1 (f) EXPIRATION.—The authority to accept, retain,
2 and use contributions under this section expires on De-
3 cember 31, 2013.

4 **SEC. 3115. TWO-YEAR EXTENSION OF AUTHORITY FOR AP-
5 POINTMENT OF CERTAIN SCIENTIFIC, ENGI-
6 NEERING, AND TECHNICAL PERSONNEL.**

7 Section 4601(c)(1) of the Atomic Energy Defense Act
8 (50 U.S.C. 2701(c)(1)) is amended by striking “Sep-
9 tember 30, 2006” and inserting “September 30, 2008”.

10 **SEC. 3116. NATIONAL ACADEMY OF SCIENCES STUDY OF
11 QUANTIFICATION OF MARGINS AND UNCER-
12 TAINTY METHODOLOGY FOR ASSESSING AND
13 CERTIFYING THE SAFETY AND RELIABILITY
14 OF THE NUCLEAR STOCKPILE.**

15 (a) STUDY REQUIRED.—The Secretary of Energy
16 shall, as soon as practicable and no later than 120 days
17 after the date of the enactment of this Act, enter into an
18 arrangement with the National Research Council of the
19 National Academy of Sciences for the Council to carry out
20 a study of the quantification of margins and uncertainty
21 methodology used by the national security laboratories for
22 assessing and certifying the safety and reliability of the
23 nuclear stockpile.

24 (b) MATTERS INCLUDED.—The study required by
25 subsection (a) shall evaluate the following:

1 (1) The use of the quantification of margins
2 and uncertainty methodology by the national secu-
3 rity laboratories, including underlying assumptions
4 of weapons performance and the ability of modeling
5 and simulation tools to predict nuclear explosive
6 package characteristics.

7 (2) The manner in which that methodology is
8 used to conduct the annual assessments of the nu-
9 clear weapons stockpile.

10 (3) How the use of that methodology compares
11 and contrasts between the national security labora-
12 tories.

13 (4) Whether the application of the quantifica-
14 tion of margins and uncertainty used for annual as-
15 sessments and certification of the nuclear weapons
16 stockpile can be applied to the planned Reliable Re-
17 placement Warhead program so as to carry out the
18 objective of that program to reduce the likelihood of
19 the resumption of underground testing of nuclear
20 weapons.

21 (c) REPORT.—

22 (1) IN GENERAL.—Not later than one year
23 after the date on which the arrangement required by
24 subsection (a) is entered into, the National Research
25 Council shall submit to the Secretary of Energy and

1 the congressional committees specified in paragraph
2 (2) a report on the study that addresses the matters
3 listed in subsection (b) and any other matters con-
4 sidered by the National Research Council to be rel-
5 evant to the use of the quantification of margins and
6 uncertainty methodology in assessing the current or
7 future nuclear weapons stockpile.

8 (2) SPECIFIED COMMITTEES.—The congres-
9 sional committees referred to in paragraph (1) are
10 the following:

11 (A) The Committee on Armed Services of
12 the Senate.

13 (B) The Committee on Armed Services of
14 the House of Representatives.

15 (d) PROVISION OF INFORMATION.—The Secretary of
16 Energy shall, in a timely manner, make available to the
17 National Research Council all information that the Na-
18 tional Research Council considers necessary to carry out
19 its responsibilities under this section.

20 (e) FUNDING.—Of the amounts made available to the
21 Department of Energy pursuant to the authorization of
22 appropriations in section 3101, \$2,000,000 shall be avail-
23 able for carrying out the study required by this section.

1 **SEC. 3117. CONSOLIDATION OF COUNTERINTELLIGENCE**
2 **PROGRAMS OF DEPARTMENT OF ENERGY**
3 **AND NATIONAL NUCLEAR SECURITY ADMIN-**
4 **ISTRATION.**

5 (a) TRANSFER OF FUNCTIONS.—

6 (1) IN GENERAL.—The functions, personnel,
7 funds, assets, and other resources of the Office of
8 Defense Nuclear Counterintelligence of the National
9 Nuclear Security Administration are transferred to
10 the Secretary of Energy, to be administered (except
11 to any extent otherwise directed by the Secretary) by
12 the Director of the Office of Counterintelligence of
13 the Department of Energy.

14 (2) SUNSET.—Effective September 30, 2010—

15 (A) the functions, personnel, funds, assets,
16 and other resources transferred by paragraph
17 (1) are transferred to the Administrator for
18 Nuclear Security;

19 (B) subsection (e) of section 3220 of the
20 National Nuclear Security Administration Act
21 (50 U.S.C. 2410), as added by this section, is
22 repealed; and

23 (C) section 3233 of the National Nuclear
24 Security Administration Act (50 U.S.C. 2423)
25 is amended—

1 (i) in each of subsections (a) and (b),
2 by striking “The Secretary of Energy
3 shall” and inserting “The Administrator
4 shall”; and

5 (ii) in subsection (b), by striking “Of-
6 fice of Counterintelligence of the Depart-
7 ment of Energy” and inserting “Adminis-
8 tration”.

9 (b) NNSA COUNTERINTELLIGENCE OFFICE ABOL-
10 ISHED.—

11 (1) IN GENERAL.—Section 3232 of the Na-
12 tional Nuclear Security Administration Act (50
13 U.S.C. 2422) is amended—

14 (A) by amending the heading to read as
15 follows:

16 **“SEC. 3232. OFFICE OF DEFENSE NUCLEAR SECURITY.”.**

17 (B) by striking subsection (a) and insert-
18 ing the following new subsection (a):

19 “(a) ESTABLISHMENT.—There is within the Admin-
20 istration an Office of Defense Nuclear Security, headed
21 by a Chief appointed by the Secretary of Energy. The Ad-
22 ministrator shall recommend to the Secretary suitable can-
23 didates for such position.”;

24 (C) by striking subsection (b); and

1 (D) by redesignating subsection (c) as sub-
2 section (b).

3 (2) CONFORMING AMENDMENT.—The table of
4 sections at the beginning of the National Nuclear
5 Security Administration Act is amended by striking
6 the item relating to section 3232 and inserting the
7 following new item:

“Sec. 3232. Office of Defense Nuclear Security.”.

8 (c) COUNTERINTELLIGENCE PROGRAMS AT NNSA
9 FACILITIES.—Section 3233 of the National Nuclear Secu-
10 rity Administration Act (50 U.S.C. 2423) is amended—

11 (1) in each of subsections (a) and (b), by strik-
12 ing “The Administrator shall” and inserting “The
13 Secretary of Energy shall”; and

14 (2) in subsection (b), by striking “Office of De-
15 fense Nuclear Counterintelligence” and inserting
16 “Office of Counterintelligence of the Department of
17 Energy”.

18 (d) STATUS OF NNSA INTELLIGENCE AND COUN-
19 TERINTELLIGENCE PERSONNEL.—Section 3220 of the
20 National Nuclear Security Administration Act (50 U.S.C.
21 2410) is amended by adding at the end the following new
22 subsection:

23 “(e) STATUS OF INTELLIGENCE AND COUNTER-
24 INTELLIGENCE PERSONNEL.—Notwithstanding the re-
25 strictions of subsections (a) and (b), each officer or em-

1 ployee of the Administration, or of a contractor of the Ad-
2 ministration, who is carrying out activities related to intel-
3 ligence or counterintelligence shall, in carrying out those
4 activities, be subject to the authority, direction, and con-
5 trol of the Secretary of Energy or the Secretary's dele-
6 gate.”.

7 (e) NNSA INTELLIGENCE AND COUNTERINTEL-
8 LIGENCE LIAISON.—Section 3218 of the National Nuclear
9 Security Administration Act (50 U.S.C. 2408) is amended
10 in subsection (b)—

11 (1) by redesignating paragraph (4) as para-
12 graph (5); and

13 (2) by inserting after paragraph (3) the fol-
14 lowing new paragraph (4):

15 “(4) Liaison with the Department of Energy’s
16 Office of Intelligence and Counterintelligence.”.

17 (f) SERVICE FROM WHICH DOE INTELLIGENCE DI-
18 RECTOR AND COUNTERINTELLIGENCE DIRECTOR AP-
19 POINTED.—Section 215(b)(1) (42 U.S.C. 7144b(b)(1))
20 and section 216(b)(1) (42 U.S.C. 7144c(b)(1)) of the De-
21 partment of Energy Organization Act are each amended
22 by striking “which shall be a position in the Senior Execu-
23 tive Service” and inserting “who shall be an employee in
24 the Senior Executive Service, the Senior Intelligence Serv-
25 ice, the Senior National Intelligence Service, or any other

1 Service that the Secretary, in coordination with the Direc-
2 tor of National Intelligence, considers appropriate”.

3 (g) INTELLIGENCE EXECUTIVE COMMITTEE; BUDG-
4 ET FOR INTELLIGENCE AND COUNTERINTELLIGENCE.—
5 Section 214 of the Department of Energy Organization
6 Act (42 U.S.C. 7144a) is amended—

7 (1) by inserting “(a)” before “The Secretary
8 shall be responsible”; and

9 (2) by adding at the end the following:

10 “(b)(1) There is within the Department an Intel-
11 ligence Executive Committee. The Committee shall consist
12 of the Deputy Secretary of Energy, who shall chair the
13 Committee, and each Under Secretary of Energy.

14 “(2) The Committee shall be staffed by the Di-
15 rector of the Office of Intelligence and the Director
16 of the Office of Counterintelligence.

17 “(3) The Secretary shall use the Committee to
18 assist in developing and promulgating the counter-
19 intelligence and intelligence policies, requirements,
20 and priorities of the Department.

21 “(c) In the budget justification materials submitted
22 to Congress in support of each budget submitted by the
23 President to Congress under title 31, United States Code,
24 the amounts requested for the Department for intelligence
25 functions and the amounts requested for the Department

1 for counterintelligence functions shall each be specified in
2 appropriately classified individual, dedicated program ele-
3 ments. Within the amounts requested for counterintel-
4 lligence functions, the amounts requested for the National
5 Nuclear Security Administration shall be specified sepa-
6 rately from the amounts requested for other elements of
7 the Department.”.

8 (h) REPORT.—Not later than 1 year after the date
9 of the enactment of this Act, the Inspector General of the
10 Department of Energy shall submit to Congress a report
11 on the implementation of this section and of the amend-
12 ments required by this section. The report shall include
13 the Inspector General’s evaluation of that implementation.

14 **SEC. 3118. NOTICE-AND-WAIT REQUIREMENT APPLICABLE**
15 **TO CERTAIN THIRD-PARTY FINANCING AR-**
16 **RANGEMENTS.**

17 Subtitle A of title XLVIII of the Atomic Energy De-
18 fense Act (50 U.S.C. 2781 et seq.) is amended by adding
19 at the end the following new section:

20 **“SEC. 4804. NOTICE-AND-WAIT REQUIREMENT APPLICABLE**
21 **TO CERTAIN THIRD-PARTY FINANCING AR-**
22 **RANGEMENTS.**

23 “(a) NOTICE-AND-WAIT REQUIREMENT.—The Sec-
24 retary of Energy may not enter into an arrangement de-
25 scribed in subsection (b) until 30 days after the date on

1 which the Secretary notifies the congressional defense
2 committees in writing of the proposed arrangement.

3 “(b) COVERED ARRANGEMENTS.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), an arrangement referred to in subsection
6 (a) is any alternative financing arrangement, third-
7 party financing arrangement, public-private partner-
8 ship, privatization arrangement, private capital ar-
9 rangement, or other financing arrangement that—

10 “(A) is entered into in connection with a
11 project conducted using funds authorized to be
12 appropriated to the Department of Energy to
13 carry out programs necessary for national secu-
14 rity; and

15 “(B) involves a contractor or Federal
16 agency obtaining and charging to the Depart-
17 ment of Energy as an allowable cost under a
18 contract the use of office space, facilities, or
19 other real property assets with a value of at
20 least \$5,000,000.

21 “(2) EXCEPTION.—An arrangement referred to
22 in subsection (a) does not include an arrangement
23 that—

24 “(A) involves the Department of Energy or
25 a contractor acquiring or entering into a capital

1 lease for office space, facilities, or other real
2 property assets; or

3 “(B) is entered into in connection with a
4 capital improvement project undertaken as part
5 of an energy savings performance contract
6 under section 801 of the National Energy Con-
7 servation Policy Act (42 U.S.C. 8287).”.

8 **SEC. 3119. EXTENSION OF DEADLINE FOR TRANSFER OF**
9 **LANDS TO LOS ALAMOS COUNTY, NEW MEX-**
10 **ICO, AND OF LANDS IN TRUST FOR THE PUEB-**
11 **LO OF SAN ILDEFONSO.**

12 Section 632 of the Departments of Commerce, Jus-
13 tice, and State, the Judiciary, and Related Agencies Ap-
14 propriations Act, 1998 (Public Law 105-119; 111 Stat.
15 2523; 42 U.S.C. 2391 note) is amended—

16 (1) in subsection (d)(2), by striking “10 years
17 after the date of enactment of this Act” and insert-
18 ing “November 26, 2012”; and

19 (2) in subsection (g)(3)(B), by striking “the
20 end of the 10-year period beginning on the date of
21 enactment of this Act” and inserting “November 26,
22 2012”.

1 **SEC. 3120. LIMITATIONS ON AVAILABILITY OF FUNDS FOR**
2 **WASTE TREATMENT AND IMMOBILIZATION**
3 **PLANT.**

4 (a) LIMITATION RELATING TO EARNED VALUE MAN-
5 AGEMENT SYSTEM.—

6 (1) IN GENERAL.—Of the amount appropriated
7 or otherwise available for defense environmental
8 cleanup activities and available for the Waste Treat-
9 ment and Immobilization Plant, not more than 90
10 percent of that amount may be obligated or ex-
11 pended.

12 (2) TERMINATION OF LIMITATION.—Paragraph
13 (1) does not apply after the date on which the Sec-
14 retary of Energy certifies to the congressional de-
15 fense committees that the Defense Contract Man-
16 agement Agency has recommended for acceptance
17 the earned value management system used to track
18 and report costs of the Waste Treatment and Immo-
19 bilization Plant.

20 (b) LIMITATION RELATING TO SEISMIC CRITERIA.—

21 (1) IN GENERAL.—Of the amount appropriated
22 or otherwise available for defense environmental
23 cleanup activities and available for the Waste Treat-
24 ment and Immobilization Plant, none of that
25 amount may be obligated or expended for construc-
26 tion, or for the procurement of critical equipment af-

1 fected by seismic criteria, relating to the
2 Pretreatment Facility and the High-Level Waste Fa-
3 cility.

4 (2) EXCEPTION.—Paragraph (1) does not apply
5 to the obligation or expenditure of funds for con-
6 struction that is necessary for maintenance or for
7 activities related to maintenance.

8 (3) TERMINATION OF LIMITATION.—Paragraph
9 (1) does not apply after the date on which the Sec-
10 retary of Energy certifies to the congressional de-
11 fense committees that the final seismic and ground
12 motion criteria have been approved by the Secretary
13 and that the contracting officer of the Waste Treat-
14 ment and Immobilization Plant Project has formally
15 directed that the final criteria be used for the final
16 design of the Pretreatment Facility and the High-
17 Level Waste Facility.

18 **SEC. 3121. REPORT ON RUSSIAN SURPLUS FISSILE MATE-**
19 **RIALS DISPOSITION PROGRAM.**

20 Not later than March 1, 2007, the Secretary of En-
21 ergy shall submit to the congressional defense committees
22 a report on the Russian Surplus Fissile Materials Disposi-
23 tion Program (in this section referred to as the “Pro-
24 gram”). The report shall include—

1 (1) a description of the disposition method the
2 Government of Russia has agreed to use under the
3 Program;

4 (2) a description of the assistance the United
5 States Government plans to provide under the Pro-
6 gram;

7 (3) an estimate of the total cost and schedule
8 of such assistance; and

9 (4) an explanation of how parallelism is to be
10 defined for purposes of the Program, including pro-
11 jected goals for the disposition of Russian weapons-
12 grade plutonium under the 2000 Plutonium Disposi-
13 tion and Management Agreement, and whether such
14 parallelism can be achieved if the United States
15 mixed-oxide (MOX) plutonium disposition program
16 continues on the current planned schedule without
17 further delays.

18 **SEC. 3122. LIMITATION ON AVAILABILITY OF FUNDS FOR**
19 **CONSTRUCTION OF MOX FUEL FABRICATION**
20 **FACILITY.**

21 Of the amount appropriated under section 3101(a)(2)
22 or otherwise available for defense nuclear nonproliferation
23 activities for fiscal year 2007, none of that amount may
24 be obligated for construction project 99-D-143, the Mixed-
25 Oxide (MOX) Fuel Fabrication Facility, until 30 days

1 after the date on which the Secretary of Energy provides
2 to the congressional defense committees—

3 (1) an independent cost estimate for the United
4 States Surplus Fissile Materials Disposition Pro-
5 gram and facilities;

6 (2) a written certification that the Department
7 of Energy intends to use the MOX Fuel Fabrication
8 Facility for United States plutonium disposition re-
9 gardless of the future direction of the Russian Sur-
10 plus Fissile Materials Disposition Program; and

11 (3) a corrective action plan for addressing the
12 issues raised by the Inspector General of the De-
13 partment of Energy in the December 2005 report ti-
14 tled “The status of the Mixed Oxide Fuel Fabrica-
15 tion Facility”.

16 **SEC. 3123. EDUCATION OF FUTURE NUCLEAR ENGINEERS.**

17 (a) FINDINGS.—Congress makes the following find-
18 ings:

19 (1) The Department of Defense and the De-
20 partment of Energy depend on the specialized exper-
21 tise of nuclear engineers who support the develop-
22 ment and sustainment of technologies including
23 naval reactors, strategic weapons, and nuclear power
24 plants.

1 (2) Experts estimate that over 25 percent of
2 the approximately 58,000 workers in the nuclear
3 power industry in the United States will be eligible
4 to retire within 5 years, representing both a huge
5 loss of institutional memory and a potential national
6 security crisis.

7 (3) This shortfall of workers is exacerbated by
8 reductions to the University Reactor Infrastructure
9 and Education Assistance program, which trains ci-
10 vilian nuclear scientists and engineers. The defense
11 and civilian nuclear industries are interdependent on
12 a limited number of educational institutions to
13 produce their workforce. A reduction in nuclear sci-
14 entists and engineers trained in the civilian sector
15 may result in a further loss of qualified personnel
16 for defense-related research and engineering.

17 (4) The Department of Defense's successful
18 Science, Math and Research for Transformation
19 (SMART) scholarship-for-service program serves as
20 a good model for a targeted scholarship or fellowship
21 program designed to educate future scientists at the
22 postsecondary and postgraduate levels.

23 (b) REPORT ON EDUCATION OF FUTURE NUCLEAR
24 ENGINEERS.—

1 (1) STUDY.—The Secretary of Energy shall
2 study the feasibility and merit of establishing a tar-
3 geted scholarship or fellowship program to educate
4 future nuclear engineers at the postsecondary and
5 postgraduate levels.

6 (2) REPORT REQUIRED.—The President shall
7 submit to the congressional defense committees, at
8 the same time that the budget for fiscal year 2008
9 is submitted under section 1105(a) of title 31,
10 United States Code, a report on the study conducted
11 by the Secretary of Energy under paragraph (1).

12 **SEC. 3124. TECHNICAL CORRECTION RELATED TO AUTHOR-**
13 **IZATION OF APPROPRIATIONS FOR FISCAL**
14 **YEAR 2006.**

15 Effective as of January 6, 2006, and as if included
16 therein as enacted, section 3101(a) of the National De-
17 fense Authorization Act for Fiscal Year 2006 (Public Law
18 109-163; 119 Stat. 3537) is amended by striking
19 “\$9,196,456” and inserting “\$9,196,456,000”.

20 **TITLE XXXII—DEFENSE NU-**
21 **CLEAR FACILITIES SAFETY**
22 **BOARD**

Sec. 3201. Authorization.

1 **SEC. 3201. AUTHORIZATION.**

2 There are authorized to be appropriated for fiscal
3 year 2007, \$22,260,000 for the operation of the Defense
4 Nuclear Facilities Safety Board under chapter 21 of the
5 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

6 **TITLE XXXIII—NATIONAL**
7 **DEFENSE STOCKPILE**

Sec. 3301. Authorized uses of National Defense Stockpile funds.

Sec. 3302. Revisions to required receipt objectives for previously authorized dis-
posals from National Defense Stockpile.

8 **SEC. 3301. AUTHORIZED USES OF NATIONAL DEFENSE**
9 **STOCKPILE FUNDS.**

10 (a) **OBLIGATION OF STOCKPILE FUNDS.**—During fis-
11 cal year 2007, the National Defense Stockpile Manager
12 may obligate up to \$52,132,000 of the funds in the Na-
13 tional Defense Stockpile Transaction Fund established
14 under subsection (a) of section 9 of the Strategic and Crit-
15 ical Materials Stock Piling Act (50 U.S.C. 98h) for the
16 authorized uses of such funds under subsection (b)(2) of
17 such section, including the disposal of hazardous materials
18 that are environmentally sensitive.

19 (b) **ADDITIONAL OBLIGATIONS.**—The National De-
20 fense Stockpile Manager may obligate amounts in excess
21 of the amount specified in subsection (a) if the National
22 Defense Stockpile Manager notifies Congress that extraor-
23 dinary or emergency conditions necessitate the additional
24 obligations. The National Defense Stockpile Manager may

1 make the additional obligations described in the notifica-
2 tion after the end of the 45-day period beginning on the
3 date on which Congress receives the notification.

4 (c) LIMITATIONS.—The authorities provided by this
5 section shall be subject to such limitations as may be pro-
6 vided in appropriations Acts.

7 **SEC. 3302. REVISIONS TO REQUIRED RECEIPT OBJECTIVES**
8 **FOR PREVIOUSLY AUTHORIZED DISPOSALS**
9 **FROM NATIONAL DEFENSE STOCKPILE.**

10 (a) FISCAL YEAR 1999 DISPOSAL AUTHORITY.—Sec-
11 tion 3303(a) of the Strom Thurmond National Defense
12 Authorization Act for Fiscal Year 1999 (Public Law 105–
13 261; 50 U.S.C. 98d note), as amended by section 3302
14 of the Ronald W. Reagan National Defense Authorization
15 Act for Year 2005 (Public Law 108–375; 118 Stat. 2193)
16 and section 3302 of the National Defense Authorization
17 Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat.
18 3545), is amended—

19 (1) by striking “and” at the end of paragraph
20 (5); and

21 (2) by striking the period at the end of para-
22 graph (6) and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 “(7) \$1,016,000,000 by the end of fiscal year
2 2014.”.

3 (b) FISCAL YEAR 1998 DISPOSAL AUTHORITY.—Sec-
4 tion 3305(a)(5) of the National Defense Authorization Act
5 for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 98d
6 note), as amended by section 3305 of the National De-
7 fense Authorization Act for Fiscal Year 2002 (Public Law
8 107–107; 115 Stat. 1390), is amended by striking “2006”
9 and inserting “2008”.

10 (c) FISCAL YEAR 1997 DISPOSAL AUTHORITY.—Sec-
11 tion 3303 of the National Defense Authorization Act for
12 Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 98d
13 note), as amended by section 3402(f) of the National De-
14 fense Authorization Act for Year 2000 (Public Law 106–
15 65; 113 Stat. 973) and section 3304(c) of the National
16 Defense Authorization Act for 2002 (Public Law 107–
17 107; 115 Stat. 1390), is amended—

18 (1) in subsection (a), by striking paragraph (2)
19 and inserting the following new paragraph (2):

20 “(2) \$720,000,000 during the 12-fiscal year pe-
21 riod ending September 30, 2008.”; and

22 (2) in subsection (b)(2), by striking “the 10-fis-
23 cal year period” and inserting “the period”.

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1 **TITLE XXXIV—NAVAL**
2 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AMOUNT.—There are hereby authorized to be ap-
5 propriated to the Secretary of Energy \$18,810,000 for fis-
6 cal year 2007 for the purpose of carrying out activities
7 under chapter 641 of title 10, United States Code, relating
8 to the naval petroleum reserves.

9 (b) PERIOD OF AVAILABILITY.—Funds appropriated
10 pursuant to the authorization of appropriations in sub-
11 section (a) shall remain available until expended.

12 **TITLE XXXV—MARITIME**
13 **ADMINISTRATION**

Sec. 3501. Authorization of appropriations for fiscal year 2007.

Sec. 3502. Amendments relating to the Maritime Security Fleet program.

Sec. 3503. Applicability to certain Maritime Administration vessels of limita-
tions on overhaul, repair, and maintenance of vessels in foreign
shipyards.

Sec. 3504. Vessel transfer authority.

Sec. 3505. United States Merchant Marine Academy graduates: service require-
ments.

Sec. 3506. United States Merchant Marine Academy graduates: service obliga-
tion performance reporting requirement.

Sec. 3507. Temporary authority to transfer obsolete combatant vessels to Navy
for disposal.

Sec. 3508. Qualifying Reserve duty for receipt of student incentive payments.

Sec. 3509. Large passenger ship crew requirements.

Sec. 3510. Miscellaneous Maritime Administration provisions.

14 **SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
15 **CAL YEAR 2007.**

16 Funds are hereby authorized to be appropriated for
17 fiscal year 2007, to be available without fiscal year limita-

1 tion if so provided in appropriations Acts, for the use of
2 the Department of Transportation for the Maritime Ad-
3 ministration as follows:

4 (1) For expenses necessary for operations and
5 training activities, \$116,442,000.

6 (2) For paying reimbursement under section
7 3517 of the Maritime Security Act of 2003 (46
8 U.S.C. 53101 note), \$19,500,000.

9 (3) For assistance to small shipyards and mari-
10 time communities under section 3506 of the Na-
11 tional Defense Authorization Act for Fiscal Year
12 2006 (46 U.S.C. App. 1249), \$15,000,000.

13 (4) For expenses to dispose of obsolete vessels
14 in the National Defense Reserve Fleet, including
15 provision of assistance under section 7 of Public
16 Law 92-402, \$25,740,000.

17 (5) For administrative expenses related to the
18 implementation of the loan guarantee program
19 under title XI of the Merchant Marine Act, 1936
20 (46 U.S.C. App. 1271 et seq.), administrative ex-
21 penses related implementation of the reimbursement
22 program under section 3517 of the Maritime Secu-
23 rity Act of 2003 (46 U.S.C. 53101 note), and ad-
24 ministrative expenses related to the implementation
25 of the small shipyards and maritime communities as-

1 under section 53102(b) and meets the requirements
2 of the Department of Defense.”.

3 (b) MARITIME SECURITY FLEET PROGRAM TANK
4 VESSELS.—

5 (1) IN GENERAL.—Section 53103(c)(4) of title
6 46, United States Code, is amended—

7 (A) in subparagraph (A)(i) by striking
8 “(i)” and inserting “(i)(I)”;

9 (B) in subparagraph (A) by redesignating
10 clause (ii) as subclause (II) of clause (i);

11 (C) in subparagraph (A)(i)(II), as so re-
12 designated, by striking “53102(b).” and insert-
13 ing “53102(b); or”;

14 (D) by inserting after subparagraph
15 (A)(i)(II), as so redesignated, the following:

16 “(ii)(I) not later than 9 months after the
17 first date amounts are available to carry out
18 this chapter, the operator of the existing tank
19 vessel enters into an agreement to charter one
20 or more tank vessels to be built in the United
21 States and operated as a documented vessel or
22 documented vessels;

23 “(II) the combined tonnage of the vessels
24 required to be chartered under subclause (I) is
25 equal to or greater than the tonnage of the ex-

1 isting tank vessel subject to an operating agree-
2 ment;

3 “(III) the operator enters into an agree-
4 ment with the Secretary that is substantially
5 the same as an Emergency Preparedness Agree-
6 ment under section 53107 of this title, under
7 which the operator shall make available com-
8 mercial transportation resources as provided in
9 that section;

10 “(IV) if the person that is the owner or op-
11 erator of the existing tank vessel owns or oper-
12 ates more than one existing tank vessel subject
13 to an operating agreement, the combined ton-
14 nage of those vessels required to be chartered
15 under subclause (I) by that person is equal to
16 or greater than the combined tonnage of all
17 such existing tank vessels owned or operated by
18 such person that are subject to operating agree-
19 ments.”;

20 (E) in subparagraph (B) by inserting
21 “with respect to which a binding contract is en-
22 tered into under subparagraph (A)(i)” after
23 “existing tank vessel”; and

24 (F) by adding at the end the following:

1 “(C) For purpose of subparagraph (A)(ii), ton-
2 nage shall be measured under section 14502 of this
3 title, or an alternate tonnage measured under sec-
4 tion 14302 of this title as prescribed by the Sec-
5 retary under section 14104 of this title.

6 “(D) No payment under this chapter may be
7 made for an existing tank vessel with respect to
8 which an agreement is entered into under subpara-
9 graph (A)(ii) for any period occurring—

10 “(i) after the date that is 5 years after the
11 first date that amounts became available to
12 carry out this chapter, if the vessel or vessels
13 required to be chartered under subparagraph
14 (A)(ii) have not been delivered; or

15 “(ii) after delivery of the vessel or vessels
16 required to be chartered under such subpara-
17 graph, if any of such vessels is not chartered by
18 the operator of the existing tank vessel.”.

19 (2) ASSISTANCE AUTHORITY.—Section 3543(a)
20 of the National Defense Authorization Act for Fiscal
21 Year 2004 (46 U.S.C. 53101 note) is amended by
22 striking “shall, to the extent of the availability of
23 appropriations,” and inserting “may”.

24 (c) PRIORITY IN ALLOCATION OF AMOUNTS AVAIL-
25 ABLE FOR ANNUAL PAYMENTS.—Section 53106 of title

1 46, United States Code, is amended by adding at the end
2 the following:

3 “(f) PRIORITY IN ALLOCATION OF AVAILABLE
4 AMOUNTS.—If the amount available for a fiscal year for
5 making payments under operating agreements under this
6 chapter is not sufficient to pay the full amount authorized
7 under each agreement pursuant to this section for such
8 fiscal year, the amount available shall be allocated among
9 such agreements in a manner that gives priority to pay-
10 ments for vessels that are subject to agreements under
11 section 3517 of the Maritime Security Act of 2003 (46
12 U.S.C. 53101 note).”.

13 **SEC. 3503. APPLICABILITY TO CERTAIN MARITIME ADMIN-
14 ISTRATION VESSELS OF LIMITATIONS ON
15 OVERHAUL, REPAIR, AND MAINTENANCE OF
16 VESSELS IN FOREIGN SHIPYARDS.**

17 Section 11 of the Merchant Ship Sales Act of 1946
18 (50 U.S.C. App. 1744) is amended by inserting after sub-
19 section (c) the following:

20 “(d) APPLICABILITY OF LIMITATIONS ON OVERHAUL,
21 REPAIR, AND MAINTENANCE IN FOREIGN SHIPYARDS.—

22 “(1) APPLICATION OF LIMITATION.—The provi-
23 sions of section 7310 of title 10, United States
24 Code, shall apply to vessels specified in subsection
25 (b), and to the Secretary of Transportation with re-

1 spect to those vessels, in the same manner as those
2 provisions apply to vessels specified in subsection (b)
3 of such section, and to the Secretary of the Navy,
4 respectively.

5 “(2) COVERED VESSELS.—Vessels specified in
6 this paragraph are vessels maintained by the Sec-
7 retary of Transportation in support of the Depart-
8 ment of Defense, including any vessel assigned by
9 the Secretary of Transportation to the Ready Re-
10 serve Force that is owned by the United States.”.

11 **SEC. 3504. VESSEL TRANSFER AUTHORITY.**

12 The Secretary of Transportation may transfer or oth-
13 erwise make available without reimbursement to any other
14 department a vessel under the jurisdiction of the Depart-
15 ment of Transportation, upon request by the Secretary of
16 the department that receives the vessel.

17 **SEC. 3505. UNITED STATES MERCHANT MARINE ACADEMY**
18 **GRADUATES: SERVICE REQUIREMENTS.**

19 (a) ALTERNATE SERVICE.—Section 1303(e) of the
20 Merchant Marine Act, 1936 (46 U.S.C. App. 1295b(e))
21 is amended by adding at the end the following:

22 “(6)(A) An individual who for the 5-year period fol-
23 lowing graduation from the Academy, serves as a commis-
24 sioned officer on active duty in an armed force of the
25 United States or as a commissioned officer of the National

1 Oceanic and Atmospheric Administration or the Public
2 Health Service shall be excused from the requirements of
3 subparagraphs (C), (D), and (E) of paragraph (1).

4 “(B) The Secretary may modify or waive any of the
5 terms and conditions set forth in paragraph (1) through
6 the imposition of alternative service requirements.”.

7 (b) APPLICATION.—Paragraph (6) of section 1303(e)
8 of the Merchant Marine Act, 1936 (46 U.S.C. App.
9 1295b(e)), as added by this section, applies only to an in-
10 dividual who enrolls as a cadet at the United States Mer-
11 chant Marine Academy, and signs an agreement under
12 paragraph (1) of that section, after the date of the enact-
13 ment of this Act.

14 **SEC. 3506. UNITED STATES MERCHANT MARINE ACADEMY**

15 **GRADUATES: SERVICE OBLIGATION PER-**
16 **FORMANCE REPORTING REQUIREMENT.**

17 (a) IN GENERAL.—Section 1303(e) of the Merchant
18 Marine Act, 1936 (46 U.S.C. App. 1295b(e)) is further
19 amended by adding at the end the following:

20 “(7)(A) Subject to any otherwise applicable restric-
21 tions on disclosure in section 552a of title 5, United States
22 Code, the Secretary of Defense, the Secretary of the de-
23 partment in which the Coast Guard is operating, the Ad-
24 ministrator of the National Oceanic and Atmospheric Ad-

1 ministration, and the Surgeon General of the Public
2 Health Service—

3 “(i) shall report the status of obligated service
4 of an individual graduate of the Academy upon re-
5 quest of the Secretary; and

6 “(ii) may, in their discretion, notify the Sec-
7 retary of any failure of the graduate to perform the
8 graduate’s duties, either on active duty or in the
9 Ready Reserve component of their respective service,
10 or as a commissioned officer of the National Oceanic
11 and Atmospheric Administration or the Public
12 Health Service, respectively.

13 “(B) A report or notice under subparagraph (A) shall
14 identify any graduate determined to have failed to comply
15 with service obligation requirements and provide all re-
16 quired information as to why such graduate failed to com-
17 ply.

18 “(C) Upon receipt of such a report or notice, such
19 graduate may be considered to be in default of the grad-
20 uate’s service obligations by the Secretary, and subject to
21 all remedies the Secretary may have with respect to such
22 a default.”.

23 (b) APPLICATION.—The amendment made by this
24 section does not apply with respect to an agreement en-
25 tered into under section 1303(e) of the Merchant Marine

1 Act, 1936 (46 U.S.C. 1295b(e)) before the date of the en-
2 actment of this Act.

3 **SEC. 3507. TEMPORARY AUTHORITY TO TRANSFER OBSO-**
4 **LETE COMBATANT VESSELS TO NAVY FOR**
5 **DISPOSAL.**

6 The Secretary of Transportation shall, subject to the
7 availability of appropriations and consistent with section
8 1535 of title 31, United States Code, popularly known as
9 the Economy Act, transfer to the Secretary of the Navy
10 during fiscal year 2007 for disposal by the Navy, no fewer
11 than 3 combatant vessels in the nonretention fleet of the
12 Maritime Administration that are acceptable to the Sec-
13 retary of the Navy.

14 **SEC. 3508. QUALIFYING RESERVE DUTY FOR RECEIPT OF**
15 **STUDENT INCENTIVE PAYMENTS.**

16 Section 1304(g)(2) of title XIII of the Merchant Ma-
17 rine Act, 1936 (46 U.S.C. App. 1295c(g)(2)) is amended
18 to read as follows:

19 “(2) Each agreement entered into under paragraph
20 (1) shall require the individual to accept enlisted reserve
21 status in the United States Naval Reserve (including the
22 Merchant Marine Reserve, United States Naval Reserve)
23 or the United States Coast Guard Reserve before receiving
24 any student incentive payments under this subsection.”.

1 **SEC. 3509. LARGE PASSENGER SHIP CREW REQUIREMENTS.**

2 Section 8103 of title 46, United States Code, is
3 amended by adding at the end the following:

4 “(k) CREW REQUIREMENTS FOR LARGE PASSENGER
5 VESSELS.—

6 “(1) CITIZENSHIP AND NATIONALITY.—Each
7 unlicensed seaman on a large passenger vessel shall
8 be—

9 “(A) a citizen of the United States;

10 “(B) an alien lawfully admitted to the
11 United States for permanent residence;

12 “(C) an alien allowed to be employed in
13 the United States under the Immigration and
14 Nationality Act (8 U.S.C. 1101 et seq.), includ-
15 ing an alien crewman described in section
16 101(a)(15)(D)(i) of that Act (8 U.S.C.
17 1101(a)(15)(D)(i)), who meets the require-
18 ments of paragraph (3)(A) of this subsection;
19 or

20 “(D) a foreign national who is enrolled in
21 the United States Merchant Marine Academy.

22 “(2) PERCENTAGE LIMITATION FOR ALIEN SEA-
23 MEN.—Not more than 25 percent of the unlicensed
24 seamen on a vessel described in paragraph (1) of
25 this subsection may be aliens referred to in subpara-
26 graph (B) or (C) of that paragraph.

1 “(3) SPECIAL RULES FOR CERTAIN UNLI-
2 CENSED SEAMEN.—

3 “(A) QUALIFICATIONS.—An unlicensed
4 seaman described in paragraph (1)(C) of this
5 subsection—

6 “(i) shall have been employed, for a
7 period of not less than 1 year, on a pas-
8 senger vessel under the same common own-
9 ership or control as the vessel described in
10 paragraph (1) of this subsection, as cer-
11 tified by the owner or managing operator
12 of such vessel to the Secretary;

13 “(ii) shall have no record of material
14 disciplinary actions during such employ-
15 ment, as verified in writing by the owner
16 or managing operator of such vessel to the
17 Secretary;

18 “(iii) shall have successfully completed
19 a United States Government security check
20 of the relevant domestic and international
21 databases, as appropriate, or any other na-
22 tional security-related information or data-
23 base;

24 “(iv) shall have successfully under-
25 gone an employer background check—

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1 “(I) for which the owner or man-
2 aging operator provides a signed re-
3 port to the Secretary that describes
4 the background checks undertaken
5 that are reasonably and legally avail-
6 able to the owner or managing oper-
7 ator including personnel file informa-
8 tion obtained from such seaman and
9 from databases available to the public
10 with respect to the seaman;

11 “(II) that consisted of a search
12 of all information reasonably available
13 to the owner or managing operator in
14 the seaman’s country of citizenship
15 and any other country in which the
16 seaman receives employment referrals,
17 or resides;

18 “(III) that is kept on the vessel
19 and available for inspection by the
20 Secretary; and

21 “(IV) the information derived
22 from which is made available to the
23 Secretary upon request; and

24 “(v) may not be a citizen or tem-
25 porary or permanent resident of a country

1 designated by the United States as a spon-
2 sor of terrorism or any other country that
3 the Secretary, in consultation with the Sec-
4 retary of State and the heads of other ap-
5 propriate United States agencies, deter-
6 mines to be a security threat to the United
7 States.

8 “(B) RESTRICTIONS.—An unlicensed sea-
9 man described in paragraph (1)(C) of this sub-
10 section—

11 “(i) may be employed only in the
12 steward’s department of the vessel; and

13 “(ii) may not perform watchstanding,
14 automated engine room duty watch, or ves-
15 sel navigation functions.

16 “(C) STATUS, DOCUMENTATION, AND EM-
17 PLOYMENT.—An unlicensed seaman described
18 in subparagraph (C) or (D) of paragraph (1) of
19 this subsection—

20 “(i) is deemed to meet the nationality
21 requirements necessary to qualify for a
22 merchant mariners document notwith-
23 standing the requirements of part 12 of
24 title 46, Code of Federal Regulations;

1 “(ii) is deemed to meet the proof-of-
2 identity requirements necessary to qualify
3 for a merchant mariners document, as pre-
4 scribed under regulations promulgated by
5 the Secretary, if the seaman possesses—

6 “(I) an unexpired passport issued
7 by the government of the country of
8 which the seaman is a citizen or sub-
9 ject; and

10 “(II) an unexpired visa issued to
11 the seaman, as described in paragraph
12 (1)(C);

13 “(iii) shall, if eligible, be issued a mer-
14 chant mariners document with an appro-
15 priate annotation reflecting the restrictions
16 of subparagraph (B) of this paragraph;
17 and

18 “(iv) may be employed for a period of
19 service on board not to exceed 36 months
20 in the aggregate as a nonimmigrant crew-
21 man described in section 101(a)(15)(D)(i)
22 of the Immigration and Nationality Act (8
23 U.S.C. 1101(a)(15)(D)(i)) on vessels en-
24 gaged in domestic voyages notwithstanding
25 the departure requirements and time limi-

1 tations of such section and the regulations
2 and rules promulgated thereunder.

3 “(4) MERCHANT MARINER’S DOCUMENT RE-
4 QUIREMENTS NOT AFFECTED.—This subsection shall
5 not be construed to affect any requirement under
6 Federal law that an individual must hold a merchant
7 mariner’s document.

8 “(5) DEFINITIONS.—In this subsection:

9 “(A) STEWARD’S DEPARTMENT.—The
10 term ‘steward’s department’ means the depart-
11 ment that includes entertainment personnel and
12 all service personnel, including wait staff,
13 housekeeping staff, and galley workers, as de-
14 fined in the vessel security plan approved by the
15 Secretary pursuant to section 70103(e) of this
16 title.

17 “(B) LARGE PASSENGER VESSEL.—The
18 term ‘large passenger vessel’ means a vessel of
19 more than 70,000 gross tons, as measured
20 under section 14302 of this title, with capacity
21 for at least 2,000 passengers and documented
22 with a coastwise endorsement under chapter
23 121 of this title.”.

1 **SEC. 3510. MISCELLANEOUS MARITIME ADMINISTRATION**
2 **PROVISIONS.**

3 (a) **TECHNICAL CORRECTION REGARDING WAR RISK**
4 **INSURANCE FOR MERCHANT MARINE VESSELS.—**

5 (1) **IN GENERAL.**—Section 1208(a) of the Mer-
6 chant Marine Act, 1936 (46 U.S.C. App. 1288(a))
7 is amended—

8 (A) by striking “Upon the request of the
9 Secretary of Transportation, the Secretary of
10 the Treasury may invest or reinvest all or any
11 part of the fund in securities of the United
12 States or in securities guaranteed as to prin-
13 cipal and interest by the United States.”; and

14 (B) by inserting after “to the credit of
15 such fund.” the following: “Payments of return
16 premiums, losses, settlements, judgments, and
17 all liabilities incurred by the United States
18 under this title shall be made from such fund
19 through the Fiscal Service of the Department
20 of the Treasury.”.

21 (2) **EFFECTIVE DATE.**—The amendments made
22 by paragraph (1) shall be effective as if enacted by
23 section 3502 of the Ronald W. Reagan National De-
24 fense Authorization Act for Fiscal Year 2005 (118
25 Stat. 2195).

1 (b) RIGHT TO USE MARITIME ADMINISTRATION
2 DECORATION.—Section 8 of the Merchant Marine Decora-
3 tions and Medals Act (46 U.S.C. App. 2007) is amended
4 by inserting “or the Secretary of Transportation,” after
5 “Act,”.

6 (c) INTERMODAL CENTERS.—

7 (1) IN GENERAL.—Notwithstanding section
8 5309(m)(6)(B) of title 49, United States Code, half
9 of the amounts appropriated or made available
10 under subsections (b) and (c) of section 5338 of title
11 49, United States Code, for capital projects under
12 section 5309(m)(6)(B) of that title for fiscal years
13 2006 through 2009 shall be made available and
14 used, in accordance with section 9008(a) of Public
15 Law 109–59, for an intermodal or marine facility
16 comprising a component of the Hawaii Port Infra-
17 structure Expansion Program.

18 (2) SUPPLEMENTARY FUNDING.—Any amount
19 made available under paragraph (1) shall be in addi-
20 tion to any amounts authorized to be appropriated
21 under subsections (b) and (c) of section 9008 of
22 Public Law 109–59.

23 (d) TECHNICAL CORRECTION.—

24 (1) CORRECTION.—Section 3509 of the Na-
25 tional Defense Authorization Act for Fiscal Year

1090

1 2006 (119 Stat. 3557) is amended by striking
2 “Maritime Education and Training Act of 1980”
3 and inserting “Merchant Marine Act, 1936”.

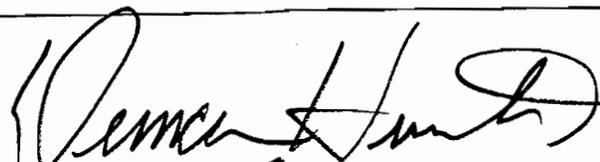
4 (2) EFFECTIVE DATE.—This subsection shall be
5 effective immediately after section 3509 of the Na-
6 tional Defense Authorization Act for Fiscal Year
7 2006 (119 Stat. 3557) takes effect.

H.R. 5122

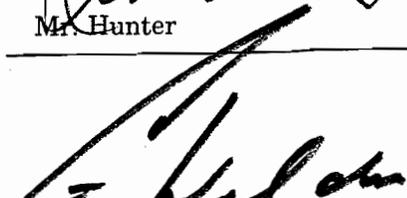
*Managers on the part of the
HOUSE*

*Managers on the part of the
SENATE*

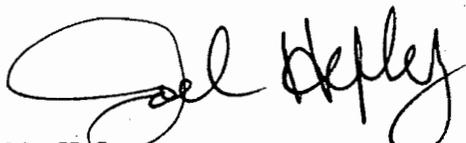
From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:



Mr. Hunter



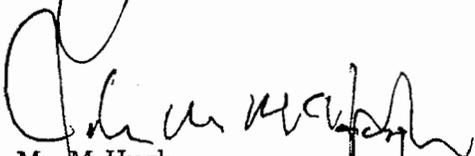
Mr. Weldon of Pennsylvania



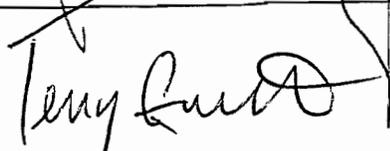
Mr. Hefley



Mr. Saxton



Mr. McHugh

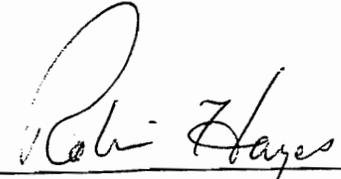
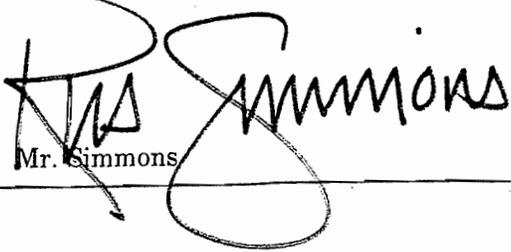


Mr. Everett

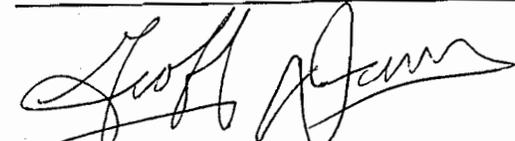
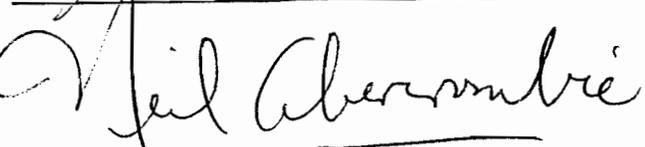


Mr. Bartlett of Maryland

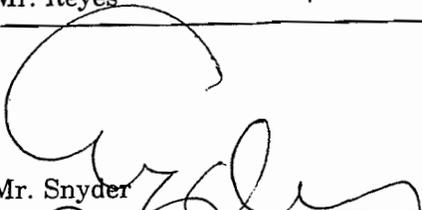
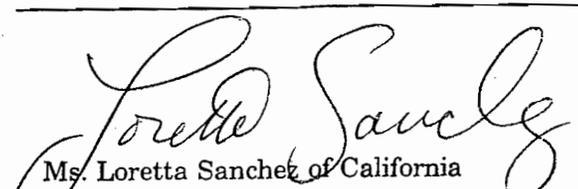
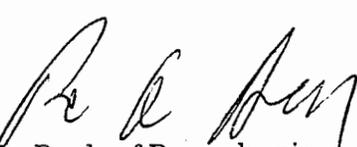
H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
 Mr. Thornberry	
 Mr. Hostettler	
Mr. Jones of North Carolina	
 Mr. Ryan of Kansas	
 Mr. Gibbons	
 Mr. Hayes	
 Mr. Calvert	
 Mr. Simmons	

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
 Mrs. Drake	
 Mr. Davis of Kentucky	
 Mr. Skelton	
 Mr. Spratt	
 Mr. Ortiz	
 Mr. Taylor of Mississippi	
 Mr. Abernombie	
Mr. Meehan	

H.R. 5122—Continued

<i>Managers on the part of the</i> HOUSE	<i>Managers on the part of the</i> SENATE
 Mr. Reyes	
 Mr. Snyder	
 Mr. Smith of Washington	
 Ms. Loretta Sanchez of California	
 Mrs. Tauscher	
 Mr. Brady of Pennsylvania	
 Mr. Andrews	

H.R. 5122—Continued

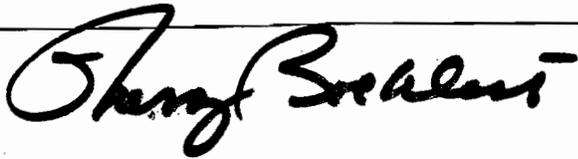
<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
From the Committee on the Judiciary, for consideration of section 1021 of the House bill, and secs. 666, 1044, 1086, 1089, 1091, and 1094 of the Senate amendment, and modifications committed to conference:	
Mr. Sensenbrenner	
Mr. Goble	
Mr. Conyers	

H.R. 5122—Continued

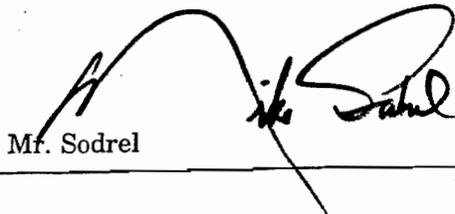
Managers on the part of the
HOUSE

Managers on the part of the
SENATE

From the Committee on Science, for consideration of secs. 312 and 911 of the House bill, and secs. 333, 874, and 1082 of the Senate amendment, and modifications committed to conference:



Mr. Boehlert



Mr. Sodrel

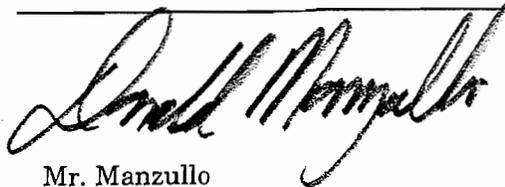
~~Mr. Gordon~~

H.R. 5122—Continued

*Managers on the part of the
HOUSE*

*Managers on the part of the
SENATE*

From the Committee on Small Business, for consideration of secs. 874 and 1093 of the Senate amendment, and modifications committed to conference:



Mr. Manzullo



Mrs. Kelly

~~Ms. Velázquez~~

H.R. 5122—Continued

*Managers on the part of the
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*Managers on the part of the
SENATE*

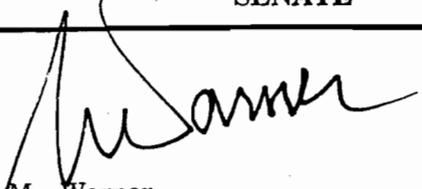
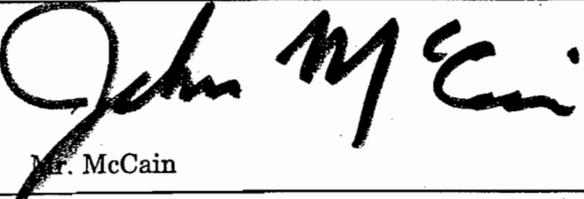
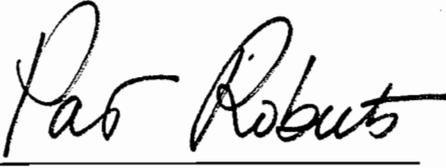
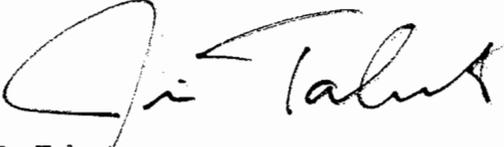
From the Committee on Transportation and Infrastructure, for consideration of secs. 312, 551, 601, 602, and 2845 of the House bill, and secs. 333, 584, 601, 1042, 1095, 2842, 2851-2853, and 2855 of the Senate amendment, and modifications committed to conference:

Don Young
Mr. Young of Alaska

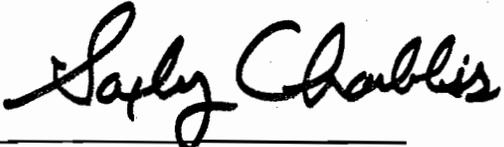
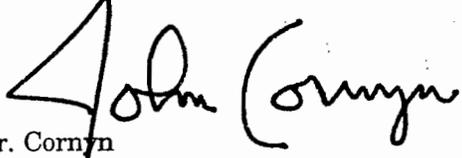
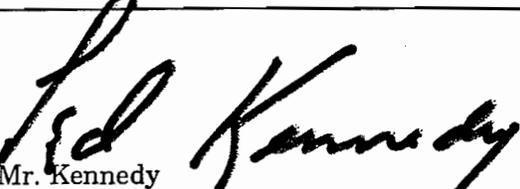
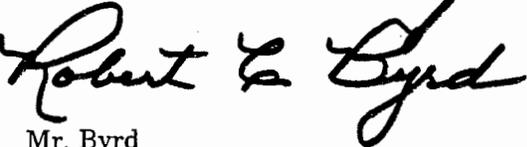
F. L. LoBiondo
Mr. LoBiondo

Jim Oberstar
Mr. Oberstar *except sections 1095, 2851, 2852, 2853 of the Senate Amendment*

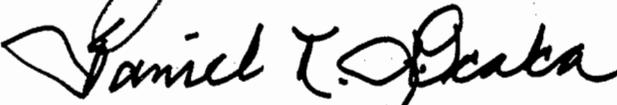
H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	 Mr. Warner
	 Mr. McCain
	 Mr. Inhofe
	 Mr. Roberts
	 Mr. Sessions
	 Ms. Collins
	 Mr. Ensign
	 Mr. Talent

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	Mr. Chambliss 
	Mr. Graham of South Carolina 
	Mrs. Dole 
	Mr. Cornyn 
	Mr. Thune 
	Mr. Levin 
	Mr. Kennedy 
	Mr. Byrd 

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	Mr. Lieberman 
	Mr. Reed 
	Mr. Akaka 
	Mr. Nelson of Florida 
	Mr. Nelson of Nebraska 
	Mr. Dayton 
	Mr. Bayh 
	Mrs. Clinton 

109TH CONGRESS }
2nd Session }

HOUSE OF REPRESENTATIVES

{ REPORT
109-XXX

**JOHN WARNER NATIONAL DEFENSE
AUTHORIZATION
ACT FOR FISCAL YEAR 2007**

CONFERENCE REPORT

TO ACCOMPANY

H.R. 5122



SEPTEMBER ??, 2006.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 2005

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JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

SUMMARY STATEMENT OF CONFERENCE ACTIONS

The Conferees recommend authorization of appropriations for fiscal year 2007 for the Department of Defense for procurement; research and development; test and evaluation; operation and maintenance; working capital funds; military construction and family housing; and for weapons and environmental restoration programs of the Department of Energy; that have a budget authority implication of \$462.8 billion for the national defense function.

The conferees recommend emergency authorization of appropriations for the Department of Defense of \$70.0 billion for the costs associated with ongoing contingency operations in Iraq and Afghanistan, of which \$23.8 billion is included for equipment reset costs for the Army and Marine Corps.

Summary table of authorizations

The defense authorization act provides authorizations for appropriations, but does not generally provide budget authority. Budget authority is provided in the appropriations act.

In order to relate the conference recommendations to the budget resolution, matters in addition to the dollar authorizations contained in this bill must be taken into account. A number of programs in the national defense function are authorized in other legislation.

The following table summarizes authorizations included in the bill for fiscal year 2007 and, in addition, summarizes the implications of the conference action for the budget authority totals for national defense (budget function 050).

Offset Folios.....1.....to.....8.....Insert

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization		Senate		Conference		Budget Authority Implication		Senate		Conference	
	Request	House Authorized	House Authorized	Senate	Change	Agreement	Request	House	Request	House	Request	Conference
DIVISION A												
Title I — PROCUREMENT												
Aircraft Procurement, Army	3,566,483	3,714,783	3,457,329	3,451,429	-115,054	3,451,429	3,566,483	3,714,783	3,457,329	3,451,429	3,457,329	3,451,429
Missile Procurement, Army	1,350,898	1,490,898	1,428,859	1,328,859	-22,039	1,328,859	1,350,898	1,490,898	1,428,859	1,328,859	1,428,859	1,328,859
Weapons and Tracked Combat Vehicles, Army	2,301,943	2,335,004	2,849,743	2,849,743	-23,339	2,278,604	2,301,943	2,335,004	2,849,743	2,335,004	2,849,743	2,278,604
Procurement of Ammunition, Army	1,903,125	1,691,475	2,036,785	1,984,325	81,200	1,984,325	1,903,125	1,691,475	2,036,785	1,984,325	2,036,785	1,984,325
Other Procurement, Army	7,718,602	6,974,079	7,729,602	7,718,602	-31,100	7,687,502	7,718,602	6,974,079	7,729,602	7,687,502	7,729,602	7,687,502
Aircraft Procurement, Navy	10,868,771	10,760,671	10,704,155	10,734,071	-134,700	10,734,071	10,868,771	10,760,671	10,704,155	10,734,071	10,704,155	10,734,071
Weapons Procurement, Navy	2,555,020	2,517,020	2,587,020	2,555,020	-6,000	2,549,020	2,555,020	2,517,020	2,587,020	2,555,020	2,587,020	2,549,020
Procurement of Ammunition, Navy and MC	789,943	758,793	809,943	797,943	8,000	797,943	789,943	758,793	809,943	797,943	809,943	797,943
Shipbuilding and Conversion, Navy	10,578,553	11,183,153	12,058,553	11,021,553	443,000	11,021,553	10,578,553	11,183,153	12,058,553	11,021,553	12,058,553	11,021,553
Other Procurement, Navy	4,967,916	5,042,766	5,045,516	4,995,033	27,117	4,995,033	4,967,916	5,042,766	5,045,516	4,995,033	5,045,516	4,995,033
Procurement, Marine Corps	1,273,513	1,223,813	1,300,213	1,253,813	-19,700	1,253,813	1,273,513	1,223,813	1,300,213	1,253,813	1,300,213	1,253,813
Aircraft Procurement, Air Force	11,479,810	13,042,630	12,004,096	11,479,810	699,344	12,179,154	11,479,810	13,042,630	12,004,096	12,179,154	12,004,096	12,179,154
Procurement of Ammunition, Air Force	1,072,749	1,076,749	1,076,749	1,072,749	1,072,749	1,072,749	1,072,749	1,076,749	1,076,749	1,072,749	1,076,749	1,072,749
Missile Procurement, Air Force	4,204,145	4,171,495	4,219,145	4,171,886	-32,259	4,171,886	4,204,145	4,171,495	4,171,886	4,219,145	4,171,886	4,171,886
Other Procurement, Air Force	15,408,086	15,434,636	15,434,586	15,443,286	35,200	15,443,286	15,408,086	15,434,636	15,434,586	15,443,286	15,434,586	15,443,286
Procurement, Defense-wide	2,861,461	2,856,461	2,980,498	2,886,361	24,900	2,886,361	2,861,461	2,856,461	2,980,498	2,886,361	2,980,498	2,886,361
National Guard and Reserve Equipment		318,000		318,000		318,000		318,000		318,000		318,000
Defense Production Act Purchases				18,484		18,484		18,484		18,484		18,484
Total Procurement	82,901,018	84,592,426	85,722,792	84,153,588	1,252,570	82,919,502	82,919,502	84,610,910	85,741,276	84,610,910	85,741,276	84,172,072
Title II — RESEARCH, DEVELOPMENT, TEST & EVALUATION												
Research, Development, Test & Evaluation, Army	10,855,559	10,925,209	11,167,009	10,855,559	21,050	10,876,609	10,855,559	10,940,209	11,182,009	10,855,559	11,182,009	10,891,609
Research, Development, Test & Evaluation, Navy	16,912,223	17,377,769	17,459,823	16,912,223	471,634	17,383,857	16,912,223	17,377,769	17,459,823	17,377,769	17,459,823	17,383,857
Research, Development, Test & Evaluation, AF	24,396,767	24,810,041	23,970,857	24,235,951	-160,816	24,235,951	24,396,767	24,810,041	23,970,857	24,235,951	23,970,857	24,235,951
Research, Development, Test & Evaluation, Def	20,809,939	20,760,039	21,488,939	20,809,939	120,100	20,930,039	20,809,939	20,760,039	21,488,939	20,809,939	21,488,939	20,930,039
Operational Test & Evaluation, Defense	181,520	181,520	181,520	181,520		181,520	181,520	181,520	181,520	181,520	181,520	181,520
Total RDT&E	73,156,008	74,054,578	74,268,148	73,607,976	451,968	73,607,976	73,156,008	74,069,578	74,283,148	73,607,976	74,283,148	73,622,976

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization		Senate		Conference		Budget Authority Implication		Senate		Conference	
	Request	House Authorized	House Authorized	Change	Agreement	Request	House	House	Senate	Conference		
Title III -- OPERATION AND MAINTENANCE & OTHER PROGRAMS												
Operation and Maintenance												
Operation and Maintenance, Army	24,902,380	24,920,735	24,785,580	-486,028	24,416,352	24,902,380	24,920,735	24,785,580	24,416,352			
Operation and Maintenance, Navy	31,330,984	31,089,075	31,130,784	-173,345	31,157,639	31,330,984	31,089,075	31,130,784	31,157,639			
Operation and Maintenance, Marine Corps	3,878,962	3,974,081	3,905,262	-15,500	3,863,462	3,878,962	3,974,081	3,905,262	3,863,462			
Operation and Maintenance, Air Force	31,342,307	31,098,957	31,251,107	-261,050	31,081,257	31,342,307	31,098,957	31,251,107	31,081,257			
Operation and Maintenance, Defense-wide	20,075,656	19,875,763	20,116,756	18,220	20,093,876	20,075,656	19,875,763	20,116,756	20,093,876			
Operation and Maintenance, Army Reserve	2,299,202	2,300,102	2,139,702	-38,400	2,260,802	2,299,202	2,300,102	2,139,702	2,260,802			
Operation and Maintenance, Navy Reserve	1,288,764	1,288,764	1,288,764	-13,000	1,275,764	1,288,764	1,288,764	1,288,764	1,275,764			
Operation and Maintenance, Marine Corps Reser	211,911	211,911	211,911	-600	211,311	211,911	211,911	211,911	211,311			
Operation and Maintenance, Air Force Reserve	2,723,800	2,723,800	2,575,100	-25,400	2,698,400	2,723,800	2,723,800	2,575,100	2,698,400			
Operation and Maintenance, Army National Guar	4,838,665	5,090,565	4,857,728	-62,244	4,776,421	4,838,665	5,090,565	4,857,728	4,776,421			
Operation and Maintenance, Air National Guard	5,336,017	5,336,017	5,318,717	-43,500	5,292,517	5,336,017	5,336,017	5,318,717	5,292,517			
Transfer Accounts	1,403,295	1,403,295	1,493,295	40,000	1,443,295	1,403,295	1,403,295	1,493,295	1,443,295			
Miscellaneous Appropriations	457,053	457,053	457,053	-10,000	447,053	457,053	457,053	457,053	447,053			
Subtotal Operation and Maintenance	130,088,996	129,770,118	129,531,759	-1,070,847	129,018,149	130,088,996	129,770,118	129,531,759	129,018,149			
Other Programs												
Drug Interdiction and Counter-Drug Activities, C	926,890	926,890	926,890		926,890	926,890	926,890	926,890	926,890			
Defense Health Program	21,025,121	21,226,521	20,931,321	401,500	21,426,621	21,025,121	21,226,521	20,931,321	21,426,621			
Office of the Inspector General	216,297	216,297	216,297		216,297	216,297	216,297	216,297	216,297			
Chemical Agents and Munitions Destruction, Ar	1,277,304	1,277,304	1,277,304		1,277,304	1,277,304	1,277,304	1,277,304	1,277,304			
Subtotal Other Programs	23,445,612	23,647,012	23,351,812	401,500	23,847,112	23,445,612	23,647,012	23,351,812	23,847,112			

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization		Senate		Conference		Budget Authority Implication		
	Request	House Authorized	Authorized	Change	Agreement	Request	House	Senate	Conference
Revolving and Management Funds									
Def Working Capital Funds (A, N, AF, Def-wide)	161,998	161,998	161,998		161,998	161,998	161,998	161,998	161,998
Defense Working Capital Funds - DeCA	1,184,000	1,184,000	1,184,000		1,184,000	1,184,000	1,184,000	1,184,000	1,184,000
National Defense Sealift Fund	1,071,932	1,138,732	1,071,932		1,071,932	1,138,732	1,071,932	1,071,932	1,071,932
Pentagon Reservation Maintenance Revolving Fu	18,500	18,500	18,500		18,500	18,500	18,500	18,500	18,500
Subtotal Revolving and Mgt Funds	2,436,430	2,503,230	2,436,430		2,436,430	2,503,230	2,436,430	2,436,430	2,436,430
Total O&M & Other Programs	155,971,038	155,920,360	155,320,001	-669,347	155,301,691	155,971,038	155,920,360	155,320,001	155,301,691
MILITARY PERSONNEL	110,776,768	109,820,468	111,928,468	-678,140	110,098,628	110,776,768	109,820,468	111,928,468	110,098,628
Title X - GENERAL PROVISIONS									
General Transfer Authority (non-additive)	[5,000,000]	[3,750,000]	[4,000,000]	[-500,000]	[-500,000]	[4,500,000]			
Inflation Savings		-1,583,000	-951,469	-757,051	-757,051		-1,583,000	-951,469	-757,051
National Foreign Language Coordination Council			1,500					1,500	
Subtotal General Provisions		-1,583,000	-949,969	-757,051	-757,051		-1,583,000	-949,969	-757,051
DIVISION B									
MILITARY CONSTRUCTION									
Military Construction, Army	2,059,762	2,135,598	2,180,761	204,280	2,264,042	2,059,762	2,135,598	2,180,761	2,264,042
Military Construction, Navy	1,162,038	1,219,871	1,268,839	129,247	1,291,285	1,162,038	1,219,871	1,268,839	1,291,285
Military Construction, Air Force	1,156,148	1,233,673	1,257,276	152,085	1,308,233	1,156,148	1,233,673	1,257,276	1,308,233
Military Construction, Defense-wide	1,208,198	1,152,106	1,203,681	-63,017	1,145,181	1,208,198	1,152,106	1,203,681	1,145,181
NATO Security Investment Program	220,985	200,985	205,985	-20,000	200,985	220,985	200,985	205,985	200,985
Base Realignment and Closure Account IV	191,220	191,220	191,220		191,220	191,220	191,220	191,220	191,220
Base Realignment and Closure Account 2005	5,626,223	5,626,223	5,626,894		5,626,223	5,626,223	5,626,223	5,626,894	5,626,223
Military Construction, Army National Guard	473,197	518,403	524,031	88,178	561,375	473,197	518,403	524,031	561,375
Military Construction, Air National Guard	125,788	212,788	242,143	168,495	294,283	125,788	212,788	242,143	294,283
Military Construction, Army Reserve	166,487	169,487	189,817	24,130	190,617	166,487	169,487	189,817	190,617

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization		Senate		Conference		Budget Authority Implication		Senate		Conference	
	Request	House Authorized	House Authorized	Change	Agreement	Request	House	Request	House	Senate	Conference	
Military Construction, Naval and MC Reserve	48,408	55,158	48,408	1,590	49,998	48,408	79,158	48,408	72,408	49,998	49,998	
Military Construction, Air Force Reserve	44,936	56,836	44,936	11,900	56,836	44,936	56,836	44,936	44,936	56,836	56,836	
Military Construction, Foreign Currency Fluctuations												
Chemical Agents and Munitions Destruction	130,993	130,993	140,993	10,000	140,993	130,993	130,993	130,993	140,993	140,993	140,993	
Subtotal Military Construction	12,614,383	12,903,341	13,024,984	706,888	13,321,271	12,614,383	13,047,341	12,614,383	13,168,984	13,321,271	13,321,271	
FAMILY HOUSING												
Family Housing Construction, Army	594,991	578,791	594,991	-16,200	578,791	594,991	578,791	594,991	594,991	594,991	578,791	
Family Housing Support, Army	676,829	674,657	676,829	-1,212	675,617	676,829	674,657	676,829	676,829	676,829	675,617	
Family Housing Construction, Navy and MC	305,071	308,956	305,071	3,885	308,956	305,071	308,956	305,071	308,956	305,071	308,956	
Family Housing Support, Navy and Marine Corps	509,126	509,126	498,525		509,126	509,126	509,126	509,126	498,525	509,126	509,126	
Family Housing Construction, Air Force	1,183,138	1,169,138	1,183,138	-15,000	1,168,138	1,183,138	1,169,138	1,183,138	1,183,138	1,183,138	1,168,138	
Family Housing Support, Air Force	755,071	755,071	755,071		755,071	755,071	755,071	755,071	755,071	755,071	755,071	
Family Housing Construction, Defense-wide	8,808	8,808	8,808		8,808	8,808	8,808	8,808	8,808	8,808	8,808	
Family Housing Support, Defense-wide	48,506	48,506	48,506		48,506	48,506	48,506	48,506	48,506	48,506	48,506	
DoD Family Housing Improvement Fund	2,500	2,500	2,500		2,500	2,500	2,500	2,500	2,500	2,500	2,500	
Subtotal Family Housing	4,084,040	4,055,553	4,073,439	-28,527	4,055,513	4,084,040	4,055,553	4,084,040	4,073,439	4,055,513	4,055,513	
Prior Year Rescissions			-260,471		-278,361		-260,471		-278,361		-278,361	
Total Mil Con and Family Housing	16,698,423	16,698,423	17,098,423	400,000	17,098,423	16,698,423	16,842,423	16,698,423	17,242,423	17,242,423	17,098,423	

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Request	House Implication	Senate Implication	Conference Implication
OTHER DoD MILITARY (Discretionary)									
Receipts from Travel and Purchase Card Refunds							51,000	51,000	51,000
Armed Forces Retirement Home Fund	54,846	54,846	54,846	54,846		15,000	15,000	15,000	15,000
Disposal of DoD Real Property					12,000	1,000	1,000	1,000	1,000
Overseas Facility Investment Recovery	54,846	54,846	54,846	54,846	28,000	79,000	79,000	79,000	79,000
Total Other DoD Military Discretionary	54,846	54,846	54,846	54,846	28,000	79,000	79,000	79,000	79,000
Subfunction (051) Department of Defense Disc	439,558,101	439,558,101	443,442,709	439,558,101	439,549,739	439,759,739	443,644,347	439,615,739	
OTHER DoD MILITARY (Mandatory)									
Concurrent Receipt Accrual Payment					2,369,000	2,369,000	2,369,000	2,369,000	2,369,000
Commissary Facilities, Defense					5,000	5,000	5,000	5,000	5,000
Restoration of Rocky Mountain Arsenal					9,000	6,000	6,000	6,000	6,000
Allied Contributions and Cooperation Account					600,000	600,000	600,000	600,000	600,000
Trust Funds - Department of Defense					247,000	235,000	235,000	235,000	235,000
National Defense Stockpile Transaction Fund						-50,000	-50,000	-50,000	-236,000
Research, Development, Test and Evaluation					288,000				
Offsetting Receipts					-1,565,000	-1,239,000	-1,239,000	-1,239,000	-1,239,000
SBP (Accelerate Paid Up Provision and Eliminate DIC Offset)					975,000			975,000	
Reservists education benefits					53,000			53,000	
Relaxation of limitations on Selective Early Retirement					38,000			38,000	
Repeal requirement of reduction of SBP for DIC					492,000			492,000	
Effective date of paid-up coverage under SBP					202,000			202,000	
Concurrent Receipt for unemployable veterans					526,000			526,000	
Elimination of 75% maximum multiplier for determination of retired pay					2,000	2,000	2,000	2,000	2,000
Early receipt of Reserve retirement pay for activation					50,000			50,000	
Required refills through TRICARE mail order pharmacy					42,000			42,000	
Ban on TRICARE retail drug copay increases					186,000	186,000	186,000	186,000	186,000

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement	Budget Request	House	Senate	Conference
			160,000					160,000	
Foreign currency fluctuation adj for military family housing leases in Korea		1,000	1,000	1,000	1,000		1,000	1,000	1,000
Leases in foreign countries for purposes other than family housing		5,000					5,000		
TRICARE pharmacy program cost share requirement		2,000					2,000		
Death gratuity for civilians		-40,000		-18,000	-18,000		-40,000		-18,000
National Defense Stockpile sales		45,000					45,000		
Military Survivor Benefit Plan - interest coverage		-13,000					-13,000		
Discretionary Action Number (Feb 1, 2006)									
Total Other DoD Military Mandatory				-186,000	-186,000	1,948,000	1,926,000	4,653,000	1,911,000
Subfunction (051) DOD Mandatory			2,727,000	-15,000	-15,000	1,948,000	1,926,000	4,653,000	1,911,000
SUBFUNCTION (051) TOTAL DOD MIL	439,558,101	439,558,101	446,169,709	-15,000	439,543,101	441,497,739	441,685,739	448,297,347	441,526,739
DIVISION C									
ATOMIC ENERGY DEFENSE ACTIVITIES (053)									
Energy Supply	6,079	6,079			6,079	6,079	6,079		6,079
National Nuclear Security Administration									
Weapons Activities	6,407,889	6,467,889	6,455,389	9,787	6,417,676	6,407,889	6,467,889	6,455,389	6,417,676
Defense Nuclear Nonproliferation	1,726,213	1,616,213	1,726,213	-24,787	1,701,426	1,726,213	1,616,213	1,726,213	1,701,426
Naval Reactors	795,133	795,133	795,133		795,133	795,133	795,133	795,133	795,133
Office of the Administrator	386,576	386,576	356,576		386,576	386,576	386,576	356,576	386,576
Subtotal National Nuclear Security Admin	9,315,811	9,265,811	9,333,311	-15,000	9,300,811	9,315,811	9,265,811	9,333,311	9,300,811
Environmental and Other Defense Activities									
Defense Environmental Cleanup	5,390,312	5,440,312	5,430,312	45,000	5,435,312	5,390,312	5,440,312	5,430,312	5,435,312
Other Defense Activities	717,788	717,788	624,530		717,788	717,788	717,788	624,530	717,788
Defense Nuclear Waste Disposal	388,080	388,080	333,080	-30,000	358,080	388,080	388,080	333,080	358,080
Subtotal Environ & Other Def Activities	6,496,180	6,546,180	6,387,922	15,000	6,511,180	6,496,180	6,546,180	6,387,922	6,511,180

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	<u>Authorization Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Change</u>	<u>Conference Agreement</u>	<u>Budget Authority Request</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
Subtotal Department of Energy	15,818,070	15,818,070	15,721,233	15,818,070	15,818,070	15,818,070	15,721,233	15,818,070	15,818,070
OTHER ATOMIC ENERGY DEFENSE ACTIVITIES (Discretionary)									
Defense Nuclear Facilities Safety Board	22,260	22,260	22,260	22,260	22,260	22,260	22,260	22,260	22,260
Corps of Engineers - Civil Works				130,000	130,000	130,000	130,000	130,000	130,000
Total Other Atomic Energy Def Disc	22,260	22,260	22,260	22,260	22,260	152,260	152,260	152,260	152,260
Subfunction (053) Atomic Energy Def Disc	15,840,330	15,840,330	15,743,493	15,840,330	15,970,330	15,970,330	15,873,493	15,970,330	15,970,330
OTHER ATOMIC ENERGY DEFENSE ACTIVITIES (Mandatory)									
Energy Employees Illness Compensation Fund				874,000	874,000	371,000	371,000	371,000	371,000
Energy Employees Compensation - Administration				162,000	162,000	146,000	146,000	146,000	146,000
NNSA Office of the Administrator				11,000	11,000				
Subfunction (053) Other Atomic Energy Def Mand	1,047,000	1,047,000	517,000	1,047,000	517,000	517,000	517,000	517,000	517,000
SUBFUNCTION (053) ATOMIC ENERGY	15,840,330	15,840,330	15,743,493	15,840,330	17,017,330	16,487,330	16,390,493	16,487,330	16,487,330
DEFENSE RELATED ACTIVITIES (054)									
Department of Homeland Security	1,275,100	1,275,100	1,275,100	1,275,100	1,275,100	1,275,100	1,275,100	1,275,100	1,275,100
Department of Justice - FBI Salaries and Expenses	2,307,994	2,307,994	2,307,994	2,307,994	2,307,994	2,307,994	2,307,994	2,307,994	2,307,994
Department of Trans - MARAD Maritime Security Program	154,000	154,000	154,000	154,000	154,000	154,000	154,000	154,000	154,000
Intelligence Community Management Account	634,811	634,811	634,811	634,811	634,811	634,811	634,811	634,811	634,811
National Science Foundation - Antarctic Research Activities	67,000	67,000	67,000	67,000	67,000	67,000	67,000	67,000	67,000
Selective Service System - Salaries and Expenses	24,255	24,255	24,255	24,255	24,255	24,255	24,255	24,255	24,255
Subfunction (054) Defense Related Activities Disc	4,463,160	4,463,160	4,463,160	4,463,160	4,463,160	4,463,160	4,463,160	4,463,160	4,463,160

SUMMARY OF NATIONAL DEFENSE AUTHORIZATION FOR FY 2007

(Dollars in Thousands)

	<u>Authorization Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Change</u>	<u>Conference Agreement</u>	<u>Budget Request</u>	<u>House Implication</u>	<u>Senate</u>	<u>Conference</u>
OTHER DEFENSE RELATED ACTIVITIES (Mandatory)									
CIA Retirement & Disability						251,000	251,000	251,000	251,000
Radiation Exposure Compensation Trust Fund						43,000	32,000	32,000	32,000
Subfunction (054) Defense Related Activities Mand						294,000	283,000	283,000	283,000
SUBFUNCTION (054) TOTAL DEFENSE-RELATED ACTIVITIES						4,757,160	4,746,160	4,746,160	4,746,160
Total National Def Funct (050) Disc	455,398,431	455,398,431	459,186,202		455,398,431	459,983,229	460,193,229	463,981,000	460,049,229
Total National Def Funct (050) Mand			2,727,000	-15,000	-15,000	3,289,000	2,726,000	5,453,000	2,711,000
TOTAL NATIONAL DEF FUNCT (050)	455,398,431	455,398,431	461,913,202	-15,000	455,383,431	463,272,229	462,919,229	469,434,000	462,760,229
Title XV: OIF/OEF 2006 Emergency Supplementa	50,000,000	50,000,000	50,000,000	20,000,000	70,000,000	50,000,000	50,000,000	50,000,000	70,000,000
TOTAL	505,398,431	505,398,431	511,913,202	19,985,000	525,383,431	513,272,229	512,919,229	519,434,000	532,760,229

DIVISION A-DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I-PROCUREMENT

Procurement overview

The budget request included \$82,901.0 million in Procurement for the Department of Defense.

The House bill would authorize \$84,592.4 million.

The Senate amendment would authorize \$85,722.8 million.

The conferees agree to authorize \$84,153.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios.....1.....to.....1.....Insert
Budget Items

Aircraft Procurement, Army overview

The budget request included \$3,566.5 million in Aircraft Procurement, Army for the Department of Defense.

The House bill would authorize \$3,714.8 million.

The Senate amendment would authorize \$3,457.3 million.

The conferees agree to authorize \$3,451.4 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios.....1.....to.....3.....Insert

Missile Procurement, Army overview

The budget request included \$1,350.9 million in Missile Procurement, Army for the Department of Defense.

The House bill would authorize \$1,490.9 million.

The Senate amendment would authorize \$1,428.9 million.

The conferees agree to authorize \$1,328.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios.....4.....to.....5.....Insert

Procurement of Weapons and Tracked Combat Vehicles, Army overview

The budget request included \$2,301.9 million in Procurement of Weapons and Tracked Combat Vehicles, Army for the Department of Defense.

The House bill would authorize \$2,335.0 million.

The Senate amendment would authorize \$2,849.7 million.

The conferees agree to authorize \$2,278.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios.....6.....to.....8.....Insert

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007
(Dollars in Thousands)

<u>Title I— PROCUREMENT</u>	<u>Authorization Request</u>	<u>House Authorization</u>	<u>Senate Authorization</u>	<u>Conference Change</u>	<u>Conference Authorization</u>
Aircraft Procurement, Army	3,566,483	3,714,783	3,457,329	-115,054	3,451,429
Missile Procurement, Army	1,350,898	1,490,898	1,428,859	-22,039	1,328,859
Procurement of W&ICV, Army	2,301,943	2,335,004	2,849,743	-23,339	2,278,604
Procurement of Ammunition, Army	1,903,125	1,691,475	2,036,785	81,200	1,984,325
Other Procurement, Army	7,718,602	6,974,079	7,729,602	-31,100	7,687,502
Aircraft Procurement, Navy	10,868,771	10,760,671	10,704,155	-134,700	10,734,071
Weapons Procurement, Navy	2,555,020	2,517,020	2,587,020	-6,000	2,549,020
Procurement of Ammunition, Navy & Marine Corps	789,943	758,793	809,943	8,000	797,943
Shipbuilding and Conversion, Navy	10,578,553	11,183,153	12,058,553	443,000	11,021,553
Other Procurement, Navy	4,967,916	5,042,766	5,045,516	27,117	4,995,033
Procurement, Marine Corps	1,273,513	1,223,813	1,300,213	-19,700	1,253,813
Aircraft Procurement, Air Force	11,479,810	13,042,630	12,004,096	699,344	12,179,154
Procurement of Ammunition, Air Force	1,072,749	1,076,749	1,076,749		1,072,749
Missile Procurement, Air Force	4,204,145	4,171,495	4,219,145	-32,259	4,171,886
Other Procurement, Air Force	15,408,086	15,434,636	15,434,586	35,200	15,443,286
Procurement, Defense-Wide	2,861,461	2,856,461	2,980,498	24,900	2,886,361
National Guard and Reserve Equipment		318,000		318,000	318,000
Defense Production Act Purchases					
TOTAL PROCUREMENT	82,901,018	84,592,426	85,722,792	1,252,570	84,153,588

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Aircraft Procurement, Army Aircraft										
		Fixed Wing										
2031	1	UTILITY F/W CARGO AIRCRAFT		109,154		109,154				-109,154		
		Future Cargo Aircraft ahead of need										
		Future Cargo Aircraft transfer funds to APAF, line 14)										
2031	2	UTILITY F/W AIRCRAFT		4,060		4,060				[-109,154]		4,060
		Rotary Wing										
2031	3	ARMED RECONNAISSANCE HELICOPTER	18	141,418	18	141,418	18	141,418		-39,600	18	101,818
		Schedule risk								[-39,600]		
2031	4	HELICOPTER, LIGHT UTILITY (LUH)	39	198,677	39	198,677	39	198,677			39	198,677
2031	5	UH-60 BLACKHAWK (MYP)	38	632,542	38	762,542	38	632,542		26,700	38	659,242
		HH-60L - USAR				[115,000]				[19,200]		
		UH-60A to L engine upgrade				[15,000]				[7,500]		
2031	5	LESS: ADVANCE PROCUREMENT (PY)		-77,991		-77,991						-77,991
2031	6	ADVANCE PROCUREMENT (CY)		185,845		185,845						185,845
2031	7	HELICOPTER NEW TRAINING										
		Modification of Aircraft										
2031	8	GUARDRAIL MODS (TIARA)		58,000		58,000						58,000
2031	9	ARL MODS (TIARA)		48,000		48,000						48,000
2031	10	AH-64 MODS		794,387		801,387						794,387
		Modern signal processing unit				[6,000]						
		Blade/fold kits				[1,000]						
2031	10	LESS: ADVANCE PROCUREMENT (PY)		-18,746		-18,746						-18,746
2031	11	ADVANCE PROCUREMENT (CY)		19,000		19,000						19,000

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2031	21	Spares and Repair Parts SPARE PARTS (AIR)	9,446	9,446	9,446	9,446						
		Support Equipment and Facilities										9,446
		Ground Support Avionics										
2031	22	AIRCRAFT SURVIVABILITY EQUIPMENT	27,920	27,920	27,920	27,920						27,920
2031	23	ASE INFRARED CM	305,631	305,631	305,631	305,631						305,631
		Other Support										
2031	24	AIRBORNE COMMAND & CONTROL	40,220	40,220	40,220	40,220						40,220
2031	25	AVIONICS SUPPORT EQUIPMENT	5,062	5,062	5,062	5,062						5,062
2031	26	COMMON GROUND EQUIPMENT	64,683	64,683	64,683	64,683						64,683
2031	27	AIRCREW INTEGRATED SYSTEMS	35,346	39,346	39,346	35,346					2,000	37,346
		Aircraft Wireless Intercom System		[4,000]							[2,000]	
2031	28	AIR TRAFFIC CONTROL	86,351	86,351	86,351	86,351						86,351
2031	29	INDUSTRIAL FACILITIES	2,100	2,100	2,100	2,100						2,100
2031	30	LAUNCHER, 2.75 ROCKET	2,353	2,353	2,353	2,353						2,353
2031	31	AIRBORNE COMMUNICATIONS										
Total - Aircraft Procurement, Army			3,566,483	3,714,783	3,457,329	3,451,429	-115,054					

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Missile Procurement, Army										
	Other Missiles										
	Surface-to-Air Missile System										
2032 1	PATRIOT SYSTEM SUMMARY	108	489,067	108	489,067	108	514,067			108	489,067
	PAC-3 missiles						[25,000]				
2032 2	SURFACE-LAUNCHED AMRAAM SYSTEM SL		12,039		12,039		[-12,039]				-12,039
	SLAMRAAM procurement ahead of need						[-12,039]				[-12,039]
2032 3	ADVANCE PROCUREMENT (CY)		10,000		10,000		[-10,000]				[-10,000]
	SLAMRAAM procurement ahead of need						[-10,000]				[-10,000]
2032 4	HELLFIRE SYS SUMMARY										
	Air-to-surface Missile System										
	Anti-tank/Assault Missile System										
2032 5	JAVELIN (AAWS-M) SYSTEM SUMMARY	300	104,782	300	104,782	300	104,782			300	104,782
2032 5	LESS: ADVANCE PROCUREMENT (PY)										
2032 6	TOW 2 SYSTEM SUMMARY	949	50,541	949	50,541	949	50,541			949	50,541
2032 6	LESS: ADVANCE PROCUREMENT (PY)										
2032 7	ADVANCE PROCUREMENT (CY)		32,700		32,700		-18,900				-18,900
2032 7	ADVANCE PROCUREMENT (CY)		32,700		32,700		32,700				32,700
2032 8	GUIDED MLRS ROCKET (GMLRS)	702	147,795	702	147,795	702	147,795			702	147,795
2032 9	MLRS REDUCED RANGE PRACTICE ROCKET	3,762	20,926	3,762	20,926	3,762	20,926			3,762	20,926
2032 10	MLRS LAUNCHER SYSTEMS										
2032 11	HIGH MOBILITY ARTILLERY ROCKET SYSTI	50	226,884	50	226,884	50	226,884			50	226,884
2032 12	ARMY TACTICAL MSL SYS (ATACMS) - SYS :	43	60,502	43	60,502	43	60,502			43	60,502

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2032 13	PATRIOT MODS Patriot configuration 3 initiative		69,856		209,856		144,856				69,856
	Program increase				[140,000]		[75,000]				
2032 14	JAVELIN MISSILE MODS		10,371		10,371		10,371				10,371
2032 15	ITASTOW MODS		84,350		84,350		84,350				84,350
2032 16	MLRS MODS		6,913		6,913		6,913				6,913
2032 17	HIMARS MODIFICATIONS		9,374		9,374		9,374				9,374
2032 18	HELLFIRE MODIFICATIONS										
2032 19	SPARES AND REPAIR PARTS		25,794		25,794		25,794				25,794
2032 20	SUPPORT EQUIPMENT AND FACILITIES										
2032 21	AIR DEFENSE TARGETS		3,924		3,924		3,924				3,924
2032 22	ITEMS LESS THAN \$5.0M (MISSILES)		10		10		10				10
2032 22	PRODUCTION BASE SUPPORT		3,970		3,970		3,970				3,970
	Total - Missile Procurement Army		1,350,898		1,490,898		1,428,859		-22,039		1,328,859

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Procurement of Weapons and Tracked Combat										
	Tracked Combat Vehicles										
2033 1	ABRAMS TRNG DEV MOD	899	899	899	899	899	899				899
2033 2	BRADLEY BASE SUSTAINMENT Bradley A3 conversion program Program increase	284,966	284,966	431,966	431,966	523,766	523,766	[238,800]			284,966
2033 3	BRADLEY FVS TRAINING DEVICES (MOD)		4,721	[147,000]	4,721	4,721	4,721				4,721
2033 4	ABRAMS TANK TRAINING DEVICES	899	899	899	899	899	899				899
2033 5	STRYKER VEHICLE	100	795,978	100	795,978	100	795,978			100	795,978
2033 6	Modification of Tracked Combat Vehicles CARRIER, MOD M113 recap		22,969		22,969		161,969				22,969
2033 7	FIST VEHICLE (MOD)		32,028		32,028		[139,000]				32,028
2033 8	MOD OF IN-SVC EQUIP, FIST VEHICLE		69,988		69,988		69,988				69,988
2033 9	BFVS SERIES (MOD)		28,714		28,714		28,714				28,714
2033 10	HOWITZER, MED SP FT 155MM M109A6 (MOI)										
2033 11	FAASV PIP TO FLEET										
2033 12	IMPROVED RECOVERY VEHICLE (M88 MOD)	12	36,494	12	36,494	12	36,494			12	36,494
2033 13	ARMORED VEH LAUNCH BRIDGE (AVLB) (M)		66,054		66,054		66,054				66,054
2033 14	M1 ABRAMS TANK (MOD) Transfer to Title XV		364,899		182,449		364,899				364,899
2033 15	SYSTEM ENHANCEMENT PGM: SEP M1A2 M1A2 SEP Program increase - M1A2 SEP retrofit	23	171,097	23	299,997	23	341,097			23	171,097
					[128,900]		[170,000]				
	Support Equipment and Facilities										
2033 16	ITEMS LESS THAN \$5.0M (TCV-WTCV)		422		422		422				422
2033 17	PRODUCTION BASE SUPPORT (TCV-WTCV)		11,685		11,685		11,685				11,685

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Conference								
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Change Qty	Change Cost	Authorized Qty	Authorized Cost						
2033	18	Weapons and Other Combat Vehicles																		
2033	19	HOWITZER, LIGHT, TOWED, 105MM, M119	10	20,369	10	20,369	10	20,369	10	20,369			10	20,369						
2033	19	INTEGRATED AIR BURST WEAPON SYSTEM		32,339				32,339						-32,339						
		Program decrease												[-32,339]						
2033	20	M240 MEDIUM MACHINE GUN (7.62MM)	3,025	43,175	3,025	43,175	3,025	43,175	3,025	43,175			3,025	43,175						
		Transfer to Title XV																		
2033	21	M249 SAW MACHINE GUN (5.56MM)	8,600	36,614	8,600	36,614	8,600	36,614	8,600	36,614			8,600	36,614						
		Transfer to Title XV																		
2033	22	MK-19 GRENADE MACHINE GUN (40MM)	68	1,725	68	1,725	68	1,725	68	1,725			68	1,725						
2033	23	MORTAR SYSTEMS																		
2033	24	M16 RIFLE	2,950	1,844	2,950	1,844	2,950	1,844	2,950	1,844			2,950	1,844						
2033	25	M107, CAL. 50, SNIPER RIFLE	390	8,458	390	8,458	390	8,458	390	8,458			390	8,458						
2033	26	XM110 SEMI-AUTOMATIC SNIPER SYSTEM (		15,300				15,300						15,300						
2033	27	M4 CARBINE	1,475	2,221	1,475	2,221	1,475	2,221	1,475	2,221			1,475	2,221						
		Program increase																		
2033	28	SHOTGUN, MODULAR ACCESSORY SYSTEM																		
		Multi-purpose area suppression shotgun																		
2033	29	COMMON REMOTELY OPERATED WEAPONS																		
2033	30	HOWITZER LT WT 155MM (T)	85	187,489	85	187,489	85	187,489	85	187,489			85	187,489						
		Modification of Weapons and Other Combat Ve																		
2033	31	MK-19 GRENADE MACHINE GUN MODS		3,168				3,168						3,168						
2033	32	M4 CARBINE MODS		30,871				15,421						30,871						
		Transfer to Title XV																		
2033	33	M2 50 CAL MACHINE GUN MODS																		
2033	34	M249 SAW MACHINE GUN MODS																		
2033	35	M240 MEDIUM MACHINE GUN MODS		5,253				5,253						5,253						
2033	36	PHALANX MODS		5,293				5,293						5,293						
2033	37	HOWITZER, TOWED, 155MM, M198 (MODS)																		

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2033	38	M119 MODIFICATIONS		692		692						692
2033	39	M16 RIFLE MODS		1,012		1,012						1,012
		M203 grenade launch module				6,012						
						[5,000]						
2033	40	MODIFICATIONS LESS THAN \$5.0M (WOCV-1 Support Equipment and Facilities)		1,700		1,700						1,700
2033	41	ITEMS LESS THAN \$5.0M (WOCV-WTCV)		507		507						507
2033	42	PRODUCTION BASE SUPPORT (WOCV-WTCV)		6,331		6,331						6,331
2033	43	INDUSTRIAL PREPAREDNESS		3,019		3,019					9,000	12,019
		Arsenal Support Initiative - equipment recapitalization				[10,000]					[9,000]	
2033	44	SMALL ARMS EQUIPMENT (SOLDIER ENH PI)		2,750		2,750						2,750
2033	45	REF SMALL ARMS										
2033	46	CLOSED ACCOUNT ADJUSTMENTS										
		Spares										
2033	47	SPARES AND REPAIR PARTS (WTCV)										
Total - Procurement of WTCV, Army				2,301,943		2,335,004		2,849,743		-23,339		2,278,604

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Procurement of Ammunition, Army overview

The budget request included \$1,903.1 million in Procurement of Ammunition, Army for the Department of Defense.

The House bill would authorize \$1,691.5 million.

The Senate amendment would authorize \$2,036.8 million.

The conferees agree to authorize \$1,984.3 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...9...to...11...Insert

Other Procurement, Army overview

The budget request included \$7,718.6 million in Other Procurement, Army for the Department of Defense.

The House bill would authorize \$6,974.1 million.

The Senate amendment would authorize \$7,729.6 million.

The conferees agree to authorize \$7,687.5 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...12...to...21...Insert

Aircraft Procurement, Navy overview

The budget request included \$10,868.8 million in Aircraft Procurement, Navy for the Department of Defense.

The House bill would authorize \$10,760.7 million.

The Senate amendment would authorize \$10,704.2 million.

The conferees agree to authorize \$10,734.1 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...22...to...25...Insert

Weapons Procurement, Navy overview

The budget request included \$2,555.0 million in Weapons Procurement, Navy for the Department of Defense.

The House bill would authorize \$2,517.0 million.

The Senate amendment would authorize \$2,587.0 million.

The conferees agree to authorize \$2,549.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...26...to...28...Insert

Procurement of Ammunition, Navy and Marine Corps overview

The budget request included \$789.9 million in Procurement of Ammunition, Navy and Marine Corps for the Department of Defense.

The House bill would authorize \$758.8 million.

The Senate amendment would authorize \$809.9 million.

The conferees agree to authorize \$797.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...29...to...30...Insert

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2034 18	PROJ 155MM EXTENDED RANGE XM982		22,971		22,971		22,971				22,971
2034 19	MODULAR ARTILLERY CHARGE SYSTEM (M Artillery Fuzes		73,885		73,885		73,885				73,885
2034 20	ARTILLERY FUZES, ALL TYPES		4,083		4,083		4,083				4,083
	Mines										
2034 21	MINE, TRAINING, ALL TYPES		396		396		396				396
2034 22	MINES (CONVENTIONAL), ALL TYPES		4,221		4,221		4,221				4,221
2034 23	MINE, CLEARING CHARGE, ALL TYPES		4,897		4,897		4,897				4,897
2034 24	ANTIPERSONNEL LANDMINE ALTERNATIVE		85,879		85,879		85,879				85,879
	Rockets										
2034 25	SHOULDER FIRED ROCKETS, ALL TYPES		7,741		7,741		7,741				7,741
2034 26	ROCKET, HYDRA 70, ALL TYPES		136,670		136,670		136,670				136,670
	Other Ammunition										
2034 27	DEMOLITION MUNITIONS, ALL TYPES		33,746		33,746		37,746		3,000		36,746
	Rapid wall breaching kit						[4,000]		[3,000]		
2034 28	GRENADES, ALL TYPES		54,162		54,162		54,162				54,162
2034 29	SIGNALS, ALL TYPES		26,384		26,384		26,384				26,384
2034 30	SIMULATORS, ALL TYPES		10,791		10,791		10,791				10,791
	Miscellaneous										
2034 31	AMMO COMPONENTS, ALL TYPES		3,407		3,407		3,407				3,407
2034 32	NON-LETHAL AMMUNITION, ALL TYPES		30,089		30,089		30,089				30,089
2034 33	CAD/PAD ALL TYPES		2,628		2,628		2,628				2,628
2034 34	ITEMS LESS THAN \$5 MILLION		5,493		5,493		5,493				5,493

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Conference		
			Qty	Cost	10,306	Qty	Cost	25,306	Qty	Cost	25,306	Qty	Cost	15,306
2034	35	AMMUNITION PECULIAR EQUIPMENT												
		Ammunition peculiar equipment outloading module												
		Automated Tactical Ammunition Classification System												
		Corrosion protection covers												
		Desert optimized equipment												
		Outloading module - Crane AAP												
		Outloading module - McAlester AAP												
2034	36	FIRST DESTINATION TRANSPORTATION (A)		9,552			9,552		9,552				9,552	
2034	37	CLOSEOUT LIABILITIES		101			101		101				101	
		Ammunition Production Base Support												
		Production Base Support												
2034	38	PROVISION OF INDUSTRIAL FACILITIES		116,175			116,175		209,435				180,375	
		Insensitive Munitions High-shear Mixing System												
		Lake City Army Ammunition Plant												
		Modernization of forge equip at Scranton AAP												
		Radford AAP upgrades												
2034	39	LAYAWAY OF INDUSTRIAL FACILITIES		3,064			3,064		3,064				3,064	
2034	40	MAINTENANCE OF INACTIVE FACILITIES		4,743			4,743		4,743				4,743	
2034	41	CONVENTIONAL MUNITIONS DEMIL, ALL		94,201			94,201		94,201				94,201	
2034	42	ARMS INITIATIVE		2,768			2,768		2,768				2,768	
		Total - Procurement of Ammunition, Army		1,903,125			1,691,475		2,036,785				81,200	
														1,984,325

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Other Procurement, Army										
	Tactical and Support Vehicles										
	Tactical Vehicles										
2035 1	TACTICAL TRAILERS/DOLLY SETS		22,961		22,961		22,961				22,961
2035 2	SEMITRAILERS, FLATBED:		7,565		7,565		7,565				7,565
2035 3	SEMITRAILERS, TANKERS		11,676		11,676		11,676				11,676
2035 4	HI MOB MULTI-PURP WHLD VEH (HMMWV)		582,613		582,613		582,613				582,613
2035 5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)		695,121		695,121		695,121				695,121
2035 6	FIRETRUCKS & ASSOCIATED FIREFIGHTING		29,286		29,286		29,286				29,286
2035 7	FAMILY OF HEAVY TACTICAL VEHICLES (FI		353,198		353,198		353,198				353,198
2035 8	ARMORED SECURITY VEHICLES (ASV)		155,491		155,491		155,491				155,491
	Transfer to Title XV				77,741						
					[-77,750]						
2035 9	MINE PROTECTION VEHICLE FAMILY										
2035 10	TRUCK, TRACTOR, LINE HAUL, M915/M916		31,202		31,202		31,202				40,502
	M915A3 program increase - ARNG				[9,300]						
	M915A3 program increase										
2035 11	HVY EXPANDED MOBILE TACTICAL TRUCK		220,416		110,216		220,416				220,416
	Transfer to Title XV				[-110,200]						
2035 12	HMMWV RECAPITALIZATION PROGRAM		34,823		34,823		34,823				34,823
	Transfer to Title XV				[-34,823]						
2035 13	MODIFICATION OF IN SVC EQUIP		2,562		2,562		2,562				2,562
2035 14	ITEMS LESS THAN \$5.0M (TAC VEH)										
2035 15	TOWING DEVICE-FIFTH WHEEL		1,725		1,725		1,725				1,725
	Non-tactical Vehicles										
2035 16	HEAVY ARMORED SEDAN		609		609		609				609
2035 17	PASSENGER CARRYING VEHICLES		640		640		640				640
2035 18	NONTACTICAL VEHICLES, OTHER		3,486		3,486		3,486				3,486

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2035 38	COMMS-ELEC EQUIP FIELDING		5,181		5,181		5,181				5,181
2035 39	SPIDER APLA REMOTE CONTROL UNIT		27,599		27,599		27,599				27,599
2035 40	SOLDIER ENHANCEMENT PROGRAM COMM		9,933		9,933		9,933				9,933
2035 41	COMBAT SURVIVOR EVADER LOCATOR (CS ARS 6 mod-in-service terminal guidance Transfer to Title XV		16,541		12,591		16,541		-100		16,441
					[4,300]				[2,000]		
					[-8,250]						
2035 42	RADIO, IMPROVED HF FAMILY Pricing adjustment		91,418		45,718		91,418				91,418
2035 43	MEDICAL COMM FOR CBT CASUALTY CARE Transfer to Title XV		10,548		[-45,700]		10,548				10,548
2035 44	Comm-Intelligence Communications CI AUTOMATION ARCHITECTURE		1,409		1,409		1,409				1,409
2035 45	Information Security TSEC - ARMY KEY MGT SYS (AKMS)		14,924		14,924		14,924				14,924
2035 46	INFORMATION SYSTEM SECURITY PROGRA Comm-Long Haul Communications		90,379		90,379		90,379				90,379
2035 47	TERRESTRIAL TRANSMISSION		14,432		14,432		14,432				14,432
2035 48	BASE SUPPORT COMMUNICATIONS		33,754		33,754		33,754				33,754
2035 49	ARMY DISN ROUTER										
2035 50	ELECTROMAG COMP PROG (EMCP)		508		508		508				508
2035 51	WW TECH CON IMP PROG (WWTCIP) Comm-Base Communications		27,101		27,101		27,101				27,101
2035 52	INFORMATION SYSTEMS		19,553		19,553		19,553				19,553
2035 53	DEFENSE MESSAGE SYSTEM (DMS)		5,726		5,726		5,726				5,726
2035 54	INSTALLATION INFO INFRASTRUCTURE MO		279,579		279,579		279,579				279,579
2035 55	LOCAL AREA NETWORK (LAN)										
2035 56	PENTAGON INFORMATION MGT AND TELEC		32,711		32,711		32,711				32,711

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
		Elect Equip-Nat For Int Prog (NFIP)															
2035	57	FOREIGN COUNTERINTELLIGENCE PROG (FI)	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
2035	58	GENERAL DEFENSE INTELL PROG (GDIP)	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
		Elect Equip-Tact Int Rel Act (TIARA)															
2035	59	ALL SOURCE ANALYSIS SYS (ASAS) (MIP)		34,431		34,431		34,431		34,431							34,431
2035	60	JTT/CIBS-M (MIP)		985		985		985		985							985
2035	61	PROPHET GROUND (MIP)		96,532		96,532		96,532		96,532							96,532
		Transfer to Title XV				[-48,250]											
2035	62	TACTICAL UNMANNED AERIAL SYS (TUAS)		100,295		100,295		100,295		100,295							100,295
		Transfer to Title XV				[-50,150]											
2035	63	SMALL UNMANNED AERIAL SYSTEM (SUAS)		10,200		10,200		10,200		10,200							10,200
2035	64	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MI)		30,729		30,729		30,729		30,729							30,729
2035	65	DRUG INTERDICTION PROGRAM (DIP) (TIAR)															
2035	66	TACTICAL EXPLOITATION SYSTEM (MIP)															
2035	67	DCGS-A (MIP)		65,424		65,424		65,424		65,424							65,424
2035	68	JOINT TACTICAL GROUND STATION (JTAGS)		9,852		9,852		9,852		9,852							9,852
2035	69	TROJAN (MIP)		7,659		7,659		7,659		7,659							7,659
2035	70	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)		5,040		5,040		5,040		5,040							5,040
2035	71	CI HUMINT INFO MANAGEMENT SYSTEM (C)		19,704		19,704		19,704		19,704							19,704
2035	72	ITEMS LESS THAN \$5.0M (MIP)		29,739		29,739		29,739		29,739							29,739
		Elect Equip-Electronic Warfare (EW)															
2035	73	LIGHT WEIGHT COUNTER MORTAR RADAR		16,326		16,326		16,326		16,326							16,326
2035	74	WARLOCK															
2035	75	COUNTERINTELLIGENCE/SECURITY COUNT															
		Elect Equip-Tactical Surv. (TAC SURV)															
2035	76	SENTINEL MODS		15,125		15,125		15,125		15,125							15,125
2035	77	NIGHT VISION DEVICES		320,989		320,989		320,989		320,989							320,989
		Transfer to Title XV				[-160,500]											

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
			Qty	Cost	179,594	Qty	Cost	179,594	Qty	Cost	179,594	Qty	Cost	Qty	Cost	Qty	Cost
2035	78	LONG RANGE ADVANCED SCOUT SURVEILL															
2035	79	LTWT VIDEO RECON SYSTEM (LWVRS)															
2035	80	NIGHT VISION, THERMAL WPN SIGHT															
2035	81	RADIATION MONITORING SYSTEMS															
2035	82	RAPID AEROSTAT INITIAL DEPLOYMENT															
2035	83	ARTILLERY ACCURACY EQUIP															
2035	84	MOD OF IN-SVC EQUIP (MMS)															
2035	85	MOD OF IN-SVC EQUIP (MVS)															
2035	86	ENHANCED PORTABLE INDUCTIVE ARTILLI															
2035	87	PROFILER															
2035	88	MOD OF IN-SVC EQUIP (FIREFINDER RADAR															
		Transfer to Title XV															
2035	89	FORCE XXI BATTLE CMD BRIGADE & BELOW															
		Transfer to Title XV															
2035	90	LIGHTWEIGHT LASER DESIGNATOR/RANGE															
2035	91	COMPUTER BALLISTICS: LHMC XM32															
2035	92	MORTAR FIRE CONTROL SYSTEM															
2035	93	INTEGRATED MET SYS SENSORS (IMETS) - N															
2035	94	ENHANCED SENSOR & MONITORING SYSTE															
		Elect Equip-Tactical C2 Systems															
2035	95	TACTICAL OPERATIONS CENTERS															
2035	96	ADV FA TAC DATA SYS / EFF CTRL SYS															
2035	97	MOD OF IN-SVC EQUIP, AFATDS															
2035	98	LIGHT WEIGHT TECHNICAL FIRE DIRECTIOI															
2035	99	BATTLE COMMAND SUSTAINMENT SUPPOR															
2035	100	FAAD C2															
2035	101	AIR & MSL DEFENSE PLANNING & CONTROL															
2035	102	FORWARD ENTRY DEVICE / LIGHTWEIGHT I															

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	Request		House		Senate		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2035	103	KNIGHT FAMILY		24,233		24,233						24,233
2035	104	LIFE CYCLE SOFTWARE SUPPORT (LCSS)		2,022		2,022						2,022
2035	105	LOGTECH		97,235		97,235						97,235
		Global Combat Support System - Army										
2035	106	TC AIMS II		29,919		29,919						29,919
2035	107	JOINT NETWORK MANAGEMENT SYSTEM (J		8,279		8,279						8,279
2035	108	TACTICAL INTERNET MANAGER		11,355		11,355						11,355
2035	109	MANEUVER CONTROL SYSTEM (MCS)		77,023		77,023						77,023
2035	110	SINGLE ARMY LOGISTICS ENTERPRISE (SAL		121,808		121,808						121,808
2035	111	MOUNTED BATTLE COMMAND ON THE MO'		79,035		79,035						79,035
		Elect Equip - Automation										
2035	112	GENERAL FUND ENTERPRISE BUSINESS SYS		78,403		78,403						78,403
		Program reduction										
2035	113	ARMY TRAINING MODERNIZATION		21,636		21,636						21,636
2035	114	AUTOMATED DATA PROCESSING EQUIP		139,206		139,206						139,206
		Global Combat Support System - Army										
		Program reduction										
2035	115	CSS COMMUNICATIONS		15,861		15,861						15,861
2035	116	RESERVE COMPONENT AUTOMATION SYS (		28,675		28,675						28,675
		Elect Equip-Audio Visual Sys (A/V)										
2035	117	AFRTS		1,007		1,007						1,007
2035	118	ITEMS LESS THAN \$5.0M (A/V)		6,754		6,754						6,754
2035	119	ITEMS LESS THAN \$5M (SURVEYING EQUIP)		1,671		1,671						1,671
		Elect Equip-Mods Tactical Sys/Eq										
2035	120	WEAPONIZATION OF UNMANNED AERIAL S		15,161		15,161						15,161
		Elect Equip-Support										
2035	121	ITEMS UNDER \$5M (SSE)		17,493		17,493						17,493
2035	122	PRODUCTION BASE SUPPORT (C-E)		497		497						497

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Other Support Equipment										
	Chemical Defensive Equipment										
2035	CBRN SOLDIER PROTECTION		38,312		38,312		38,312				38,312
2036	SMOKE & OBSCURANT FAMILY: SOF (NON /		4,079		4,079		4,079				4,079
	Brigading Equipment										
2035	TACTICAL BRIDGING		69,608		69,608		69,608				69,608
2035	TACTICAL BRIDGE, FLOAT-RIBBON		80,093		80,093		80,093				80,093
	Engineer (Non-construction) Equipment										
2035	HANDHELD STANDOFF MINEFIELD DETECT		52,829		52,829		52,829				52,829
2035	KIT, STANDARD TELEOPERATING		197,675		197,675		197,675				197,675
2035	GRND STANDOFF MINE DETECTION SYSTEM										
	Transfer to Title XV				[-66,100]						
2035	ROBOTIC COMBAT SUPPORT SYSTEM (RCS)		37,269		37,269		37,269				37,269
2035	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (		546		546		546				546
2035	ITEMS LESS THAN \$5M (COUNTERMINE EQ										
	Combat Service Support Equipment										
2035	HEATERS AND ECUS		10,575		10,575		10,575				10,575
2035	LAUNDRIES, SHOWERS AND LATRINES		9,298		10,998		9,298			1,700	10,998
2035	SOLDIER ENHANCEMENT				[1,700]					[1,700]	
	Maxa beam strobe										
2035	LIGHTWEIGHT MAINTENANCE ENCLOSURE		19,226		19,226		19,226				19,226
2035	DISMOUNTED BATTLE COMMAND SYSTEM										
2035	MOUNTED WARRIOR		36,874		36,874		36,874				36,874
2035	FIELD FEEDING EQUIPMENT		42,653		42,653		42,653				42,653
2035	CARGO AERIAL DELIVERY PROGRAM		5,552		5,552		5,552				5,552
2035	ITEMS LESS THAN \$5M (ENG SPT)										
2035	ITEMS LESS THAN \$5.0M (CSS EQ)										

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Title I - Procurement

(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Petroleum Equipment										
2035	143	QUALITY SURVEILLANCE EQUIPMENT		1,293		1,293						1,293
2035	144	DISTRIBUTION SYSTEMS, PETROLEUM & W. Water Equipment		67,867		67,867						67,867
2035	145	WATER PURIFICATION SYSTEMS		9,769		9,769						9,769
		Medical Equipment										
2035	146	COMBAT SUPPORT MEDICAL		20,467		20,467						20,467
		Blood bag transport modernization		[17,000]								
		Combat support hospitals		[3,000]								[3,000]
		Maintenance Equipment										
2035	147	SHOP EQ CONTACT MAINTENANCE TRK MT		54,732		54,732						54,732
2035	148	WELDING SHOP, TRAILER MTD		3,051		3,051						3,051
2035	149	ITEMS LESS THAN \$5.0M (MAINT EQ)										
		Construction Equipment										
2035	150	GRADER, ROAD MTZD, HVY, 6X4 (CCE)		2,902		2,902						2,902
2035	151	SCRAPERS, EARTHMOVING		1,049		1,049						1,049
2035	152	MISSION MODULES - ENGINEERING		12,108		12,108						12,108
2035	153	LOADERS		13,023		13,023						13,023
2035	154	HYDRAULIC EXCAVATOR		2,475		2,475						2,475
2035	155	TRACTOR, FULL TRACKED		4,799		4,799						4,799
2035	156	CRANES										
2035	157	HIGH MOBILITY ENGINEER EXCAVATOR (H		47,846		47,846						47,846
2035	158	CONST EQUIP ESP		40,209		40,209						40,209
2035	159	ITEMS LESS THAN \$5.0M (CONST EQUIP)		22,209		22,209						22,209
		Rail Float Containerization Equipment										
2035	160	SMALL TUG										
2035	161	LOGISTIC SUPPORT VESSEL (LSV)										
2035	162	HARBORMASTER COMMAND AND CONTRO		9,265		9,265						9,265

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Title I - Procurement

(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference		Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2035 163	CAUSEWAY SYSTEMS		8,974		8,974		8,974						8,974
2035 164	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) Generators		2,536		2,536		2,536						2,536
2035 165	GENERATORS AND ASSOCIATED EQUIP Material Handling Equipment		69,468		69,468		69,468						69,468
2035 166	ROUGH TERRAIN CONTAINER HANDLER (R:												
2035 167	ALL TERRAIN LIFTING ARMY SYSTEM Training Equipment		20,501		20,501		20,501						20,501
2035 168	COMBAT TRAINING CENTERS (CTC) SUPPOI		38,497		47,797		38,497						38,497
2035 169	Simulated expandable combat training capability - ARNG TRAINING DEVICES, NONSYSTEM		243,147		258,647		247,147			9,000			252,147
	Immersive group simulation				[6,500]								
	Tabletop gunnery/maneuver/full-fidelity trainers-ARNG				[5,000]								
	Tabletop gunnery/maneuver/full-fidelity trainers												
	Call-for-fire trainer III/ Joint Fires and Effects Trainer System (HASC Amdt)				[4,000]		[4,000]						[5,000]
2035 170	CLOSE COMBAT TACTICAL TRAINER		16,920		16,920		16,920						16,920
2035 171	AVIATION COMBINED ARMS TACTICAL TR/ Test Measure and Dig Equipment (TMD)		80,555		80,555		80,555						80,555
2035 172	CALIBRATION SETS EQUIPMENT		2,026		2,026		2,026						2,026
2035 173	INTEGRATED FAMILY OF TEST EQUIPMENT		47,789		47,789		47,789						47,789
2035 174	TEST EQUIPMENT MODERNIZATION (TEMO) Other Support Equipment		11,827		11,827		11,827						11,827
2035 175	RAPID EQUIPPING SOLDIER SUPPORT EQUIP Body Ventilation System/cooling vests		50,679		55,679		50,679						50,679
2035 176	IED DEFEAT EQUIPMENT				[5,000]								
2035 177	PHYSICAL SECURITY SYSTEMS (OPA3)		66,665		66,665		66,665						66,665
2035 178	BASE LEVEL COML EQUIPMENT		3,279		3,279		3,279						3,279
2035 179	MODIFICATION OF IN-SVC EQUIPMENT (OP:		35,469		35,469		35,469						35,469

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
2035 180	PRODUCTION BASE SUPPORT (OTH)		2,997		2,997		2,997				2,997
2035 181	BUILDING, PRE-FAB, RELOCATABLE		19,562		19,562		19,562				19,562
2035 182	SPECIAL EQUIPMENT FOR USER TESTING		2,423		2,423		2,423				2,423
2035 183	MA8975										
	Spares and Repair Parts										
	OPAZ										
2035 184	INITIAL SPARES - C&E		31,271		31,271		31,271				31,271
	OPAZ										
2035 185	INITIAL SPARES - OTHER SUPPORT EQUIP		2,202		2,202		2,202				2,202
2035 999	CLASSIFIED PROGRAMS		12,831		12,831		12,831				12,831
	Total - Other Procurement, Army		7,718,602		6,974,079		7,729,602		-31,100		7,687,502

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference Authorized		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
		Aircraft Procurement, Navy															
		Combat Aircraft															
1506	1	AV-8B (V/STOL)HARRIER (MYP)	12	891,578	12	891,578	12	891,578									
1506	2	EA-18G		-26,157		-26,157		-26,157									
1506	2	LESS: ADVANCE PROCUREMENT (PY)		39,753		39,753		39,753									
1506	3	ADVANCE PROCUREMENT (CY)	30	2,362,471	30	2,362,471	30	2,362,471									
1506	4	F/A-18E/F (FIGHTER) HORNET (MYP)		-74,218		-74,218		-74,218									
1506	4	LESS: ADVANCE PROCUREMENT (PY)		52,954		52,954		52,954									
1506	5	ADVANCE PROCUREMENT (CY)		245,016		245,016		245,016									
1506	5	JSF ADVANCE PROCUREMENT (CY)															
1506	6	Joint Strike Fighter production reduction															
1506	7	V-22 (MEDIUM LIFT)	14	1,371,125	14	1,371,125	14	1,371,125									
1506	7	LESS: ADVANCE PROCUREMENT (PY)		-66,438		-66,438		-66,438									
1506	8	ADVANCE PROCUREMENT (CY)	18	194,080	18	194,080	18	194,080									
1506	9	UH-1Y/AH-1Z	18	446,718	18	446,718	18	446,718									
1506	10	MH-60S (MYP)	18	573,458	18	573,458	18	573,458									
		MH-60S helicopters															
1506	10	LESS: ADVANCE PROCUREMENT (PY)		-115,300		-115,300		-115,300									
1506	11	ADVANCE PROCUREMENT (CY)	25	90,401	25	90,401	25	90,401									
1506	12	MH-60R		911,854		911,854		911,854									
		MH-60R helicopters															
1506	12	LESS: ADVANCE PROCUREMENT (PY)		-116,592		-116,592		-116,592									
1506	13	ADVANCE PROCUREMENT (CY)	2	120,480	2	120,480	2	120,480									
1506	14	E-2C (EARLY WARNING) HAWKEYE (MYP)		265,015		265,015		265,015									
1506	14	LESS: ADVANCE PROCUREMENT (PY)		-61,443		-61,443		-61,443									
1506	15	ADVANCE PROCUREMENT (CY)															
		Airlift Aircraft															
1506	16	UC-35															

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007			House			Senate			Conference				
			Request	Cost	Qty	Authorized	Cost	Qty	Authorized	Cost	Qty	Change	Cost	Qty	Authorized	Cost
1506	17	C-40A														
1506	18	C-37														
1506	19	Trainer Aircraft T-45TS (TRAINER) GOSHAWK	12	376,361	12	376,361	10	312,361	10	312,361				12	376,361	
1506	20	T-45TS	21	146,068	25	174,968	[-2]	[-64,000]	[-2]	[-64,000]				21	146,068	
		Additional systems			[4]	[28,900]										
		Other Aircraft														
1506	21	KC-130J	4	311,179	4	311,179	4	311,179	4	311,179				4	311,179	
1506	21	LESS: ADVANCE PROCUREMENT (PY)		-58,000		-58,000		-58,000		-58,000					-58,000	
1506	22	ADVANCE PROCUREMENT (CY)		45,737		45,737		45,737		45,737					45,737	
1506	23	F-5	5	2,530	5	2,530	5	2,530	5	2,530				5	2,530	
1506	24	VTUAV	4	37,570	4	37,570	4	37,570	4	37,570				4	37,570	
		Modification of Aircraft														
1506	25	EA-6 SERIES		48,983		48,983		48,983		48,983					48,983	
1506	26	AV-8 SERIES		20,506		20,506		20,506		20,506					20,506	
1506	27	ADVERSARY		2,638		2,638		2,638		2,638					2,638	
1506	28	F-18 SERIES		411,524		411,524		411,524		411,524					411,524	
1506	29	H-46 SERIES		47,401		47,401		47,401		47,401					47,401	
1506	30	AH-1W SERIES		19,760		19,760		19,760		19,760					19,760	
1506	31	H-53 SERIES		28,252		31,252		32,652		32,652					35,652	
		CH-53 Integrated Mechanical Diagnostic System accel						[4,400]		[4,400]					7,400	
		Emergency Egress Lighting System						[3,000]		[3,000]					[4,400]	
1506	32	SH-60 SERIES		33,113		33,113		33,113		33,113					33,113	
1506	33	H-1 SERIES		7,426		7,426		7,426		7,426					7,426	
1506	34	EP-3 SERIES		56,797		66,797		66,797		66,797					56,797	
		Service life extension				[10,000]										

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference		Authorized Cost
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
1506 35	P-3 SERIES		204,606		207,606		204,606					197,306
	High resolution digital recorders				[3,000]							
	Program reduction											
1506 36	S-3 SERIES		750		750		750					750
1506 37	E-2 SERIES		9,087		9,087		9,087					9,087
1506 38	TRAINER A/C SERIES		17,062		17,062		17,062					17,062
1506 39	C-2A		37,157		37,157		37,157					37,157
1506 40	C-130 SERIES		3,547		3,547		3,547					3,547
1506 41	FEWSG		625		625		625					625
1506 42	CARGO/TRANSPORT A/C SERIES		30,332		30,332		30,332					30,332
1506 43	E-6 SERIES		99,184		99,184		99,184					99,184
1506 44	EXECUTIVE HELICOPTERS SERIES		40,190		40,190		40,190					40,190
1506 45	SPECIAL PROJECT AIRCRAFT		14,300		14,300		14,300					14,300
1506 46	T-45 SERIES		34,933		34,933		34,933					34,933
1506 47	POWER PLANT CHANGES		24,580		24,580		24,580					24,580
1506 48	JPATS SERIES		1,656		1,656		1,656					1,656
1506 49	AVIATION LIFE SUPPORT MODS		14,315		14,315		14,315					8,915
	Mobile aircrew restraint system-slower ramp up rate											
1506 50	COMMON ECM EQUIPMENT		35,886		35,886		35,886					35,886
1506 51	COMMON AVIONICS CHANGES		177,500		177,500		177,500					177,500
1506 52	COMMON DEFENSIVE WEAPON SYSTEM		13,656		13,656		13,656					13,656
1506 53	ID SYSTEMS		11,148		11,148		11,148					11,148
1506 54	V-22 (TILT/ROTOR ACFT) OSPREY		85,767		85,767		85,767					85,767
	Aircraft Spares and Repair Parts											
1506 55	SPARES AND REPAIR PARTS		812,689		812,689		812,689					805,289
	EA-18G to F/A-18E/F spares											
	Aircraft Support Equipment and Facilities											
1506 56	COMMON GROUND EQUIPMENT		426,673		426,673		426,673					426,673

Title I - Procurement

(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1506 57	AIRCRAFT INDUSTRIAL FACILITIES		9,472	9,472	9,472						9,472
1506 58	WAR CONSUMABLES		34,916	34,916	34,916						34,916
1506 59	OTHER PRODUCTION CHARGES		19,501	19,501	19,501						19,501
1506 60	SPECIAL SUPPORT EQUIPMENT		64,968	64,968	64,968						64,968
1506 61	FIRST DESTINATION TRANSPORTATION		1,671	1,671	1,671						1,671
1506 62	CANCELLED ACCOUNT ADJUSTMENTS										
Total - Aircraft Procurement, Navy			10,868,771	10,760,671	10,704,155			-134,700			10,734,071

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Conference Change		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Weapons Procurement, Navy												
		Ballistic Missiles												
1507	1	TRIDENT II												
1507	1	LESS: ADVANCE PROCUREMENT (PY)												
1507	2	Modification of Missiles												
		TRIDENT II MODS		957,637		919,637		957,637						919,637
		Conventional Trident modification												
		Support Equipment and Facilities												
1507	3	MISSILE INDUSTRIAL FACILITIES		3,453		3,453		3,453						3,453
		Other Missiles												
		Strategic Missiles												
1507	4	TOMAHAWK	350	354,565	350	354,565	350	354,565	350					354,565
		Tactical Missiles												
1507	5	AMRAAM	150	98,651	150	98,651	150	98,651	150					98,651
1507	6	SIDEWINDER	174	40,380	174	40,380	174	40,380	174					40,380
1507	7	JSOW	397	125,551	397	125,551	397	125,551	397					125,551
1507	8	STANDARD MISSILE	75	139,672	75	139,672	75	139,672	75					139,672
1507	9	RAM	90	56,874	90	56,874	90	56,874	90					56,874
1507	10	HELLFIRE												
1507	11	AERIAL TARGETS		83,299		83,299		83,299						83,299
1507	12	DRONES AND DECOYS												
1507	13	OTHER MISSILE SUPPORT		8,990		8,990		8,990						8,990
		Modification of Missiles												
1507	14	ESSM	108	99,571	108	99,571	108	99,571	108					99,571
1507	15	STANDARD MISSILES MODS		54,644		54,644		54,644						54,644
		Support Equipment and Facilities												
		WEAPONS INDUSTRIAL FACILITIES												
1507	16	Allegany Ballistics Laboratory facility restoration		4,645		4,645		4,645						24,645
														[20,000]

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	Request		House		Senate		Conference			
		Qty	Cost	Qty	Cost	Authorized Qty	Cost	Change Qty	Cost	Authorized Qty	Cost
1507 17	Ordnance Support Equipment ORDNANCE SUPPORT EQUIPMENT Torpedoes and Related Equipment		29,534		29,534		29,534				29,534
1507 18	SSTD		5,856		5,856		5,856				5,856
1507 19	ASW TARGETS		25,034		25,034		25,034				25,034
1507 20	Mod of Torpedoes and Related Equipment										
1507 21	MK-46 TORPEDO MODS		96,505		96,505		96,505				96,505
1507 22	MK-48 TORPEDO ADCAP MODS		61,528		61,528		61,528				61,528
1507 23	QUICKSTRIKE MINE		3,103		3,103		3,103				3,103
1507 24	Support Equipment TORPEDO SUPPORT EQUIPMENT		26,345		26,345		26,345				26,345
1507 25	ASW RANGE SUPPORT		13,288		13,288		13,288				13,288
1507 26	Destination Transportation FIRST DESTINATION TRANSPORTATION Other Weapons Guns and Gun Mounts SMALL ARMS AND WEAPONS		3,259		3,259		3,259				3,259
1507 27			12,508		12,508		12,508				12,508

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Modification of Guns and Gun Mounts										
1507	27	CIWS MODS		151,194		151,194		151,194				151,194
1507	28	COAST GUARD WEAPONS		5,385		5,385		5,385				5,385
1507	29	GUN MOUNT MODS		8,936		8,936		20,936		12,000		20,936
		Mk 110 57mm naval gun						[12,000]		[12,000]		
1507	30	PIONEER		7,056		7,056		7,056				7,056
1507	31	CRUISER MODERNIZATION WEAPONS		18,470		18,470		18,470				18,470
1507	32	AIRBORNE MINE NEUTRALIZATION SYSTEM		3,151		3,151		3,151				3,151
		Other										
1507	33	CANCELLED ACCOUNT ADJUSTMENTS										
1507	34	Spares and Repair Parts		55,936		55,936		55,936				55,936
		SPARES AND REPAIR PARTS										
		Total - Weapons Procurement, Navy		2,555,020		2,517,020		2,587,020		-6,000		2,549,020

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Procurement of Ammunition, Navy & Marine Corps										
	Proc Ammo, Navy										
	Navy Ammunition										
1508 1	GENERAL PURPOSE BOMBS		119,561		119,561		119,561				119,561
1508 2	JDAM	3,400	84,014	3,400	84,014	3,400	84,014			3,400	84,014
1508 3	AIRBORNE ROCKETS, ALL TYPES		15,473		15,473		15,473				15,473
1508 4	MACHINE GUN AMMUNITION		16,140		16,140		16,140				16,140
1508 5	PRACTICE BOMBS		44,573		44,573		44,573				44,573
1508 6	CARTRIDGES & CART ACTUATED DEVICES		33,999		33,999		33,999				33,999
1508 7	AIRCRAFT ESCAPE ROCKETS		11,029		11,029		11,029				11,029
1508 8	AIR EXPENDABLE COUNTERMEASURES		72,935		72,935		72,935				72,935
1508 9	JATOS		4,643		4,643		4,643				4,643
1508 10	5 INCH/54 GUN AMMUNITION		24,547		24,547		24,547				24,547
1508 11	76MM GUN AMMUNITION										
1508 12	INTERMEDIATE CALIBER GUN AMMUNITION		5,729		5,729		5,729				5,729
	Mk295/Mk296 ammo for Mk110 57mm naval gun								8,000		
									[8,000]		
1508 13	OTHER SHIP GUN AMMUNITION		21,772		21,772		21,772				21,772
1508 14	SMALL ARMS & LANDING PARTY AMMO		32,647		32,647		32,647				32,647
1508 15	PYROTECHNIC AND DEMOLITION		9,189		9,189		9,189				9,189
1508 16	AMMUNITION LESS THAN \$5 MILLION		1,197		1,197		1,197				1,197
	Proc Ammo, MC										
	Marine Corps Ammunition										
1508 17	5.56 MM, ALL TYPES		24,365		24,365		24,365				24,365
	Transfer to Title XV										
1508 18	7.62 MM, ALL TYPES		14,814		14,814		14,814				14,814
	Transfer to Title XV										
1508 19	LINEAR CHARGES, ALL TYPES		8,032		8,032		8,032				8,032

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1508	20	.50 CALIBER		6,440		3,240	6,440					
		Transfer to Title XV				[-3,200]						
1508	21	40 MM, ALL TYPES		39,369		39,369	39,369					39,369
1508	22	60MM, ALL TYPES		2,947		2,947	2,947					2,947
1508	23	81MM, ALL TYPES		57,351		57,351	57,351					57,351
1508	24	120MM, ALL TYPES		32,858		32,858	32,858					32,858
1508	25	CTG 25MM, ALL TYPES		9,536		9,536	9,536					9,536
1508	26	9 MM ALL TYPES		4,197		4,197	4,197					4,197
1508	27	GRENADES, ALL TYPES		16,733		8,383	26,733					16,733
		M67 hand grenade					[10,000]					
		Transfer to Title XV										
1508	28	ROCKETS, ALL TYPES		10,201		10,201	10,201					10,201
1508	29	ARTILLERY, ALL TYPES		35,514		35,514	35,514					35,514
1508	30	EXPEDITIONARY FIGHTING VEHICLE		9,529		9,529	9,529					9,529
1508	31	DEMOLITION MUNITIONS, ALL TYPES		8,282		8,282	8,282					8,282
1508	32	FUZE, ALL TYPES		565		565	565					565
1508	33	NON LETHALS		4,030		4,030	4,030					4,030
1508	34	AMMO MODERNIZATION		7,732		7,732	7,732					7,732
1508	35	ITEMS LESS THAN \$5 MILLION										
Total - Procurement of Ammo, Navy & USMC				789,943		758,793	809,943				8,000	797,943

Shipbuilding and Conversion, Navy overview

The budget request included \$10,578.6 million in Shipbuilding and Conversion, Navy for the Department of Defense. The House bill would authorize \$11,183.2 million. The Senate amendment would authorize \$12,058.6 million. The conferees agree to authorize \$11,021.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...31...to...32...Insert

Other Procurement, Navy overview

The budget request included \$4,967.9 million in Other Procurement, Navy for the Department of Defense. The House bill would authorize \$5,042.8 million. The Senate amendment would authorize \$5,045.5 million. The conferees agree to authorize \$4,995.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...33...to...41...Insert

Procurement, Marine Corps overview

The budget request included \$1,273.5 million in Procurement, Marine Corps for the Department of Defense. The House bill would authorize \$1,223.8 million. The Senate amendment would authorize \$1,300.2 million. The conferees agree to authorize \$1,253.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...42...to...46...Insert

Aircraft Procurement, Air Force overview

The budget request included \$11,479.8 million in Aircraft Procurement, Air Force for the Department of Defense. The House bill would authorize \$13,042.6 million. The Senate amendment would authorize \$12,004.1 million. The conferees agree to authorize of \$12,179.2 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...47...to...52...Insert

Procurement of Ammunition, Air Force overview

The budget request included \$1,072.7 million for Procurement of Ammunition, Air Force for the Department of Defense. The House bill would authorize \$1,076.7 million. The Senate amendment would authorize \$1,076.7 million. The conferees agree to authorize \$1,072.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios...53...to...54...Insert

Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
		Qty	Cost	Cost	Qty	Cost	Cost	Qty	Cost	Cost	Qty	Cost	Cost	Qty	Cost	
	Shipbuilding and Conversion, Navy															
	Other Warships															
1611	1 CARRIER REPLACEMENT PROGRAM		552,502	552,502		552,502		552,502		552,502		552,502		552,502		
1611	1 LESS: ADVANCE PROCUREMENT (PY)		-552,502	-552,502		-552,502		-552,502		-552,502		-552,502		-552,502		
1611	2 ADVANCE PROCUREMENT (CY)		784,143	784,143		784,143		834,143	10,000	794,143		794,143		794,143		
	CVN 21 class aircraft carrier program							[50,000]		[10,000]						
1611	3 VIRGINIA CLASS SUBMARINE	1	2,613,135	2,613,135	1	2,613,135	1	2,613,135		2,613,135	1	2,613,135		2,613,135		
1611	3 LESS: ADVANCE PROCUREMENT (PY)		-837,663	-837,663		-837,663		-837,663		-837,663		-837,663		-837,663		
1611	4 ADVANCE PROCUREMENT (CY)		676,582	676,582		676,582		676,582	400,000	1,076,582		1,076,582		1,076,582		
	Program increase								[400,000]							
1611	5 SSGN CONVERSION															
1611	5 LESS: ADVANCE PROCUREMENT (PY)															
1611	6 ADVANCE PROCUREMENT (CY)		954,495	954,495		954,495		954,495		954,495		954,495		954,495		
1611	7 CVN REFUELING OVERHAULS															
1611	7 LESS: ADVANCE PROCUREMENT (PY)															
1611	8 ADVANCE PROCUREMENT (CY)		117,139	117,139		117,139		137,139		117,139		117,139		117,139		
	M290 nuclear defueling facility							[20,000]								
1611	9 SSN ERO		3,975	3,975		3,975		3,975		3,975		3,975		3,975		
1611	9 LESS: ADVANCE PROCUREMENT (PY)		-3,975	-3,975		-3,975		-3,975		-3,975		-3,975		-3,975		
1611	10 ADVANCE PROCUREMENT (CY)		22,078	22,078		22,078		22,078		22,078		22,078		22,078		
1611	11 SSBN ERO															
1611	11 LESS: ADVANCE PROCUREMENT (PY)	1	249,930	249,930	1	249,930	1	249,930		249,930	1	249,930		249,930		
1611	12 ADVANCE PROCUREMENT (CY)		-60,908	-60,908		-60,908		-60,908		-60,908		-60,908		-60,908		
1611	13 DD(X)	2	3,578,245	3,578,245	1	3,578,245	2	3,578,245		3,578,245	2	3,578,245		3,578,245		
	Program decrease															
1611	13 LESS: ADVANCE PROCUREMENT (PY)		-1,010,134	-1,010,134		-1,010,134		-1,010,134		-1,010,134		-1,010,134		-1,010,134		
1611	14 ADVANCE PROCUREMENT (CY)		355,849	355,849		355,849		355,849		355,849		355,849		355,849		
1611	15 DDG-51															

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1611	15	LESS: ADVANCE PROCUREMENT (PY)										
1611	16	DDG MODERNIZATION PROGRAM										
		Program increase				200,000						
1611	17	LITTORAL COMBAT SHIP	2	520,670	2	520,670	2	520,670				50,000
		Amphibious Ships				[200,000]						[50,000]
1611	18	LHD-1 AMPHIBIOUS ASSAULT SHIP										
1611	19	LPD-17				3,469	1	1,585,961				3,469
		Restore LPD-17 full funding					[1]	[1,582,492]				
1611	19	LESS: ADVANCE PROCUREMENT (PY)				-3,469		-3,469				-3,469
1611	20	ADVANCE PROCUREMENT (CY)				297,492		297,492				297,492
		Eliminate advance procurement						[-297,492]				
1611	21	LHA REPLACEMENT	1	1,433,560	1	1,433,560	1	1,433,560				1,433,560
1611	21	LESS: ADVANCE PROCUREMENT (PY)				-297,643		-297,643				-297,643
1611	22	ADVANCE PROCUREMENT (CY)				-297,643		-297,643				-297,643
		LHA replacement LHA-R						175,000				
		Auxiliaries, Craft and Prior Yr Program Costs						[175,000]				
1611	23	SPECIAL PURPOSE										
1611	24	LCU(X)										
1611	25	OUTFITTING				410,643		380,643				410,643
		Outfitting and post-delivery						[-30,000]				
1611	26	SERVICE CRAFT				45,245	1	45,245				45,245
		Weapon retrieval vehicle					[1]	[4,600]				
1611	27	LCAC SLEP	6	110,692	6	110,692	6	110,692				110,692
1611	28	COMPLETION OF PY SHIPBUILDING PROGR				577,849		577,849				577,849
		Completion of prior year shipbuilding						[-20,000]				
1611	29	POWER UNIT ASSEMBLY FACILITY										
		Total - Shipbuilding and Conversion, Navy		10,578,553		11,183,153		12,058,553				443,000
												11,021,553

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Other Procurement, Navy										
	Ships Support Equipment										
	Ship Propulsion Equipment										
1810 1	LM-2500 GAS TURBINE		7,441	7,441	7,441		7,441				7,441
1810 2	ALLISON 501K GAS TURBINE		16,182	16,182	16,182		16,182				16,182
	Navigation Equipment										
1810 3	OTHER NAVIGATION EQUIPMENT		31,039	35,539	35,039		35,039		3,000		34,039
	Amphib Integrated Bridge System			[4,500]	[4,000]		[4,000]		[3,000]		
	Underway Replenishment Equipment										
1810 4	UNDERWAY REPLENISHMENT EQUIPMENT		928	928	928		928				928
	Periscopes										
1810 5	SUB PERISCOPES & IMAGING EQUIP		73,729	73,729	73,729		73,729				73,729
	Other Shipboard Equipment										
1810 6	DDG MOD		2,179	2,179	2,179		2,179				2,179
	DDG 51 Arleigh Burke class AEGIS modernization						[25,000]				
1810 7	FIREFIGHTING EQUIPMENT		17,914	17,914	17,914		17,914				17,914
1810 8	COMMAND AND CONTROL SWITCHBOARD		2,693	2,693	2,693		2,693				2,693
1810 9	POLLUTION CONTROL EQUIPMENT		27,889	27,889	27,889		27,889				27,889
1810 10	SUBMARINE SUPPORT EQUIPMENT		25,231	25,231	25,231		27,231		1,000		26,231
	High performance brush program						[2,000]		[1,000]		
1810 11	VIRGINIA CLASS SUPPORT EQUIPMENT		155,510	155,510	155,510		155,510				155,510
1810 12	SUBMARINE BATTERIES		33,814	33,814	33,814		33,814				33,814
1810 13	STRATEGIC PLATFORM SUPPORT EQUIP		21,892	21,892	21,892		21,892				21,892
1810 14	DSSP EQUIPMENT		4,729	4,729	4,729		4,729				4,729
1810 15	CG MODERNIZATION		233,666	233,666	233,666		233,666				233,666
1810 16	LCAC		437	437	437		437				437

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
		Communications and Electronics Equipment															
		Ship Radars															
1810	30	RADAR SUPPORT															
		AN/SFS-48 ROAR															
		Ship Sonars															
1810	31	SPQ-9B RADAR															
		LCS															
1810	32	AN/SQ-89 SURF ASW COMBAT SYSTEM															
1810	33	SSN ACOUSTICS															
1810	34	UNDERSEA WARFARE SUPPORT EQUIPMENT															
1810	35	SONAR SWITCHES AND TRANSDUCERS															
		ASW Electronic Equipment															
1810	36	SUBMARINE ACOUSTIC WARFARE SYSTEM															
1810	37	SSTD															
1810	38	FIXED SURVEILLANCE SYSTEM															
1810	39	SURTASS															
1810	40	TACTICAL SUPPORT CENTER															
		Electronic Warfare Equipment															
1810	41	AN/SLQ-32															
1810	42	INFORMATION WARFARE SYSTEMS															
		Reconnaissance Equipment															
1810	43	SHIPBOARD IW EXPLOIT															
		Submarine Surveillance Equipment															
1810	44	SUBMARINE SUPPORT EQUIPMENT PROG															
		Other Ship Electronic Equipment															
1810	45	NAVY TACTICAL DATA SYSTEM															
1810	46	COOPERATIVE ENGAGEMENT CAPABILITY															
1810	47	GCCS-M EQUIPMENT															

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Shipboard Communications										
1810	72	SHIPBOARD TACTICAL COMMUNICATIONS			40,467	40,467	40,467	40,467				40,467
1810	73	PORTABLE RADIOS			209,123	209,123	209,123	209,123				209,123
1810	74	SHIP COMMUNICATIONS AUTOMATION			12,574	12,574	12,574	12,574				12,574
1810	75	COMMUNICATIONS ITEMS UNDER \$5M Submarine Communications			666	666	666	666				666
1810	76	SUBMARINE BROADCAST SUPPORT			87,900	87,900	87,900	87,900				87,900
1810	77	SUBMARINE COMMUNICATION EQUIPMENT										
1810	78	Satellite Communications			12,291	14,391	12,291	12,291				12,291
		Mini-DAMA on submarines				[2,100]						
		Shore Communications										
1810	79	JCS COMMUNICATIONS EQUIPMENT			2,788	2,788	2,788	2,788				2,788
1810	80	ELECTRICAL POWER SYSTEMS			1,145	1,145	1,145	1,145				1,145
1810	81	NSIPS										
1810	82	JEDMICS										
1810	83	NAVAL SHORE COMMUNICATIONS			50,429	50,429	50,429	50,429				50,429
		Cryptographic Equipment										
1810	84	INFO SYSTEMS SECURITY PROGRAM (ISSP)			101,749	101,749	101,749	101,749				101,749
		Cryptologic Equipment										
1810	85	CRYPTOLOGIC COMMUNICATIONS EQUIP			21,758	21,758	21,758	21,758				21,758
		Other Electronic Support										
1810	86	COAST GUARD EQUIPMENT			41,133	41,133	41,133	41,133				41,133
		Drug Interdiction Support										
1810	87	OTHER DRUG INTERDICTION SUPPORT										
		Aviation Support Equipment										
		Sonobuoys										

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference		Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
			66,943		66,943		8,000		74,943		8,000		66,943
1810 88	SONOBOUOYS - ALL TYPES Sonobuoys		66,943		66,943		[8,000]						
1810 89	Aircraft Support Equipment		56,226		64,226		56,226		2,000				58,226
	WEAPONS RANGE SUPPORT EQUIPMENT				[8,000]				[2,000]				
	Multi-Spectral Threat Emitter System												
1810 90	EXPEDITIONARY AIRFIELDS		8,064		8,064		8,064						8,064
1810 91	AIRCRAFT REARMING EQUIPMENT		12,246		12,246		12,246						12,246
1810 92	AIRCRAFT LAUNCH & RECOVERY EQUIPME		29,817		29,817		29,817						29,817
1810 93	METEOROLOGICAL EQUIPMENT		14,905		14,905		14,905						14,905
1810 94	OTHER PHOTOGRAPHIC EQUIPMENT		1,459		1,459		1,459						1,459
1810 95	AVIATION LIFE SUPPORT		18,624		22,624		18,624		-3,500				15,124
	Multi-Climatc Protection System				[4,000]				[3,000]				
	Combat survivor evader locator (CSEL) radio								[-10,000]				
1810 96	RI-2200 high-intensity searchlights for NAVIR		89,727		89,727		89,727						89,727
1810 97	AIRBORNE MINE COUNTERMEASURES		27,369		27,369		27,369						27,369
1810 98	LAMPS MK III SHIPBOARD EQUIPMENT		10,821		10,821		10,821						10,821
	OTHER AVIATION SUPPORT EQUIPMENT												
	Ordnance Support Equipment												
	Ship Gun System Equipment												
1810 99	NAVAL FIRES CONTROL SYSTEM		3,311		3,311		3,311						3,311
1810 100	GUN FIRE CONTROL EQUIPMENT		7,443		7,443		7,443						7,443
	Ship Missile System Equipment												
1810 101	HARPOON SUPPORT EQUIPMENT		100		100		100						100
1810 102	NATO SEASPARROW		4,582		4,582		4,582						4,582
1810 103	RAM GMLS		9,987		9,987		9,987						9,987
1810 104	SHIP SELF DEFENSE SYSTEM		56,668		56,668		56,668						56,668
1810 105	AEGIS SUPPORT EQUIPMENT		75,349		80,349		75,349		4,000				79,349
	AEGIS land based test site modernization				[5,000]				[4,000]				

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1810 106	SURFACE TOMAHAWK SUPPORT EQUIPMENTS		61,185		61,185		61,185				61,185
1810 107	TOMAHAWK SUPPORT EQUIPMENT										
1810 108	SUBMARINE TOMAHAWK SUPPORT EQUIP		6,557		6,557		6,557				6,557
1810 109	VERTICAL LAUNCH SYSTEMS										
	FBM Support Equipment										
1810 110	STRATEGIC MISSILE SYSTEMS EQUIP		111,127		99,127		111,127		-12,000		99,127
	Conventional Trident modification				[-12,000]						[-12,000]
	ASW Support Equipment										
1810 111	SSN COMBAT CONTROL SYSTEMS		92,876		92,876		92,876				92,876
1810 112	SUBMARINE ASW SUPPORT EQUIPMENT		4,946		4,946		4,946				4,946
1810 113	SURFACE ASW SUPPORT EQUIPMENT		4,642		4,642		4,642				4,642
1810 114	ASW RANGE SUPPORT EQUIPMENT		7,188		7,188		7,188				7,188
	Other Ordnance Support Equipment										
1810 115	EXPLOSIVE ORDNANCE DISPOSAL EQUIP		21,494		21,494		21,494				21,494
	Joint Service and EOD IED countermeasures						[7,700]				
1810 116	ITEMS LESS THAN \$5 MILLION		4,041		4,041		4,041				4,041
	Other Expendable Ordnance										
1810 117	ANTI-SHIP MISSILE DECOY SYSTEM		54,131		54,131		60,131		5,500		59,631
	MK53 (NULKA) Decoy System						[6,000]		[5,500]		
1810 118	SURFACE TRAINING DEVICE MODS		11,243		11,243		11,243				11,243
1810 119	SUBMARINE TRAINING DEVICE MODS		24,776		27,776		24,776				24,776
	SNADIS shore interface				[3,000]						
	Civil Engineering Support Equipment										
1810 120	PASSENGER CARRYING VEHICLES		2,184		2,184		2,184				2,184
1810 121	GENERAL PURPOSE TRUCKS		2,200		2,200		2,200				2,200
1810 122	CONSTRUCTION & MAINTENANCE EQUIP		25,441		25,441		25,441				25,441
1810 123	FIRE FIGHTING EQUIPMENT		16,726		16,726		16,726				16,726
1810 124	TACTICAL VEHICLES		29,432		29,432		29,432				29,432

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1810	142	ENTERPRISE INFORMATION TECHNOLOGY	()	3,995	()	3,995	()	()	()	()	()	()
1810	143	CLASSIFIED PROGRAMS	()	()	()	()	()	()	()	()	()	()
1810	144	SPECIAL PROGRAM	()	()	()	()	()	()	()	()	()	()
1810	145	Productivity Programs JUDGMENT FUND REIMBURSEMENT	()	()	()	()	()	()	()	()	()	()
1810	146	Other CANCELLED ACCOUNT ADJUSTMENTS	()	()	()	()	()	()	()	()	()	()
1810	147	Spares and Repair Parts SPARES AND REPAIR PARTS	()	219,886	()	219,886	()	219,886	()	()	()	219,886
1810	999	CLASSIFIED PROGRAMS	()	8,841	()	8,841	()	8,841	()	()	()	8,841
Total - Other Procurement, Navy				4,967,916		5,042,766		5,045,516		27,117		4,995,033

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Conference Change		Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Procurement, Marine Corps.										
	Weapons and Combat Vehicles										
	Tracked Combat Vehicles										
1109 1	AAV7A1 PIP		12,481		12,481		12,481				12,481
1109 2	EXPEDITIONARY FIGHTING VEHICLE	15	239,859	15	239,859	15	239,859			15	239,859
1109 2	LESS: ADVANCE PROCUREMENT (PY)		-9,237		-9,237		-9,237				-9,237
1109 3	ADVANCE PROCUREMENT (CY)		25,582		25,582		25,582				25,582
1109 4	LAV PIP		25,990		25,990		25,990				25,990
1109 5	HIMARS										
1109 6	IMPROVED RECOVERY VEHICLE (IRV)										
1109 7	MODIFICATION KITS (ARMOR AND FIRE SUI)										
1109 8	M1A1 FIREPOWER ENHANCEMENTS		19,085		19,085		19,085				19,085
	Artillery and Other Weapons										
1109 9	EXPEDITIONARY FIRE SUPPORT SYSTEM		7,361		7,361		7,361				7,361
1109 10	155MM LIGHTWEIGHT TOWED HOWITZER	34	94,365	40	106,765	40	106,765			34	94,365
	Lightweight 155-millimeter towed howitzer										
	Program Increase			[6]	[12,400]	[6]	[12,400]				
1109 11	MODIFICATION KITS (INFANTRY WEAPONS;						5,000				5,000
	M2HB .50 caliber machine gun modification kits						[5,000]				[5,000]
1109 12	MARINE ENHANCEMENT PROGRAM										
1109 13	HIGH MOBILITY ARTILLERY ROCKET SYSTI	6	57,524	6	57,524	6	57,524			6	57,524
1109 14	WEAPONS AND COMBAT VEHICLES UNDER		8,959		4,459		8,959				8,959
	Transfer to Title XV										
	Weapons										
1109 15	MODULAR WEAPON SYSTEM										
	Other Support										
1109 16	MODIFICATION KITS		8,968		8,968		8,968				8,968
1109 17	WEAPONS ENHANCEMENT PROGRAM		17,051		17,051		17,051				17,051

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
1109	18	OPERATIONS OTHER THAN WAR OPERATIONS OTHER THAN WAR															
		Guided Missiles and Equipment															
		Guided Missiles															
1109	19	GROUND BASED AIR DEFENSE		3,894		3,894											3,894
1109	20	JAVELIN															
1109	21	HIMARS ROCKETS															
1109	22	COMPLEMENTARY LOW ALTITUDE WEAPON		3,155		3,155											3,155
		Other Support															
1109	23	MODIFICATION KITS		3,282		3,282											3,282
		Communications and Electronics Equipment															
		Command and Control Systems															
1109	24	UNIT OPERATIONS CENTER		7,752		7,752											7,752
		Repair and Test Equipment															
1109	25	REPAIR AND TEST EQUIPMENT															
1109	26	AUTO TEST SYSTEMS		13,088		13,088											13,088
1109	27	GENERAL PURPOSE TOOLS & TEST SYSTEM															
1109	28	CALIBRATION FACILITIES															
		Other Support (Tel)															
1109	29	COMBAT SUPPORT SYSTEM		14,304		14,304											14,304
1109	30	MODIFICATION KITS		17,456		17,456											17,456
		Command and Control System (Non-tel)															
		GLOBAL COMBAT SUPPORT SYSTEM															
1109	32	ITEMS UNDER \$5 MILLION (COMM & ELEC)		4,061		4,061											4,061
1109	33	AIR OPERATIONS C2 SYSTEMS		41,056		41,056											41,056
1109	34	MAGTF CSSE & SE															
1109	35	MULTIPLE ROLE RADAR SYSTEM															
1109	36	JOINT TACTICAL RADIO SYSTEMS															

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Conference Change		Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Support Vehicles										
	Administrative Vehicles										
1109 54	COMMERCIAL PASSENGER VEHICLES		351		351		351				351
1109 55	COMMERCIAL CARGO VEHICLES		12,035		12,035		12,035				12,035
	Tactical Vehicles										
1109 56	5/4T TRUCK HMMWV (MYP)	851	72,351	851	36,151	851	72,351			851	72,351
	Transfer to Title XV				[-36,200]						
1109 57	MOTOR TRANSPORT MODIFICATIONS		656		656		656				656
1109 58	MEDIUM TACTICAL VEHICLE REPLACEMENT		11		11		11				11
1109 59	LIGHTWEIGHT PRIME MOVER		68,785		68,785		68,785				47,085
1109 60	LOGISTICS VEHICLE SYSTEM REP								-21,700		
	Program delays								[-21,700]		
1109 61	FAMILY OF TACTICAL TRAILERS		12,664		12,664		12,664				12,664
	Other Support										
1109 62	ITEMS LESS THAN \$5 MILLION		2,869		2,869		2,869				2,869
	Engineer and Other Equipment										
1109 63	ENVIRONMENTAL CONTROL EQUIP ASSORT		2,039		2,039		2,039				2,039
1109 64	ASSAULT BREACHER VEHICLE		17,543		17,543		17,543				17,543
1109 65	BULK LIQUID EQUIPMENT		4,064		4,064		4,064				4,064
1109 66	TACTICAL FUEL SYSTEMS										
1109 67	DEMOLITION SUPPORT SYSTEMS		9,999		9,999		9,999				9,999
1109 68	POWER EQUIPMENT ASSORTED		13,218		13,218		13,218				13,218
1109 69	AMPHIBIOUS SUPPORT EQUIPMENT		14,838		14,838		14,838				14,838
1109 70	EOD SYSTEMS										
	Transfer to Title XV				[-7,400]						
	Materials Handling Equipment										
1109 71	AMPHIBIOUS RAID EQUIPMENT										

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
1109	72	PHYSICAL SECURITY EQUIPMENT		5,205		14,705	5,205					
		Laser Perimeter Awareness System				(9,500)						5,205
1109	73	GARRISON MOBILE ENGINEER EQUIPMENT		11,161		11,161	11,161					11,161
1109	74	MATERIAL HANDLING EQUIP		17,031		17,031	17,031					17,031
1109	75	FIRST DESTINATION TRANSPORTATION		5,216		5,216	5,216					5,216
		General Property										
1109	76	FAMILY OF INCIDENT RESPONSE		3,224		3,224	3,224					3,224
1109	77	FIELD MEDICAL EQUIPMENT		13,797		18,797	13,797					13,797
1109	78	FAMILY OF EOD EQUIPMENT		3,011		5,111	3,011				1,000	4,011
1109	79	TRAINING DEVICES		20,058		20,058	20,058					20,058
		Video Flashlight Training System		2,759		2,759	2,759					2,759
1109	80	CONTAINER FAMILY		5,148		5,148	5,148					5,148
		Nitrile rubber collapsible storage units										
1109	81	FAMILY OF CONSTRUCTION EQUIPMENT		10,463		10,463	10,463					10,463
1109	82	FAMILY OF INTERNALLY TRANSPORTABLE		35,837		35,837	35,837					35,837
1109	83	BRIDGE BOATS		1,273,513		1,223,813	1,273,513					1,253,813
1109	84	RAPID DEPLOYABLE KITCHEN		19,700		19,700	19,700					19,700
		Other Support										
1109	85	MODIFICATION KITS		35,837		35,837	35,837					35,837
1109	86	ITEMS LESS THAN \$5 MILLION		1,273,513		1,223,813	1,273,513					1,253,813
1109	87	CANCELLED ACCOUNT ADJUSTMENT (M)										
		Spares and Repair Parts										
1109	88	SPARES AND REPAIR PARTS		35,837		35,837	35,837					35,837
Total - Procurement, Marine Corps				1,273,513		1,223,813	1,300,213				-19,700	1,253,813

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Aircraft Procurement, Air Force										
		Combat Aircraft										
		Tactical Forces										
3010	1	F-35	5	988,109	5	988,109	5	118,405	-1	-140,000	4	848,109
		Joint Strike Fighter production reduction						[-869,704]	[-1]	[-140,000]		
3010	1	LESS: ADVANCE PROCUREMENT (PY)		-118,405		-118,405		-118,405				-118,405
3010	2	ADVANCE PROCUREMENT (CY)		145,310		57,310		60,030		-72,000		73,310
		Joint Strike Fighter production reduction				[-85,280]		[-85,280]		[-72,000]		
3010	3	F-22A		1,503,898	20	2,903,898	20	3,103,898	20	1,400,000	20	2,903,898
		Additional aircraft			[20]	[1,400,000]	[20]	[1,600,000]	[20]	[1,400,000]		
3010	3	LESS: ADVANCE PROCUREMENT (PY)										
3010	4	ADVANCE PROCUREMENT (CY)		477,404		477,404		277,404				477,404
		Reduction						[-200,000]				
3010	5	F-15E										
3010	5	LESS: ADVANCE PROCUREMENT (PY)										
3010	6	ADVANCE PROCUREMENT (CY)										
		Airlift Aircraft										
3010	7	C-17A (MYP)	12	3,306,394	15	3,606,194	14	3,273,214		-348,000	12	2,958,394
		Eliminate settlement fees						[-433,180]		[-348,000]		
		Additional aircraft			[3]	[299,800]	[2]	[400,000]				
3010	7	LESS: ADVANCE PROCUREMENT (PY)										
3010	8	ADVANCE PROCUREMENT (CY)		-670,202		-670,202		-670,202				-670,202
		Advance procurement for FY 2008						33,180				
3010	9	C-17 ICS						[33,180]				
		Other Airlift										
3010	10	C-40										

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007											
			Request			House			Senate			Conference		
			Qty	Cost	Authorized	Qty	Cost	Authorized	Qty	Cost	Authorized	Qty	Cost	Authorized
	11	C-130J	9	806,974	9	806,974	9	806,974	9	806,974	9	806,974		
3010	11	LESS: ADVANCE PROCUREMENT (PY)												
3010	12	ADVANCE PROCUREMENT (CY)		-109,687		-109,687		-109,687		-109,687		-109,687		
3010	13	KC-X ADVANCE PROCUREMENT (CY)		90,000		90,000		90,000		90,000		90,000		
		KC-135 aircraft replacement		36,130		36,130		36,130		36,130		36,130		
3010	14	LIGHT CARGO AIRCRAFT												
		Light Cargo Aircraft, transfer of funds from APA, line 1)												
		Trainer Aircraft												
		UPT Trainers												
3010	15	DRUG INTERDICTION												
3010	16	INTRO TO FLIGHT/AIRMANSHIP PRG												
		Operational Trainers												
3010	17	JPATS	48	305,129	48	305,129	48	305,129	48	305,129	48	305,129		
		Other Aircraft												
		Helicopters												
3010	18	V22 OSPREY	2	218,958	2	218,958	2	218,958	2	218,958	2	218,958		
3010	18	LESS: ADVANCE PROCUREMENT (PY)												
3010	19	ADVANCE PROCUREMENT (CY)		-10,385		-10,385		-10,385		-10,385		-10,385		
		Mission Support Aircraft												
3010	20	CIVIL AIR PATROL A/C		2,193		2,193		2,193		2,193		2,193		
		Program increase												
		Other Aircraft												
3010	21	TARGET DRONES		82,042		82,042		82,042		82,042		82,042		
3010	22	C-37A												
3010	23	GLOBAL HAWK	6	493,417	6	493,417	6	493,417	6	493,417	6	493,417		
		Reduction of aircraft												
3010	23	LESS: ADVANCE PROCUREMENT (PY)												
3010	24	ADVANCE PROCUREMENT (CY)		-64,129		-64,129		-64,129		-64,129		-64,129		
		Reduction of 2 aircraft												
		Change												
		Cost												
		Authorized												
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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
3010 25	PREDATOR UAV	26	229,095	26	114,545	26	229,095				
	Transfer to Title XV				[-114,550]						
	Acceleration of SOF capability										
	Modification of In-service Aircraft										
	Strategic Aircraft										
3010 26	B-2A		191,282		191,282		191,282				191,282
3010 27	B-1B		53,255		57,755		53,255		2,000		55,255
	MSOGS improvement program				[4,500]				[2,000]		
3010 28	B-52		70,147		70,147		70,147				70,147
3010 29	F-117		24,422		24,422		24,422				24,422
	Tactical Aircraft										
3010 30	A-10		107,432		107,432		190,832		2,700		110,132
	A/OA-10 modifications						[83,400]		[20,300]		
	Precision engagement								[-17,600]		
3010 31	F-15		92,901		92,901		92,901				92,901
3010 32	F-16		352,054		352,054		352,054				352,054
3010 33	F-22A		216,095		216,095		216,095				156,095
	Common configuration										
3010 34	T/AT-37										
	Airlift Aircraft										
3010 35	C-5		176,112		220,612		208,112		12,000		188,112
	C-5 avionics modernization program				[8]		[32,000]		[12,000]		
	Defensive system upgrade				[10]						
3010 35	LESS: ADVANCE PROCUREMENT (PY)		-19,734		-19,734		-19,734				-19,734
3010 36	ADVANCE PROCUREMENT (CY)		66,700		88,900		66,700				66,700
	REPP kit				[22,200]						
3010 37	C-9										
3010 38	C-17A		251,404		251,404		251,404				251,404

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
3010 39	C-21			1,322	1,322						
3010 40	C-32A			198	198						1,322
3010 41	C-37A			404	404						198
	Trainer Aircraft										404
3010 42	GLIDER MODS			115	115						115
3010 43	T-6			6,164	6,164						6,164
3010 44	T-1			188	188						188
3010 45	T-38			143,701	143,701						143,701
3010 46	T-41 AIRCRAFT										
3010 47	T-43			2,139	2,139						2,139
	Other Aircraft										
3010 48	KC-10A (ATCA)			6,761	6,761						6,761
3010 49	C-12			929	929						929
3010 50	C-20 MODS			513	513						513
3010 51	VC-25A MOD			1,027	1,027						1,027
3010 52	C-40			198	198						198
3010 53	C-130			217,677	217,677						217,677
	APN-241 radar				236,977					7,300	224,977
	Scathe View communications				[5,500]					[5,500]	
	Senior Scout shelter				[1,800]					[1,800]	
	Project RAINCOAT				[7,000]						
	Block 6.0 upgrade				[5,000]						
3010 54	CI30J MODS			39,001	39,001						25,001
3010 55	C-135			83,541	83,541						83,541
3010 56	COMPASS CALL MODS			46,818	46,818						46,818
3010 57	C-29A MODS										
3010 58	DARP			89,796	89,796						89,796
3010 59	E-3			64,547	64,547						64,547

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference		
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
3010	Other Production Charges											
3010 80	OTHER PRODUCTION CHARGES		474,853		478,053		474,853				474,853	
	P5 Combat Training System				(3,200)							
3010 81	DEPOT MODERNIZATION		1,370		1,370		1,370				1,370	
	Classified Prgms											
3010 82	CLASSIFIED PROGRAMS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
3010 83	CLASSIFIED ACTIVITIES	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
3010 84	SPECIAL PROGRAMS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
	Other Production Charges SOF											
3010 85	CANCELLED ACCT ADJUSTMENTS											
	DARP											
3010 86	DARP		13,000		13,000		13,000				13,000	
3010 999	CLASSIFIED PROGRAMS		8,572		8,572		8,572				8,572	
Total - Aircraft Procurement, Air Force			11,479,810		13,042,630		12,004,096		18		699,344	12,179,154

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Conference Change		Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Procurement of Ammunition, Air Force										
	Procurement of Ammo, Air Force										
	Rockets										
3011 1	ROCKETS		58,671		58,671		58,671				58,671
	Cartridges										
3011 2	CARTRIDGES		168,499		168,499		168,499				168,499
	Bombs										
3011 3	PRACTICE BOMBS		15,036		15,036		15,036				15,036
3011 4	GENERAL PURPOSE BOMBS		235,533		235,533		235,533				235,533
	Bomb insensitive munitions upgrade										
	Insensitive munitions upgrade				[4,000]						
3011 5	SENSOR FUZED WEAPON	305	118,887	305	118,887	305	118,887			305	118,887
3011 6	JOINT DIRECT ATTACK MUNITION	7,261	175,013	7,261	175,013	7,261	175,013			7,261	175,013
3011 7	WIND CORRECTED MUNITIONS DISPENSER	250	34,704	250	34,704	250	34,704			250	34,704
	Flare, IR MJU-7B										
3011 8	CAD/PAD		29,909		29,909		29,909				29,909
3011 9	EXPLOSIVE ORDNANCE DISPOSAL (EOD)		3,091		3,091		3,091				3,091
3011 10	SPARES AND REPAIR PARTS		4,705		4,705		4,705				4,705
3011 11	INITIAL SPARES										
3011 12	MODIFICATIONS		919		919		919				919
3011 13	ITEMS LESS THAN \$2,000,000		4,083		4,083		4,083				4,083

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Conference Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
3011 14	FLARES		161,958		161,958		161,958		161,958
3011 15	FUZES		56,777		56,777		56,777		56,777
	Weapons								
3011 16	SMALL ARMS		4,964		4,964		4,964		4,964
Total - Procurement of Ammunition, Air Force			1,072,749		1,076,749		1,076,749		1,072,749

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Missile Procurement, Air Force overview

The budget request included \$4,204.1 million in Missile Procurement, Air Force for the Department of Defense.

The House bill would authorize \$4,171.5 million.

The Senate amendment would authorize \$4,219.1 million.

The conferees agree to authorize \$4,171.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

└ Offset Folios...55...to...57...Insert

Other Procurement, Air Force overview

The budget request included \$15,408.1 million in Other Procurement, Air Force for the Department of Defense.

The House bill would authorize \$15,434.6 million.

The Senate amendment would authorize \$15,434.6 million.

The conferees agree to authorize \$15,443.3 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

└ Offset Folios...58...to...63...Insert

Procurement, Defense-wide overview

The budget request included \$2,861.5 million in Procurement, Defense-wide for the Department of Defense.

The House bill would authorize \$2,856.5 million.

The Senate amendment would authorize \$2,980.5 million.

The conferees agree to authorize \$2,886.4 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

└ Offset Folios...64...to...68...Insert

National Guard and Reserve Equipment

The budget request included no funding in the National Guard and Reserve Equipment account for the Department of Defense.

The House bill would authorize \$318.0 million.

The Senate amendment contained no similar funding.

The Senate recesses.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

└ Offset Folios...69...to...Insert

Light Cargo Aircraft

The budget request included \$109.2 million in Aircraft Procurement, Army (APA) for the procurement of three Future Cargo Aircraft (FCA) and \$15.8 million in Aircraft Procurement, Air Force (APAF) for the Light Cargo Aircraft (LCA).

The House bill would authorize the budget request.

The Senate amendment would authorize a decrease of \$109.2 million.

The conferees agree to authorize a decrease of \$109.2

Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Conference							
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Change Qty	Change Cost	Authorized Qty	Authorized Cost					
		Missile Procurement, Air Force Ballistic Missiles																	
3020	1	MISSILE REPLACEMENT EQUIPMENT-BALLISTIC		34,344		34,344		34,344											34,344
		Other Missiles																	
		Tactical																	
3020	2	JASSM	234	187,165	234	187,165	234	187,165	234										187,165
3020	3	JOINT STANDOFF WEAPON																	
3020	4	SIDEWINDER (AIM-9X)	195	43,834	195	43,834	195	43,834	195										43,834
3020	5	AMRAAM	215	135,869	215	135,869	215	135,869	215										135,869
3020	6	PREDATOR HELLFIRE MISSILE	677	65,312	677	32,662	677	65,312	677										65,312
		Transfer to Title XV				[-32,650]													
3020	7	SMALL DIAMETER BOMB	1,343	99,062	1,343	99,062	1,343	99,062	1,343										99,062
		Industrial Facilities																	
3020	8	INDUSTRIAL PREPAREDNESS/POL PREVENTION		2,236		2,236		2,236											2,236
		Modification of In-service Missiles																	
		Class IV																	
3020	9	ADVANCED CRUISE MISSILE		1,352		1,352		1,352											1,352
3020	10	MISSILE REPLACEMENT EQ-BALLISTIC		833		833		833											833
3020	11	MM III MODIFICATIONS		691,657		691,657		711,657											702,657
		Propulsion replacement program						[20,000]											
3020	12	AGM-65D MAVERICK		246		246		246											246
3020	13	AIR LAUNCH CRUISE MISSILE		9,708		9,708		9,708											9,708
		Spares and Repair Parts																	
		Missiles and Repair Parts																	
3020	14	INITIAL SPARES/REPAIR PARTS		50,602		50,602		50,602											50,602

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Special Programs										
3020 28	CANCELLED ACCOUNTS	[]	214,262	[]	214,262	[]	214,262	[]		[]	214,262
3020 29	DEFENSE SPACE RECONN PROGRAM	[]	[]	[]	[]	[]	[]	[]		[]	[]
3020 30	SPECIAL PROGRAMS	[]	[]	[]	[]	[]	[]	[]		[]	[]
3020 31	SPECIAL ACTIVITIES	[]	[]	[]	[]	[]	[]	[]		[]	[]
3020 32	CLASSIFIED PROGRAMS	[]	[]	[]	[]	[]	[]	[]		[]	[]
3020 33	SPECIAL UPDATE PROGRAMS	[]	131,362	[]	131,362	[]	131,362	[]		[]	131,362
3020 999	CLASSIFIED PROGRAMS	[]	776,693	[]	776,693	[]	776,693	[]		[]	776,693
	Total - Missile Procurement, Air Force		4,204,145		4,171,495		4,219,145		-32,259		4,171,886

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
3080 22	Fire Fighting Equipment		21,492		21,492		21,492				
3080 23	FIRE FIGHTING/CRASH RESCUE VEHICLES										21,492
	ITEMS LESS THAN \$2M										
3080 24	Materials Handling Equipment										
3080 25	TRUCK F/L 6000 LB										
3080 26	TRUCK, F/L 10,000 LB										
3080 27	HALVERSEN LOADER		8,211		8,211		8,211				8,211
	ITEMS LESS THAN \$2,000,000										
3080 28	Base Maintenance Support										
3080 29	LOADER, SCOOP										
3080 30	LOADER-SCOOP- W/BACKHOE										
3080 31	TRUCK, DUMP 5CY										
3080 32	RUNWAY SNOW REMOV AND CLEANING EC		30,260		30,260		30,260				30,260
3080 33	CRANE 7-50 TON										
3080 34	MODIFICATIONS										
	ITEMS LESS THAN \$5,000,000(VEHICLES)		27,918		27,918		27,918				27,918
3080 35	Cancelled Account Adjustment										
	CANCELLED ACCOUNT ADJUSTMENTS										
	Electronics and Telecommunications										
3080 36	Comm Security Equipment (COMSEC)										
3080 37	COMSEC EQUIPMENT		121,763		121,763		121,763				121,763
	MODIFICATIONS (COMSEC)		692		692		692				692
	Intelligence Programs										
3080 38	INTELLIGENCE TRAINING EQUIPMENT		5,235		5,235		5,235				5,235
3080 39	INTELLIGENCE COMM EQUIPMENT		1,576		1,576		9,076				9,076
	Intelligence squadron equipment for reachback						[7,500]				[7,500]

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference			
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost		
3080	40	Electronics Programs TRAFFIC CONTROL/LANDING Mobile Approach Control System -ANG Mobile Approach Control System		6,241		23,541 [17,300]						9,300		15,541
3080	41	NATIONAL AIRSPACE SYSTEM		53,761		53,761						[9,300]		53,761
3080	42	THEATER AIR CONTROL SYS IMPROVE		77,184		77,184								77,184
3080	43	WEATHER OBSERVATION FORECAST		35,093		35,093								35,093
3080	44	STRATEGIC COMMAND AND CONTROL		27,076		27,076								27,076
3080	45	CHEYENNE MOUNTAIN COMPLEX CCIC2S		19,257		4,357 [-14,900]								19,257
3080	46	TAC SIGINT SPT												
3080	47	DRUG INTERDICTION SPT		431		431								431
3080	48	Special Comm-Electronics Projects GENERAL INFORMATION TECHNOLOGY Science and engineering lab data integration (SELDI) (HASC Amdt)		120,406		126,406 [6,000]								120,406
3080	49	AF GLOBAL COMMAND & CONTROL SYS		13,877		13,877								13,877
3080	50	MOBILITY COMMAND AND CONTROL		10,060		10,060								10,060
3080	51	AIR FORCE PHYSICAL SECURITY SYSTEM Air Force Space Command security upgrades Near real time surveillance		41,382		44,382								45,582
3080	52	COMBAT TRAINING RANGES Unmanned threat emitter modernization		35,382		[3,000] 47,382 [12,000]								44,582
3080	53	P5 Combat Training System (CTS) Infrastructure Assets		3,413		3,413								3,413
3080	54	C3 COUNTERMEASURES		4,657		4,657								4,657
3080	55	GCSS-AF FOS		31,994		31,994								31,994
3080	56	THEATER BATTLE MGT C2 SYSTEM		23,586		23,586								23,586
3080	57	AIR OPERATIONS CENTER (AOC)		25,183		25,183								25,183

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Conference Change			Authorized		
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
3080	79	ITEMS LESS THAN \$2M															
		Personal Safety and Rescue Equipment															
3080	80	NIGHT VISION GOGGLES		19,304		19,304		19,304								19,304	
3080	81	ITEMS LESS THAN \$2M (SAFETY Self-deploying infrared streamers		4,000		4,000		4,000							4,000	4,000	
		Depot Plant and Material Handling Equip															
3080	82	MECHANIZED MATERIAL HANDLING EQUIP		14,593		14,593		14,593								14,593	
		Enterprise data collection solution															
3080	83	ITEMS LESS THAN \$2M (DEPOT)															
		Electrical Equipment															
3080	84	FLOODLIGHTS SET TYPE NF2D															
3080	85	ITEMS LESS THAN \$2M (ELECTRICAL)															
		Base Support Equipment															
3080	86	BASE PROCURED EQUIPMENT		11,417		11,417		11,417								11,417	
3080	87	MEDICAL/DENTAL EQUIPMENT		16,377		16,377		16,377								16,377	
3080	88	AIR BASE OPERABILITY		5,063		5,063		5,063								5,063	
3080	89	PHOTOGRAPHIC EQUIPMENT															
3080	90	PRODUCTIVITY CAPITAL INVESTMENT		5,401		5,401		5,401								5,401	
3080	91	MOBILITY EQUIPMENT		26,043		26,043		26,043								26,043	
3080	92	AIR CONDITIONERS															
3080	93	ITEMS LESS THAN \$2M (BASE SUPPORT)		30,876		30,876		30,876								30,876	
3080	94	PRODUCTION ACTIVITIES															

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
3080 95	Special Support Projects										
3080 96	TECH SURV COUNTERMEASURES EQMT		21,204	21,204	21,204		21,204				21,204
3080 97	DARP RC135		195,723	195,723	195,723		195,723				195,723
3080 98	DARP, MRIGS		[]	[]	[]		[]				[]
3080 99	SELECTED ACTIVITIES		[]	[]	[]		[]				[]
3080 100	SPECIAL UPDATE PROGRAM		467,601	467,601	467,601		467,601				467,601
3080 101	DEFENSE SPACE RECONNAISSANCE PROG.		15,171	15,171	15,171		15,171				15,171
3080 102	FIRST DESTINATION TRANSPORTATION										
3080 103	Spares and Repair Parts		28,634	28,634	28,634		28,634				28,634
3080 999	SPARES AND REPAIR PARTS CLASSIFIED PROGRAMS		12,653,786	12,653,786	12,653,786		12,653,786				12,653,786
Total - Other Procurement, Air Force			15,408,086	15,434,636	15,434,636		15,434,586		35,200		15,443,286

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Title I - Procurement
(Dollars in Thousands)

Account Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
300	Procurement, Defense-Wide										
	Major Equipment										
300	MAJOR EQUIPMENT, OSD		84,861		84,861		107,198 [22,337]				84,861
	Army high performance computing research center										
	Major Equipment, NSA										
300	CONSOLIDATED CRYPTOLOGIC PROGRAM	[]	[]	[]	[]	[]	[]				[]
300	INFORMATION SYSTEMS SECURITY PROGR	[]	12,133	[]	12,133	[]	12,133				12,133
300	DEFENSE AIRBORNE RECONNAISSANCE PG	[]	[]	[]	[]	[]	[]				[]
300	COUNTERDRUG INTELLIGENCE	[]	[]	[]	[]	[]	[]				[]
	Major Equipment, WHS										
300	WHS MOTOR VEHICLES	1	175	1	175	1	175			1	175
300	MAJOR EQUIPMENT, WHS		23,451		23,451		23,451				23,451
	Major Equipment, DISA										
300	INTERDICTION SUPPORT										
300	INFORMATION SYSTEMS SECURITY		18,747		18,747		18,747				18,747
300	DEFENSE MESSAGE SYSTEM		6,247		6,247		6,247				6,247
300	GLOBAL COMMAND AND CONTROL SYSTEM		5,584		5,584		5,584				5,584
300	GLOBAL COMBAT SUPPORT SYSTEM		2,652		2,652		2,652				2,652
300	TELEPORT PROGRAM		50,280		50,280		50,280				50,280
300	GLOBAL INFORMATION GRID										
300	ITEMS LESS THAN \$5 MILLION		41,386		41,386		41,386				41,386
300	NET CENTRIC ENTERPRISE SERVICES (NCE)		26,952		26,952		26,952				26,952
	Program decrease				[-15,000]						
300	DEFENSE INFORMATION SYSTEM NETWORK		29,870		29,870		29,870				29,870
300	PUBLIC KEY INFRASTRUCTURE		1,928		1,928		1,928				1,928
	Major Equipment, DIA										
300	INTELLIGENCE AND COMMUNICATIONS	[]	[]	[]	[]	[]	[]				[]

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	Request			House			Senate			Conference		
			Qty	Cost	Authorized	Qty	Cost	Authorized	Qty	Cost	Authorized	Qty	Cost	Authorized
300	20	COMBATANT COMMAND INTELLIGENCE OF	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
300	21	INTELLIGENCE SUPPORT TO OSD COUNTER	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
300	22	DEFENSE HUMINT INTELLIGENCE (HUMINT	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
		Major Equipment, DLA												
300	23	MAJOR EQUIPMENT		8,694		8,694		8,694						8,694
		Major Equipment, DCAA												
300	24	ITEMS LESS THAN \$5 MILLION		1,520		1,520		1,520						1,520
		Major Equipment, TJS												
300	25	MAJOR EQUIPMENT, TJS		42,988		42,988		42,988						42,988
		Major Equipment, DHRA												
300	26	PERSONNEL ADMINISTRATION		7,915		7,915		7,915						7,915
		National Geospatial Intelligence Agency												
300	27	MAJOR EQUIPMENT, NGA	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]
		Defense Threat Reduction Agency												
300	28	VEHICLES		180		180		180						180
300	29	OTHER MAJOR EQUIPMENT		15,698		15,698		15,698						15,698
		Defense Security Cooperation Agency												
300	30	OTHER MAJOR EQUIPMENT		507		507		507						507
		Major Equipment, AFIS												
300	31	MAJOR EQUIPMENT, AFIS		5,636		5,636		5,636						5,636
		Major Equipment, DODDE												
300	32	AUTOMATION/EDUCATIONAL SUPPORT & L		1,522		1,522		1,522						1,522
		Major Equipment, DCMA												
300	33	MAJOR EQUIPMENT		3,257		3,257		3,257						3,257
		Major Equipment, DTSA												
300	34	MAJOR EQUIPMENT		421		421		421						421
		Major Equipment, BTA												
300	35	MAJOR EQUIPMENT, BTA		16,291		16,291		16,291						16,291

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request			House Authorized			Senate Authorized			Change			Conference		
			Qty	Cost	105,788	Qty	Cost	105,788	Qty	Cost	123,988	Qty	Cost	12,900	Qty	Cost	118,688
300	52	SMALL ARMS AND WEAPONS MK47 Mod 0 Striker40	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
		Special Operations Forces laser acquisition marker (SOFLAM)	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	53	CLASSIFIED PROGRAMS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	54	MARITIME EQUIPMENT MODIFICATIONS	[]	1,831	[]	[]	1,831	[]	[]	[]	1,831	[]	[]	[]	[]	1,831	
300	55	SPECIAL APPLICATIONS FOR CONTINGENCI	[]	9,608	[]	[]	9,608	[]	[]	[]	9,608	[]	[]	[]	[]	9,608	
300	56	SOF COMBATANT CRAFT SYSTEMS	[]	20,204	[]	[]	20,204	[]	[]	[]	28,404	[]	[]	[]	[]	28,404	
		SOCOM craft modifications	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	57	SPARES AND REPAIR PARTS	[]	5,302	[]	[]	5,302	[]	[]	[]	5,302	[]	[]	[]	[]	5,302	
300	58	SPECIAL PROGRAMS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	59	TACTICAL VEHICLES	[]	13,196	[]	[]	13,196	[]	[]	[]	13,196	[]	[]	[]	[]	13,196	
300	60	MISSION TRAINING AND PREPARATIONS SY	[]	12,841	[]	[]	12,841	[]	[]	[]	12,841	[]	[]	[]	[]	12,841	
300	61	COMBAT MISSION REQUIREMENTS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	62	MILCON COLLATERAL EQUIPMENT	[]	3,090	[]	[]	3,090	[]	[]	[]	3,090	[]	[]	[]	[]	3,090	
300	63	UNMANNED VEHICLES	[]	20,700	[]	[]	20,700	[]	[]	[]	20,700	[]	[]	[]	[]	20,700	
300	64	CLASSIFIED PROGRAM (GDIP)	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	65	SOF MARITIME EQUIPMENT	[]	2,655	[]	[]	2,655	[]	[]	[]	2,655	[]	[]	[]	[]	2,655	
300	66	DRUG INTERDICTION	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	67	MISCELLANEOUS EQUIPMENT	[]	13,074	[]	[]	13,074	[]	[]	[]	13,074	[]	[]	[]	[]	13,074	
300	68	SPECIAL OPS MISSION PLANNING ENVIRON	[]	434,472	[]	[]	434,472	[]	[]	[]	434,472	[]	[]	[]	[]	434,472	
300	69	SOF OPERATIONAL ENHANCEMENTS	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
		Craft modifications	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
		LAN crypto devices	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	[]	
300	70	PSYOP EQUIPMENT	[]	93,881	[]	[]	93,881	[]	[]	[]	93,881	[]	[]	[]	[]	93,881	

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Change		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		Chemical/Biological Defense										
		CBDP										
300	71	INSTALLATION FORCE PROTECTION		86,157		86,157						86,157
300	72	INDIVIDUAL PROTECTION		76,732		76,732						76,732
300	73	DECONTAMINATION		16,793		16,793						16,793
300	74	JOINT BIOLOGICAL DEFENSE PROGRAM		47,113		47,113						47,113
300	75	COLLECTIVE PROTECTION		43,508		43,508						43,508
300	76	CONTAMINATION AVOIDANCE		236,120		236,120					12,000	248,120
		M22 automatic chemical agent alarm (ACADA)									[12,000]	
		Improved chemical agent monitor (ICAM)										
300	999	CLASSIFIED PROGRAMS		414,328		414,328						414,328
Total - Procurement, Defense-Wide				2,861,461		2,856,461		2,980,498		24,900		2,886,361

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Title I - Procurement
(Dollars in Thousands)

Account	Line	Program Title	FY 2007 Request		House Authorized		Senate Authorized		Conference	
			Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
		National Guard & Reserve Equipment								
		Reserve Equipment								
		ARMY RESERVE								
	1	MISCELLANEOUS EQUIPMENT								
	2	MISCELLANEOUS EQUIPMENT								
	3	MARINE CORPS RESERVE								
	4	MISCELLANEOUS EQUIPMENT								
		AIR FORCE RESERVE								
		MISCELLANEOUS EQUIPMENT								
		National Guard Equipment								
		ARMY NATIONAL GUARD								
	5	MISCELLANEOUS EQUIPMENT								
		Restoration of ARNG end strength funding								
		Additional equipment								
		AIR NATIONAL GUARD								
	6	MISCELLANEOUS EQUIPMENT								
		Total - National Guard & Reserve Equipment								
		Defense Production Act Purchases								
360	1	DEFENSE PRODUCTION ACT PURCHASES								
		Total - Defense Production Act Purchases								
		TOTAL PROCUREMENT								

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82,901,018 84,592,426 85,722,792 1,252,570 84,153,588

million in APA, and an increase by the same amount in APAF.

The conferees note that the Army initiated the FCA program to support an Army organic, time-sensitive cargo mission. The Air Force is also interested in procuring a similar type of aircraft and has been in the process of establishing a program office for a new intra-theater LCA. Since submission of the budget request, the Army and Air Force have signed a Memorandum of Understanding (MOU) regarding merging the two programs into a new program called the Joint Cargo Aircraft (JCA).

As part of implementing that MOU, the Air Force is conducting F-series (functional analysis) studies and an independent analysis of alternatives to define the broader requirement for the aircraft. The Air Force's LCA would provide intra-theater lift mission support for the U.S. Transportation Command (USTRANSCOM), which is the distribution process owner for the Department of Defense. The conferees note that intra-theater lift using fixed wing aircraft is performed most efficiently when it is coordinated by USTRANSCOM.

The conferees also note that the Joint Chiefs of Staff Intra-theater Lift Capabilities Study Phase 1 and the Air Mobility Command's Mobility Roadmap are currently being developed. The conferees further agree that, until these documents are complete, the right mix and number of intra-theater aircraft will not be determined. Therefore, it would be premature to procure aircraft until the Department completes these efforts and presents them to the congressional defense committees.

Items of Special Interest

Battleship transfer

The House report accompanying H.R. 5122 (H. Rept. 109-452) of the National Defense Authorization Act for Fiscal Year 2007 contained an item of special interest to clarify instructions to the Navy regarding the transfer of the battleships USS *Wisconsin* and USS *Iowa*, included in the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163). The conferees understand that: (1) the Navy will require that the USS *Wisconsin* and USS *Iowa* be preserved in their present condition through continued use of cathodic protection, dehumidification, and other methods as needed; (2) any alterations to the battleships while in the custody of entities within the Commonwealth of Virginia and State of California, respectively, could be reverted; and (3) spare parts and unique equipment, such as 16-inch gun barrels and projectiles, if donated, will include a provision in the donation agreement that they can be recalled if the battleships are returned to the Navy in the event of a national emergency. The conferees agree that these measures would meet the intent of the

instructions contained in the House report.

Study on replacement of the T-38 training aircraft

The Senate report accompanying S. 2766 (S. Rept. 109-254) of the National Defense Authorization Act for Fiscal Year 2007 directed the Secretary of the Air Force to conduct a study that would determine the suitability of T-45 and Korean built KT-50 training aircraft to replace the T-38 training aircraft.

The conferees direct the Secretary to conduct a study that would determine the suitability of the T-45, and any other appropriate aircraft, to replace the T-38, and to submit a report on the results of this study to the congressional defense committees by March 15, 2007.

Legislative Provisions Adopted

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101-104)

The House bill contained provisions (secs. 101-104) that would authorize the recommended fiscal year 2007 funding levels for Procurement Army, Navy, Marine Corps, Air Force, and Defense-wide activities.

The Senate amendment contained similar provisions (secs. 101-104).

The conference agreement includes these provisions.

Subtitle B—Army Programs

Sense of Congress on future multiyear procurement authority for the Family of Medium Tactical Vehicles (sec. 111)

The House bill contained a provision (sec. 111) that would authorize the Secretary of the Army to enter into a 3-year multiyear procurement contract, beginning with fiscal year 2008, for procurement of the Family of Medium Tactical Vehicles (FMTV).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress on the use of a multiyear procurement contract to extend FMTV procurement beyond the current 5-year multiyear contract. The amendment would also recommend that the Army incorporate product improvements from lessons learned from Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) and from product improvement programs in the area of force protection, survivability, reliability, network communications situational awareness, and safety.

The conferees recognize that the current 5-year multiyear procurement for FMTV A1R vehicles ends with fiscal year 2007 funding and calendar year 2008 deliveries. The conferees understand that 28,000 trucks have been produced to date, which falls short of the Army requirement for 85,000 trucks. The Army's Tactical Wheeled Vehicle (TWV) Modernization Strategy Report to Congress stated that "As a risk mitigator, use of contract options will be sought to permit extension of current production models to avoid any breaks in vehicle supply." The conferees note that the Army has saved approximately 6-10 percent on the costs of a 3-year multiyear contract versus single year procurement under three successive multiyear contracts. The conferees are concerned that single year contract awards would be costly because of the outstanding requirement and costly given the current savings provided by the current multiyear contract.

Furthermore, the conferees also note that a multiyear contract would potentially assure favorable, cost-effective prices for a more advanced FMTV configuration that would incorporate lessons learned from OEF and OIF, as well as ensure stability in the industrial base.

The conferees expect the Department of the Army to comply with all documentation and certifications requirements of section 2306(b) of title 10, United States Code.

Multiyear procurement authority for MH-60R helicopter and mission equipment (sec. 112)

The House bill contained a provision (sec. 112) that would authorize the Secretary of the Army, acting as the executive agent for the Department of the Navy, to enter into a 5-year, multiyear procurement contract for 144 MH-60R helicopters and associated mission equipment beginning with the fiscal year 2007 program year. Further, the provision would require that the multiyear procurement contract authority be executed in accordance with section 2306b of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of the Army, acting as the executive agent for the Department of the Navy, to enter into a multiyear contract, beginning with fiscal year 2007, for the procurement of MH-60R helicopters. The amendment would also authorize the Secretary of the Navy to enter into a multiyear contract for the procurement of associated mission equipment for MH-60R helicopters.

The conferees expect the Secretary of the Army and the Secretary of the Navy to submit certifications required by section 2306b before approving multiyear contracts for MH-60R helicopters and associated mission equipment. The conferees also understand that the Department of the Army and the Department of the Navy intend to procure at least 144 MH-60R helicopters and associated mission equipment.

*Funding profile for modular force initiative of the Army
(sec. 113)*

The House bill contained a provision (sec. 113) that would require the Secretary of the Army to include the M1A2 Abrams SEP tank and Bradley A3 fighting vehicles within the Army's modularity funding profile beginning with the 2008 budget submission, in accordance with the March 2006 Army report to Congress entitled "The Army Modular Initiative."

The Senate amendment contained no similar provision.

The Senate recesses with a clarifying amendment.

Bridge to Future Networks program (sec. 114)

The House bill contained a provision (sec. 114) that would limit to not more than 70 percent, the amounts authorized to be appropriated for the bridge to Future Networks program, until the Secretary of the Army submits a report to the congressional defense committees on an analysis of the integration of the Joint Network Node (JNN) and the Warfighter Information Network-Tactical (WIN-T).

The Senate amendment contained a similar provision (sec. 111) that would withhold 50 percent of the funds authorized to be appropriated for the procurement of the JNN until the Secretary provides a report to the congressional defense committees on the Army's strategy for the convergence of the JNN, WIN-T, and the Mounted Battle Command On-the-Move communications programs.

The Senate recesses with a clarifying amendment.

Comptroller General report on the contract for the Future Combat Systems program (sec. 115)

The Senate amendment contained a provision (sec. 112) that would require the Comptroller General to submit to the congressional defense committees a report on the participation and activities of the lead systems integrator in the Future Combat Systems (FCS) program under the contract of the Army for the FCS program.

The House bill contained no similar provision.

The House recesses.

Priority for allocation of replacement equipment to operational units based on combat mission deployment schedule (sec. 116)

The Senate amendment contained a provision (sec. 114) that would establish a priority for the distribution of new and combat serviceable equipment for active and reserve component forces to units scheduled for mission deployment, employment, or both regardless of component. Priority for the distribution of new and combat serviceable equipment would then be given to Army

National Guard units in States that have experienced a major disaster, as determined under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121-5206), and may require replacement equipment to respond to future emergencies or disasters.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the authority, as provided for in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), by directing the Secretary of Defense to ensure that priority for the distribution of equipment using the amounts authorized to be appropriated for the procurement of replacement equipment for the distribution of new and combat serviceable equipment, with associated support and test equipment, for active and reserve component forces be given to operational units based on combat mission deployment schedule regardless of component.

The conferees recognize that National Guard units operating in States that have experienced a major disaster, as determined under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121-5206), may require replacement equipment to respond to future natural and man-made disasters. The conferees direct the Secretary of Defense to conduct a study on the priority distribution strategy for replacing National Guard equipment and to submit a report on the results of the study to the congressional defense committees no later than April 1, 2007. The conferees expect the Department to allocate equipment based on the priorities determined by this analysis.

Subtitle C-Navy Programs

CVN-21 class aircraft carrier procurement (sec. 121)

The Senate amendment contained a provision (sec. 121) that would authorize the Secretary of the Navy to incrementally fund procurement of CVN-21 class aircraft carriers over four year periods, commencing with CVN-78 procurement in fiscal year 2008. The provision would also authorize the Secretary to enter into a contract during fiscal year 2007 for advance procurement with respect to the CVN-21 class aircraft carriers designated CVN-79 and CVN-80.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to incrementally fund procurement of a CVN-21 class aircraft carrier designated CVN-78, CVN-79, and CVN-80, as applicable, over four year periods, commencing with the fiscal year of the contract for construction of the applicable aircraft carrier.

Adherence to Navy cost estimates for CVN-21 class of aircraft

carriers (sec. 122)

The House bill contained a provision (sec. 122) that would limit the total amount to be obligated or expended from funds appropriated or otherwise made available in Shipbuilding and Conversion, Navy, or for any other procurement account, for the detail design, non-recurring engineering and construction of the lead ship of the CVN-21 class aircraft carrier program to \$10.5 billion. The provision would also limit the total amount to be obligated or expended for the construction of the follow-on ships of the CVN-21 class aircraft carrier program to \$8.1 billion. The provision would allow the Secretary of the Navy to adjust the limitation amounts for: (1) economic inflation; (2) changes in Federal, State, or local laws enacted after September 30, 2006; (3) outfitting and post-delivery costs; and (4) insertion of new technology. The insertion of new technology would be limited to those technologies that could be used to either lower life cycle costs or meet an emerging threat. The provision would also require the Secretary to report any adjustment to the cost limitation with the submission of the annual budget request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would also allow the Secretary to make adjustments for amounts of increases or decreases to cost attributable to: (1) non-recurring design and engineering pursuant to achieving compliance with the cost limitation; and (2) correction of deficiencies that affect safety of ship, safety of personnel, or otherwise preclude safe operations and crew certifications.

The amendment would not provide the Secretary authority to adjust the limitation amounts for cost increases attributable to congressional actions that impact on the shipbuilding program of record. However, the conferees understand that such action could have significant impact on program cost, and therefore direct that the Secretary include, within the annual written notice to the congressional defense committees regarding changes to the cost limitations, an assessment of any negative impact of congressional action on program costs.

The conferees understand that the CVN-21 class budget represents the Navy's risk-balanced assessment of the cost for completing design and construction of the future class of nuclear powered aircraft carriers. The conferees recognize that many uncertainties remain with regard to completion of CVN-21 design and construction, including innumerable, inestimable events which will impact cost during the next 15 years of performance on the program. Accordingly, the amendment would allow adjustment to the cost limitation for non-recurring design and engineering in order to enable the Navy to reduce this risk in the execution of the design effort.

The conferees expect that the Navy will ultimately manage program execution within the bounds of the budget estimate.

Accordingly, the conferees understand that compliance with this provision will require procurement cost trade-offs to be accomplished, which could reduce the capabilities, system performance, safety, crew quality of life, future growth margin, or other important factors in the design and construction of the CVN-21 class. The conferees believe that most of these trade-offs will be within the purview of the program office and requirements office. However, the Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives not less than 30 days prior to implementing any cost-driven reduction which would unacceptably impact safety, crew quality of life, or otherwise preclude the program from meeting the requirements of the CVN-21 Operational Requirements Document. The Secretary's notification shall identify the specific characteristic proposed to be reduced and the cost avoidance provided by such reduction.

Modification of limitation on total cost of procurement of CVN-77 aircraft carrier (sec. 123)

The Senate amendment contained a provision (sec. 123) that would increase the limitation on the total cost of procurement for the CVN-77 aircraft carrier to \$6.057 billion.

The House bill contained no similar provision.

The House recedes.

Construction of first two vessels under the DDG-1000 Next-Generation Destroyer program (sec. 124)

The Senate amendment contained a provision (sec. 122) that would authorize the Secretary of the Navy to enter into a contract to fund the detail design and construction of the first two DDG-1000 class destroyers in Shipbuilding and Conversion, Navy (SCN), with funding split over fiscal years 2007 and 2008.

The House bill contained a similar provision (sec. 127).

The House recedes with a technical amendment.

The conferees understand that the Secretary has requested split funding authority for the two lead ships of the DDG-1000 class as a one-time program exception to the full funding policy in order to support the competitive procurement of the follow-on ships of the program. The conferees agree that there is sufficient benefit to authorizing this one-time exception with the expectation that the Secretary will structure the DDG-1000 program so that each ship, after the first two ships, is procured using the method of full funding in a single year.

Adherence to Navy cost estimates for LHA Replacement amphibious assault ship program (sec. 125)

The House bill contained a provision (sec. 123) that would

limit the total amount to be obligated or expended from funds appropriated or otherwise made available in Shipbuilding and Conversion, Navy, or for any other procurement account, for the detail design, non-recurring engineering and construction of the lead ship of the LHA Replacement amphibious assault ship, LHA-6, to \$2.81 billion. The provision would allow the Secretary of the Navy to adjust the limitation amounts for: (1) economic inflation; (2) changes in Federal, State, or local laws enacted after September 30, 2006; (3) outfitting and post-delivery costs; and (4) insertion of new technology. The insertion of new technology would be limited to those technologies that could be used to either lower life-cycle costs or meet an emerging threat. The provision would require the Secretary to report any adjustment to the cost limitation with the submission of the annual budget request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would also allow the Secretary to make adjustments for amounts of increases or decreases to cost attributable to: (1) non-recurring design and engineering pursuant to achieving compliance with the cost limitation; (2) correction of deficiencies that affect safety of ship, safety of personnel, or otherwise preclude safe operations and crew certifications; and (3) the effect of Hurricane Katrina in August 2005 or other force majeure contract modifications.

The amendment would not provide the Secretary authority to adjust the limitation amounts for cost increases attributable to congressional actions that impact on the shipbuilding program of record. However, the conferees understand that such action could have significant impact on program cost, and therefore direct that the Secretary include, within the annual written notice to the congressional defense committees regarding changes to the cost limitations, an assessment of any negative impact of congressional action on program costs.

The conferees understand that the LHA-6 budget represents the Navy's risk-balanced assessment of the cost for completing design and construction of the future LHA Replacement ship. The conferees recognize that many uncertainties remain with regard to completion of LHA-6 design and construction, including innumerable, inestimable events which will impact cost during the next 6 years of performance on the program. Accordingly, the amendment would allow adjustment to the cost limitation for non-recurring design and engineering in order to enable the Navy to reduce this risk in the execution of the design effort.

The conferees expect that the Navy will ultimately manage program execution within the bounds of the budget estimate. The conferees understand that compliance with this provision will require procurement cost trade-offs to be accomplished, which could reduce the capabilities, system performance, safety, crew quality of life, future growth margin, or other important factors in the design and construction of the LHA Replacement ship. The

conferees believe that most of these trade-offs will be within the purview of the program office and requirements office. However, the Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives not less than 30 days prior to implementing any cost-driven reduction which would unacceptably impact safety, crew quality of life, or otherwise preclude the program from meeting the requirements of the LHA Replacement program Capability Development Document. The Secretary's notification shall identify the specific characteristic proposed to be reduced and the cost avoidance provided by such reduction.

Cost limitation for San Antonio (LPD-17) class amphibious ship program (sec. 126)

The House bill contained a provision (sec. 124) that would limit the total amount to be obligated or expended from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for eight San Antonio class amphibious ships (LPD-18, LPD-19, LPD-20, LPD-21, LPD-22, LPD-23, LPD-24, and LPD-25) to the cost estimates submitted for those ships with the fiscal year 2007 budget request. The provision would allow the Secretary of the Navy to adjust the limitation amounts for economic inflation; changes in Federal, State, or local laws enacted after September 30, 2006; outfitting and post-delivery costs; and the amounts of insertion of new technology. The insertion of new technology would be limited to those technologies that could be used to either lower life cycle costs or meet an emerging threat. The provision would require the Secretary to report any adjustment to the cost limitation with the submission of the annual budget request.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would raise the amounts of the limitation for the LPD-22, LPD-23, LPD-24, and LPD-25 San Antonio class amphibious ships to the contract ceiling prices for those four ships. The amendment would also allow the Secretary to make adjustments for contract cost adjustments directly attributed to the effect of Hurricane Katrina or other force majeure contract modifications, and for amounts of closeout costs associated with completion of the LPD-17 class program.

Multiyear procurement authority for V-22 tiltrotor aircraft program (sec. 127)

The House bill contained a provision (sec. 125) that would authorize the Secretary of the Navy, acting as the executive agent for the Secretary of the Air Force and the Commander, U.S. Special Operations Command (USSOCOM), to enter into a multiyear contract, beginning with the fiscal year 2008 program year, for the procurement of 211 V-22 tiltrotor aircraft, of which not more

than 185 would be in the MV-22 configuration and not more than 26 would be in the CV-22 configuration.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the Secretary of the Navy, acting as the executive agent for the Secretary of the Air Force and the Commander, USSOCOM, to enter into a multiyear contract, beginning with the fiscal year 2008 program year, for the procurement of V-22 tiltrotor aircraft.

The conferees expect that the Secretary of the Navy will procure V-22 tiltrotor aircraft at the quantity that was requested in the budget.

Alternative technologies for future surface combatants (sec. 128)

The House bill contained a provision (sec. 128) that would express the sense of Congress that the Navy should make greater use of alternative technologies, including nuclear power, as a means of vessel propulsion for its future fleet of surface combatants.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand the definition of alternative technologies for propulsion of future major surface combatants to include integrated power systems and fuel cells. The amendment would also require that the Secretary of the Navy include integrated power systems, fuel cells, and nuclear power as propulsion alternatives to be evaluated within the analysis of alternatives for future major surface combatant ships.

Sense of Congress regarding the size of the attack submarine force (sec. 129)

The House bill contained a provision (sec. 121) that would amend section 5062 of title 10, United States Code, to require the Secretary of Defense to maintain a minimum force structure of 48 operational attack submarines.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the Secretary of the Navy should take all reasonable effort to accelerate the construction of *Virginia* class submarines to maintain the attack submarine force structure at not less than 48 submarines and (if the number of attack submarines should fall below 48), to minimize the period the attack submarine force structure remains below 48 vessels.

The conferees are aware that the earliest possible date to accelerate *Virginia* class construction to 2 boats per year is 2010, which would require advance procurement funding commencing in 2008. Therefore, the conferees direct the Secretary to submit a report to the congressional defense committees with the fiscal year 2008 budget request that would identify the necessary

planning and programming required to increase Virginia class construction to 2 boats per year commencing in fiscal year 2010. The report shall consider program cost, shipyard workload impacts, budget implications, and other significant factors that would weigh in the decision process regarding acceleration of attack submarine construction. The report shall also identify the operational impact associated with delaying the increase in attack submarine construction until 2012 in accordance with the program of record.

Quality control in procurement of ship critical safety items and related services (sec. 130)

The Senate amendment contained a provision (sec. 809) that would require the Secretary of Defense to prescribe in regulation a quality control policy for the procurement of ship critical safety items and the procurement of modifications, repair, and overhaul of such items.

The House bill contained a similar provision (sec. 126).

The House recedes.

The conferees agree to extend the date for the submission of the Comptroller General's report to the congressional defense committees required by the Senate report accompanying S. 2766 (S. Rept. 109-254) of the John Warner National Defense Authorization Act for Fiscal Year 2007 until February 1, 2008.

The conferees expect the Comptroller General to brief the congressional defense committees on the initial findings of the report by April 1, 2007.

Subtitle D-Air Force Programs

Bomber force structure (sec. 131)

The House bill contained a provision (sec. 131) that would prohibit the Air Force from retiring any B-52 aircraft, except for the one B-52 aircraft no longer in use by the National Aeronautics and Space Administration for testing. The provision would require the Air Force to maintain a minimum of 44 B-52H combat coded aircraft until the year 2018 or until a long-range strike replacement aircraft with equal or greater capability than the B-52H model has attained initial operational capability.

The Senate amendment contained similar provisions (secs. 144-145). Section 144 would allow the Secretary of the Air Force to retire up to 18 B-52H bomber aircraft in fiscal year 2007. Section 145 would prevent the obligation or expenditure of funds for the retirement or dismantling of any of the 93 B-52H bomber aircraft in service in the Air Force as of June 1, 2006, until the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report on the amount

and type of bomber force structure required to carry out the National Security Strategy of the United States.

The Senate recedes with an amendment that would authorize the Secretary to retire up to 18 B-52H bomber aircraft, but maintain not less than 44 combat coded B-52H bomber aircraft, beginning 45 days after the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a report prepared by the Institute for Defense Analyses on the amount and type of bomber force structure required to carry out the National Security Strategy of the United States. The amendment would also prohibit retirement of more than 18 B-52s until a long-range strike replacement aircraft with equal or greater capability has attained initial operational capability status or until January 1, 2018, whichever occurs first.

The conferees direct the Secretary to include in the report:

- (1) the plans to modernize the Air Force bomber fleets;
- (2) the amount and type of bomber force required in executing two overlapping "swift defeat" campaigns involving both conventional and strategic nuclear missions;
- (3) a justification of the cost and projected savings associated with any reductions to the B-52H bomber aircraft fleet;
- (4) the life expectancy of each bomber aircraft to remain in the bomber force structure; and
- (5) the capabilities of the bomber force structure that would be replaced, augmented, or superceded by any new bomber aircraft.

The conferees expect the Secretary to maintain all retired B-52H bomber aircraft, retired in fiscal year 2007 or later, in a condition known as "Type-1000 storage" at the Aircraft Maintenance and Regeneration Center.

Strategic airlift force structure (sec. 132)

The House bill contained a provision (sec. 132) that would require the Air Force to maintain a minimum strategic airlift force of 299 aircraft beginning in fiscal year 2009, and would repeal section 132 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the repeal of any portion of section 132.

Limitation on retirement of U-2 aircraft (sec. 133)

The House bill contained a provision (sec. 133) that would preclude the Department of Defense from retiring U-2 aircraft in fiscal year 2007. The provision would permit retirement after fiscal year 2007 only if the Secretary of Defense were able to certify to Congress that the U-2's intelligence, surveillance,

and reconnaissance (ISR) capabilities no longer contribute to mitigating any gaps in ISR capabilities identified in the 2006 Quadrennial Defense Review report.

The Senate amendment contained no similar provision.
The Senate recesses with a technical amendment.

Multiyear procurement authority for F-22A Raptor fighter aircraft (sec. 134)

The House bill contained a provision (sec. 134) that would authorize the Secretary of the Air Force, beginning in program year 2007, to enter into a 3-year multiyear contract for procurement of up to 60 F-22A Raptor fighter aircraft. The provision would allow the multiyear contract to be entered into only after the Secretary of Defense certifies that the conditions specified in subsection (a) of section 2306b of title 10, United States Code, have been met, subject to a 30-day congressional notice-and-wait period.

The Senate amendment contained similar provisions (secs. 146-147) that would prohibit the use of incremental funding for the procurement of F-22A fighter aircraft, authorize the Secretary of the Air Force to enter into a multiyear contract for the procurement of up to 60 F-22A fighter aircraft and up to 120 F119 engines, including not more than 13 spare F119 engines, beginning with the fiscal year 2007 program year.

The Senate recesses with an amendment that would:

- (1) prohibit the use of incremental funding for the procurement of F-22A fighter aircraft;
- (2) require the Secretary of Defense to certify to the congressional defense committees that the multiyear contract is in compliance with each of the conditions specified in subsection (a) of section 2306b, as well as the certification required in subsection (i)(1)(A) of section 2306b;
- (3) require the Secretary, in certifying that the cost savings are substantial, to duly consider the historical cost savings that led to a decision to proceed with a multiyear procurement contract under section 2306b of title 10, United States Code, in the case of previous aviation-related multiyear contracts authorized by law dating back to fiscal year 1982; and
- (4) require the Secretary of Defense to provide a new F-22A cost analysis, prepared by a federally-funded research and development center other than the Institute for Defense Analyses, to the congressional defense committees.

The conferees expect that the Secretary of Defense's certification of projected multiyear procurement savings will include a consideration of savings, relative to historical experience, that are attributable to economic order quantity investments, number of units procured, length of the multiyear

contracts, and cost reduction initiatives.

Limitation on retirement of KC-135E aircraft during fiscal year 2007 (sec. 135)

The House bill contained a provision (sec. 135) that would prohibit the Air Force from retiring more than 29 KC-135E aircraft during fiscal year 2007. Beginning in fiscal year 2007, the provision would also require the Secretary to maintain all retired KC-135Es, after September 30, 2006, in a condition that would allow recall of that aircraft for future service in the Air Force Reserve, Guard, or regular forces aerial refueling force structure.

The Senate amendment contained a provision (sec. 143) that would authorize the Secretary to retire up to and including 29 Air Force KC-135E aircraft.

The Senate recesses.

The conferees expect the Secretary to maintain all KC-135E aircraft, retired in fiscal year 2007 or later, in a condition known as "Type-1000 storage" at the Aircraft Maintenance and Regeneration Center.

Limitation on retirement of F-117A aircraft during fiscal year 2007 (sec. 136)

The House bill contained a provision (sec. 136) that would limit the number of F-117A aircraft to be retired by the Secretary of the Air Force in fiscal year 2007 to 10 aircraft. The provision would also require the Secretary to maintain each F-117A aircraft, retired after September 30, 2006, in a condition that would allow recall of that aircraft for future service.

The Senate amendment contained no similar provision.

The Senate recesses.

The conferees expect the Secretary to maintain all F-117A aircraft, retired in fiscal year 2007 or later, in a condition known as "Type-1000 storage" at the Aircraft Maintenance and Regeneration Center.

Limitation on retirement of C-130E tactical airlift aircraft (sec. 137)

The Senate amendment contained a provision (sec. 142) that would prohibit the Secretary of the Air Force from retiring any C-130E/H tactical airlift aircraft in fiscal year 2007.

The House bill contained no similar provision.

The House recesses with an amendment that would allow the Secretary to retire up to 51 C-130E tactical airlift aircraft.

The conferees expect the Secretary to maintain all C-130E aircraft, retired in fiscal year 2007 or later, in a condition known as "Type-1000 storage" at the Aircraft Maintenance and

Regeneration Center.

Procurement of Joint Primary Aircraft Training System aircraft after fiscal year 2006 (sec. 138)

The Senate amendment contained a provision (sec. 141) that would require any Joint Primary Aircraft Training System aircraft procured after fiscal year 2006 to be procured through a contract under part 15 of the Federal Acquisition Regulations (FAR), relating to acquisition of items by negotiated contract, rather than through a contract under part 12 of the FAR, relating to acquisition of commercial items.

The House bill contained no similar provision.

The House recesses.

Minuteman III intercontinental ballistic missiles modernization (sec. 139)

The Senate amendment contained a provision (sec. 149) that would restrict the Department of Defense from terminating any Minuteman III Intercontinental Ballistic Missile (ICBM) modernization program or withdraw any Minuteman III ICBM from the active force until 30 days after the Secretary of Defense submits to the congressional defense committees a report. The provision would also make available \$5.0 million of the amounts available for research, development, test, and evaluation, Air Force, for Remote Visual Assessment for security of the silos housing ICBMs.

The House bill contained no similar provision.

The House recesses with an amendment that would place the findings in the statement of managers, and that would reflect the conference outcome of the amounts available for Remote Visual Assessment in the tables of this report in research, development, test, and evaluation, Air Force.

The conferees make the following findings: (1) In the statement of managers accompanying the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), the conferees state that the policy of the United States "is to deploy a force of 500 ICBMs." The conferees further note "that unanticipated strategic developments may compel the United States to make changes to this force structure in the future;" (2) The Quadrennial Defense Review (QDR) Report of 2006 finds that maintaining a robust nuclear deterrent "remains a keystone of United States national power." However, notwithstanding that finding and without providing any specific justification for the recommendation, the QDR recommends reducing the number of deployed Minuteman III ICBMs from 500 to 450 beginning in fiscal year 2007. The QDR also fails to identify what unanticipated strategic developments compelled the United States to reduce the ICBM force structure; and (3) General James Cartwright, Commander, U.S. Strategic Command, testified before the Committee

on Armed Services of the Senate that the reduction in deployment of Minuteman III ICBMs is required so that the 50 missiles withdrawn from the deployed force could be used for test assets and spares to extend the life of the Minuteman III ICBMs well into the future. If spares are not modernized, the Air Force may not have sufficient replacement missiles to sustain the force size.

Subtitle E-Joint and Multi-Service Matters

Clarification of limitation on initiation of new unmanned aerial vehicle systems (sec. 141)

The conferees agree to include a provision that would amend section 142 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-162) to explicitly state that the section applies to the procurement of new unmanned aerial vehicle (UAV) systems, and to provide clarifying language for those systems for which an exception is made, including: any UAV system or any component thereof, as described in section 142, if as of January 6, 2006, the UAV system or any component thereof to be procured was otherwise currently under contract or had previously been procured by the Department of Defense, or funds had been appropriated but not yet obligated for the UAV system or any component thereof. The conferees also agree to authorize the Undersecretary of Defense for Acquisition, Technology, and Logistics (AT&L) to delegate this authority within the Office of AT&L.

Legislative Provisions Not Adopted

Reports on Army modularity initiative

The Senate amendment contained a provision (sec. 113) that would require the Secretary of the Army to submit a report to the congressional defense committees, not later than March 15, 2007, on specific costs, funding, and equipment distribution of the Army's modularity initiative. The provision would also require that the Comptroller General conduct an annual review of the modularity initiative and the progress that the Army is making in the equipping of the active and reserve components.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that the reporting requirements of this provision are incorporated elsewhere in this report.

Funding for the Call for Fire Trainer/Joint Fires and Effects Trainer System

The House bill contained a provision (sec. 115) that would authorize \$4.0 million for the procurement of the Call for Fire Trainer/Joint Fires and Effects Trainer System for the Army.

The Senate amendment contained no similar provision.

The House recesses.

The conference outcome is reflected in the tables of this report in Other Procurement, Army, line number 169.

Air Force program

The House bill contained a provision (sec. 137) that would authorize an increase of \$6.0 million in section 103 for Other Procurement, Air Force for Science Engineering Lab Data Integration at Ogden Air Logistics Center, Utah. This would be offset by an equal decrease in PE 62301E for Information and Communications Technology.

The Senate amendment contained no similar provision.

The House recesses.

The conference outcome is reflected in the tables of this report.

Multi-spectral imaging capabilities

The Senate amendment contained a provision (sec. 148) that would: (1) express the sense of the Senate that the Air Force should investigate ways to retain the multi-spectral imaging capabilities of the Senior Year Electro-optical Reconnaissance System (SYERS-2) that would otherwise be lost with the retirement of the U-2 aircraft; and (2) require that the Secretary of the Air Force provide a plan for migrating these multi-spectral capabilities to the Global Hawk unmanned aerial vehicle.

The House bill contained no similar provision.

The Senate recesses.

The conferees expect the Secretary to develop a plan for migrating the multi-spectral imaging capability provided by the SYERS-2 capabilities from the U-2 to the Global Hawk, and provide the results of that plan to the congressional defense committees with the submission of the fiscal year 2008 budget request.

TITLE II-RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Budget Items

Research, Development, Test, and Evaluation overview

The budget request included \$73,156.0 million in Research, Development, Test, and Evaluation for the Department of Defense.

The House bill would authorize \$74,054.6 million.
The Senate amendment would authorize \$74,268.1 million.
The conferees agree to authorize \$73,608.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Research, Development, Test, and Evaluation, Army overview Offset Folios.....1.....to.....1.....Insert

The budget request included \$10,855.6 million in Research, Development, Test, and Evaluation, Army for the Department of Defense.

The House bill would authorize \$10,925.2 million.
The Senate amendment would authorize \$11,167.0 million.
The conferees agree to authorize \$10,876.6 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Research, Development, Test, and Evaluation, Navy overview Offset Folios.....1.....to.....15.....Insert

The budget request included \$16,912.2 million in Research, Development, Test, and Evaluation, Navy for the Department of Defense.

The House bill would authorize \$17,377.8 million.
The Senate amendment would authorize \$17,459.8 million.
The conferees agree to authorize \$17,383.9 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Sea Fighter (X-Craft) Offset Folios.....16.....to.....30.....Insert

The House bill would authorize \$25.7 million in PE 63123N for modifications to Sea Fighter to improve the ship's survivability, command and control, armament, and other ship systems to make Sea Fighter an operationally deployable asset.

The Senate amendment contained no similar funding.

The conferees agree to authorize \$23.0 million in PE 63123N for Sea Fighter modifications.

Of the amount authorized, the conferees direct the Secretary of the Navy to utilize the additional funding to: (1) improve aviation capabilities; (2) improve damage control and firefighting capabilities; (3) improve the quality of and increase the capacity of berthing and messing facilities for 12 additional crew; (4) provide command and control upgrades; (5) add weapons (offensive and defensive); and (6) make topside changes to reduce radiation hazards. The conferees expect the Secretary to utilize Sea Fighter in support of Navy operations and to develop and validate operational concepts for littoral warfare.

The conferees are aware that on September 6, 2006, Sea Fighter sustained significant damage while operating off of the

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007
(Dollars in Thousands)

<u>Title II - RESEARCH, DEVELOPMENT, TEST & EVALUATION</u>	<u>Authorization Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Change</u>	<u>Conference Authorized</u>
Research, Development, Test & Evaluation, Army	10,855,559	10,925,209	11,167,009	21,050	10,876,609
Research, Development, Test & Evaluation, Navy	16,912,223	17,377,769	17,459,823	471,634	17,383,857
Research, Development, Test & Evaluation, Air Force	24,396,767	24,810,041	23,970,857	-160,816	24,235,951
Research, Development, Test & Evaluation, Defense-wide	20,809,939	20,760,039	21,488,939	120,100	20,930,039
Operational Test & Evaluation	181,520	181,520	181,520	0	181,520
TOTAL RDT&E	73,156,008	74,054,578	74,268,148	451,968	73,607,976

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY					
2040	0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,402	19,402	19,402		19,402
2040	0601102A	2	DEFENSE RESEARCH SCIENCES	137,568	146,568	151,668	14,100	151,668
			Advanced ground reliability research			[1,000]	[1,000]	
			Document exploitation			[4,000]	[1,000]	
			Integrated nanosensor technologies for NBC detection applications			[1,000]	[1,000]	
			Dynamic landscape support program			[2,000]	[1,000]	
			Nanomaterials for ISR			[3,000]	[1,000]	
			Organic semiconductor modeling and simulation research			[2,100]	[2,100]	
			Early career awards			[1,000]		
			Advanced carbon nanotechnology		[3,000]		[3,000]	
			Chemical mechanical planarization		[2,000]		[1,000]	
			Functionally integrated reactive surfaces technology		[4,000]		[3,000]	
2040	0601103A	3	UNIVERSITY RESEARCH INITIATIVES	68,545	68,545	80,545	1,000	69,545
			Low temperature vehicle performance research			[2,000]	[1,000]	
			University research initiative (S. Amdt)			[10,000]		
2040	0601104A	4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	86,416	91,416	93,666	5,250	91,666
			Information assurance			[1,000]	[1,000]	
			Integrated systems in sensing, imaging and communications research			[1,000]	[1,000]	
			Nanotubes composite materials research			[2,000]	[2,000]	
			Development of slow rotor concepts			[2,000]	[2,000]	
			SOUTHCOM regional analyses			[1,000]	[1,000]	
			Transparent nanocomposite armor			[250]	[250]	
2040	0601105A	5	FORCE HEALTH PROTECTION		[5,000]			
			Modeling and analysis of response structures					

Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602105A	6	MATERIALS TECHNOLOGY	18,822	29,822	24,222	13,900	32,722
			Thermoplastic composite body armor			[1,000]	[1,000]	
			Future affordable multi-utility materials		[500]	[1,600]	[1,600]	
			Improvised explosive device simulations in different soils			[500]	[500]	
			Control system for the laser powder deposition manufacturing process			[300]	[300]	
			Munition shape charge control research			[2,000]	[2,000]	
			Cutting tools for aerospace materials		[3,000]		[3,000]	
			Nano manufacturing of multifunction sensors		[3,000]		[2,000]	
			Ultrasonic consolidation for advanced materials fabrication		[4,500]		[3,500]	
2040	0602120A	7	SENSORS AND ELECTRONIC SURVIVABILITY	38,428	43,428	42,928	8,200	46,628
			Advanced microelectronics manufacturing			[3,000]	[3,000]	
			Lighter-than-air unmanned vehicle with scalable payload capabilities			[1,500]	[1,500]	
			Flexible display initiative		[5,000]		[3,700]	
			TRACTOR HIP	8,466	8,466			8,466
2040	060212A	8	TRACTOR HIP	8,466	8,466			8,466
2040	060221A	9	AVIATION TECHNOLOGY	32,804	42,804	32,804	4,000	36,804
			Center for rotorcraft innovation		[10,000]		[4,000]	
2040	0602270A	10	ELECTRONIC WARFARE TECHNOLOGY	19,218	34,118	19,218	5,800	25,018
			See through-the-wall viewer		[7,400]			
			Battlelab technologies for Silver Fox UAS		[5,000]		[3,500]	
			Xenon light source for small UAVs		[2,500]		[2,300]	
2040	060230A	11	MISSILE TECHNOLOGY	59,439	59,439	65,439	6,000	65,439
			Hypervelocity ground testing			[3,500]	[3,500]	
			Unmanned air systems technology			[2,500]	[2,500]	
2040	0602307A	12	ADVANCED WEAPONS TECHNOLOGY	19,430	19,430	19,430		19,430
2040	0602308A	13	ADVANCED CONCEPTS AND SIMULATION	16,181	16,181	19,181	3,000	19,181
			Surveillance and targeting robot platform			[3,000]	[3,000]	

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0602601A	14	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	59,304	79,804	62,804	6,800	66,104
			Advanced electrical drive		[3,500]	[2,500]	[2,500]	
			Light utility vehicle		[6,000]			
			Nanofluids for lubricants and coolants		[3,000]		[1,300]	
			Transportation energy research		[3,000]		[3,000]	
			Bio-robotics		[5,000]			
			Legged mobility robotic research (S. Amdt)			[1,000]		
2040	0602618A	15	BALLISTICS TECHNOLOGY	52,221	54,221	52,221		52,221
			Robotic-based through the wall detector		[2,000]			
2040	0602622A	16	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	2,212	2,212	2,212		2,212
2040	0602623A	17	JOINT SERVICE SMALL ARMS PROGRAM	6,247	6,247	6,247		6,247
2040	0602624A	18	WEAPONS AND MUNITIONS TECHNOLOGY	35,344	47,744	45,344	14,000	49,344
			Transition of active coatings technology		[4,400]	[2,000]	[2,000]	
			Paris-on-demand			[3,000]	[3,000]	
			UGV weaponization			[2,500]	[2,500]	
			Rarefaction wave gun			[2,500]	[2,500]	
			Head aimed weapons for UGVs				[4,000]	
2040	0602705A	19	ELECTRONICS AND ELECTRONIC DEVICES	42,175	59,575	42,175	7,600	49,775
			High power electrolytic supercapacitors		[4,000]			
			Next generation gaseous diffusion layer for direct methanol fuel cells		[5,000]			
			Advanced components for high power solid state lasers		[6,900]		[3,600]	
			E Beam reticle and lithography inspection tool		[3,000]		[3,000]	
			Nanofluidic electronic biosensors		[2,500]		[1,000]	
2040	0602709A	20	NIGHT VISION TECHNOLOGY	23,907	29,907	23,907	2,000	25,907
			Mini-sensors for UAVs		[6,000]		[2,000]	

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Title II-RDT and E
(Dollars in Thousands)

<u>Acct</u>	<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
2040	0602712A	21	COUNTERMINE SYSTEMS High gain ground penetrating radar	22,088	24,588 [2,500]	22,088		22,088
2040	0602716A	22	HUMAN FACTORS ENGINEERING TECHNOLOGY Team performance and optimization research MANPRINT	18,858	42,858	21,358 [2,500]	25,500 [2,500] [3,000]	44,358
2040	0602720A	23	ENVIRONMENTAL QUALITY TECHNOLOGY Collaborative research in military consequence management	17,923	[20,000] 17,923	22,923 [5,000]	2,500 [2,500]	20,423
2040	0602782A	24	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY Mapping and detection of UXO	21,193	25,193	21,193	2,000	23,193
2040	0602783A	25	COMPUTER AND SOFTWARE TECHNOLOGY Integrated digital environment service model	3,844	[4,000] 3,844	3,844	[2,000]	3,844
2040	0602784A	26	MILITARY ENGINEERING TECHNOLOGY	50,098	50,098	50,098		50,098
2040	0602785A	27	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	16,200	16,200	16,200		16,200
2040	0602786A	28	WARFIGHTER TECHNOLOGY Ballistic tent inserts	25,436	30,736	28,936	3,500	28,936
			Biosecurity research for soldier food safety			[2,000]		
			Warfighter sustainment		[5,300]	[1,500]		
2040	0602787A	29	MEDICAL TECHNOLOGY Advanced bioengineering for enhancement of soldier survivability	75,407	89,707	80,907	7,500	82,907
			Blast protection research			[2,000]		
			Protein hydrogel treatment			[1,000]		
			Prosthetic research for lower limb amputations			[2,500]		
			Moment of care information system					
			Tissue regeneration technologies			[1,000]		
2040	0603001A	30	WARFIGHTER ADVANCED TECHNOLOGY MRE high pressure processing	45,666	48,666 [3,000]	45,666	3,000 [3,000]	48,666

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0603002A	31	MEDICAL ADVANCED TECHNOLOGY	50,757	58,257	74,257	21,000	71,757
			Advanced lower limb prosthesis			[2,000]	[2,000]	
			Applied emergency hypothermia			[3,000]	[3,000]	
			Fibrinogen bandage improvements			[3,000]	[3,000]	
			Integrated clinical information systems			[2,000]	[1,500]	
			Medical imaging			[1,000]	[1,000]	
			Tissue engineering research			[2,000]		
			Diagnosis and treatment of post traumatic stress disorder			[2,000]	[2,000]	
			Soldier treatment and regeneration research			[3,500]		
			Surgical Safety System			[2,000]		
			Robotic tele-surgery research			[3,000]		
			Thunderbolt		[3,500]			
			Oxygen diffusion dressing		[1,000]			
			Nightingale		[3,000]			
			Excalibur		84,154			
2040	0603003A	32	AVIATION ADVANCED TECHNOLOGY	64,654		81,154	23,500	88,154
			Quick Materiel Express Delivery System			[14,000]	[10,000]	
			Polymer matrix composites for rotorcraft drive systems			[2,500]	[2,500]	
			Lightweight armored window technology			[2,000]	[2,000]	
			Vectored thrust ducted propeller			[1,000]	[1,000]	
			FADEC			[6,500]	[5,000]	
			High performance gear for rotorcraft transmission			[3,000]	[3,000]	
2040	0603004A	33	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	74,717	94,217	76,717	3,000	77,717
			Nanotechnology manufacturing			[2,000]	[2,000]	
			High explosive airburst capability		[10,000]			
			Mobile Assessment Detection Response System		[6,500]			
			Precision aspheric optics		[3,000]		[1,000]	

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0603005A	34	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	109,952	125,102	144,952	35,000	144,952
			Advanced thermal management controls			[2,000]	[2,000]	
			Anti-ballistic windshield armor			[3,000]	[3,000]	
			Armored composite cab program			[3,000]	[3,000]	
			Compressible magneto-rheological (CMR) fluids		[1,250]	[1,000]	[1,000]	
			Logistical fuel processors			[1,500]	[1,500]	
			Fuel cell ground support equipment demonstration			[3,000]	[3,000]	
			Next generation nontactical vehicle propulsion			[3,000]	[3,000]	
			Segmented band track		[2,000]	[1,500]	[1,500]	
			Solid oxide fuel cell materials and manufacturing			[2,000]	[2,000]	
			Tactical vehicle design tools			[2,000]	[2,000]	
			Power electronics systems research			[3,000]	[3,000]	
			Unmanned ground vehicle initiative			[10,000]	[10,000]	
			Coal to liquid fuels		[5,000]	[3,000]	[3,000]	
			Fastening and joining research		[6,900]			
2040	0603006A	35	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	10,851	10,851	10,851		10,851
2040	0603007A	36	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	6,794	10,294	8,794	2,000	8,794
			Adaptive command and control team training		[3,500]	[2,000]	[2,000]	
2040	0603008A	37	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	44,022	59,022	44,022	11,500	55,522
			Man Portable Emergency Broadband System		[4,000]		[4,000]	
			Advanced wireless technologies		[4,000]	[1,500]	[1,500]	
			Applied communications and information networking		[7,000]		[6,000]	
2040	0603009A	38	TRACTOR HIKE	9,324	9,324	9,324		9,324
2040	0603015A	39	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,296	18,296	24,296	4,000	22,296
			Joint Fires and Effects Training System			[6,000]	[4,000]	
2040	0603020A	40	TRACTOR ROSE	5,183	5,183	5,183		5,183

Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2040	0603100A	41	IED DEFEAT TECHNOLOGY DEVELOPMENT					
2040	0603103A	42	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	10,376	22,576	12,376	7,000	17,376
			Missile recycling capability		[6,000]	[2,000]	[2,000]	
			Supercritical water oxidation demilitarization		[6,200]		[5,000]	
2040	0603105A	43	MILITARY HIV RESEARCH	7,042	7,042	7,042		7,042
2040	0603125A	44	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	7,497	7,497	7,497		7,497
2040	0603238A	45	GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISION STRIKE TEX	12,995	12,995	12,995		12,995
2040	0603270A	46	ELECTRONIC WARFARE TECHNOLOGY	18,612	18,612	18,612		18,612
2040	0603313A	47	MISSILE AND ROCKET ADVANCED TECHNOLOGY	42,127	58,127	42,127	4,500	46,627
			Smart energetics architecture		[6,000]		[2,000]	
			Compact kinetic energy missile		[10,000]		[2,500]	
2040	0603322A	48	TRACTOR CAGE	19,192	19,192	19,192		19,192
2040	0603606A	49	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	25,554	25,554	25,554		25,554
2040	0603607A	50	JOINT SERVICE SMALL ARMS PROGRAM	7,202	14,702	7,202	2,000	9,202
			Lightweight small arms technologies		[7,500]		[2,000]	
2040	0603710A	51	NIGHT VISION ADVANCED TECHNOLOGY	44,307	68,507	44,307	4,000	48,307
			Intelligent surveillance sensor suite		[6,000]		[4,000]	
			Helo Wire and Obstacle Avoidance System		[4,000]			
			Hyper spectral imaging		[3,000]			
			Personal miniature thermal viewer		[5,000]			
			Warfighter Enhanced Vision System		[3,200]			
			Soldier Mobility and Rifle Targeting System (SMaRTS)		[3,000]			
2040	0603728A	52	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATION:	14,089	14,089	14,089		14,089
2040	0603734A	53	MILITARY ENGINEERING ADVANCED TECHNOLOGY	7,848	13,848	7,848		7,848
			Gas engine air conditioning demonstration		[6,000]			

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				<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
2040	0603772A	54	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TEC	64,604	85,204	67,604	13,400	78,004
			Hand-held phraselator translation technology		[11,000]	[3,000]	[2,000]	
			Communications electronics cost module		[5,000]		[7,000]	
			Digital array radars		[4,600]		[2,000]	
			Instant language translator		1,520	1,520	[2,400]	1,520
2040	0603024A	55	UNIQUE ITEM IDENTIFICATION (UID)	1,520	1,520	1,520		
2040	0603305A	56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION(NON SPACE	11,233	[6,000]	62,233	34,000	45,233
			Advanced hypersonic weapon mod & sim			[11,000]	[6,000]	
			Distributed ops control center			[5,000]	[3,000]	
			Missile & space model and simulation technology			[4,000]	[4,000]	
			Future TOC hardware			[5,000]	[3,000]	
			Protected test link			[2,000]	[4,000]	
			Thermal protection systems for hypersonics			[3,000]	[2,000]	
			Low cost avionics			[2,000]	[2,000]	
			Advanced fuel cell research			[2,000]	[2,000]	
			High Sentinel airship			[5,000]	[5,000]	
			Advanced electronics integration			[10,000]	[3,000]	
			Standoff sensor for radiomucide identification				[2,000]	
			Next generation advanced materials		[6,000]		[5,000]	
			Radiation hardening initiative		[4,000]		[3,000]	
			Advanced solid rocket and gel propellants		[2,000]		[2,000]	
2040	0603308A	57	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	11,771	11,771	31,771	5,000	16,771
			Advanced hypersonic weapon			[20,000]	[5,000]	
2040	0603327A	58	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	143,417	143,417	146,417		143,417
			ASMD architecture analysis program			[3,000]		
2040	0603619A	59	LANDMINE WARFARE AND BARRIER - ADV DEV	8,439	8,439	8,439		8,439

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2040	0603627A	60	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	10,714	10,714	10,714		10,714
2040	0603639A	61	TANK AND MEDIUM CALIBER AMMUNITION					
2040	0603653A	62	ADVANCED TANK ARMAMENT SYSTEM (ATAS) Open architecture electronic enhancements	5,415	15,415	5,415	4,000	9,415
2040	0603747A	63	SOLDIER SUPPORT AND SURVIVABILITY	2,778	2,778	2,778	[4,000]	2,778
2040	0603766A	64	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	20,077	20,077	20,077		20,077
2040	0603774A	65	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	5,337	5,337	5,337		5,337
2040	0603779A	66	ENVIRONMENTAL QUALITY TECHNOLOGY Demonstration and validation	5,166	9,566	10,166	3,000	8,166
2040	0603782A	67	WARFIGHTER INFORMATION NETWORK-TACTICAL Vanadium technology partnership	158,157	[4,400]	158,157	[3,000]	128,157
2040	0603790A	68	NATO RESEARCH AND DEVELOPMENT Program decrease	4,946	4,946	4,946	-30,000	4,946
2040	0603801A	69	AVIATION - ADV DEV	6,542	6,542	6,542	[-30,000]	6,542
2040	0603802A	70	WEAPONS AND MUNITIONS - ADV DEV					
2040	0603804A	71	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	13,216	13,216	13,216		13,216
2040	0603805A	72	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	8,645	8,645	8,645		8,645
2040	0603807A	73	MEDICAL SYSTEMS - ADV DEV	11,973	11,973	11,973		11,973
2040	0603827A	74	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	10,605	10,605	10,605		10,605
2040	0603850A	75	INTEGRATED BROADCAST SERVICE	1,135	1,135	1,135		1,135
2040	0603856A	76	SCAMP BLOCK II					
2040	0603869A	77	MEDIUM EXTENDED AIR DEFENSE SYSTEM (MEADS) CONCEP	61,946	61,946	61,946	-10,000	51,946
2040	0604201A	78	AIRCRAFT AVIONICS Program decrease				[-10,000]	
2040	0604220A	79	ARMED, DEPLOYABLE OH-58D	132,781	132,781	132,781		132,781

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				Request	Change				
2040	0604270A	80	ELECTRONIC WARFARE DEVELOPMENT	41,655		46,655	41,655		41,655
			APR-39 radar warning receiver upgrade			[5,000]			
2040	0604280A	81	JOINT TACTICAL RADIO	832,259		828,259	832,259		832,259
			Program decrease (HASC Arndt)			[-4,000]			
2040	0604321A	82	ALL SOURCE ANALYSIS SYSTEM	7,074		7,074	7,074		7,074
2040	0604328A	83	TRACTOR CAGE	16,057		16,057	16,057		16,057
2040	0604329A	84	COMMON MISSILE						
2040	0604601A	85	INFANTRY SUPPORT WEAPONS	31,748		39,748	31,748	3,000	34,748
			Subcompact 5.56mm personal defense weapon			[5,000]			
			CROWS lightning integration acoustic sensor			[3,000]		[3,000]	
2040	0604604A	86	MEDIUM TACTICAL VEHICLES	1,925		2,325	1,925	400	2,325
			Future Track Over the Tire System			[400]		[400]	
2040	0604609A	87	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD	5,297		5,297	5,297		5,297
2040	0604611A	88	JAVELIN						
2040	0604622A	89	FAMILY OF HEAVY TACTICAL VEHICLES	3,960		3,960	3,960		3,960
2040	0604633A	90	AIR TRAFFIC CONTROL	4,527		4,527	4,527		4,527
2040	0604642A	91	LIGHT TACTICAL WHEELED VEHICLES						
2040	0604645A	92	ARMORED SYSTEMS MODERNIZATION (ASM)-SDD	3,310,477		2,984,677	3,310,477	-254,000	3,056,477
			Program decrease			[-325,800]		[-254,000]	
2040	0604646A	93	NON-LINE OF SIGHT LAUNCH SYSTEM	322,880		322,880	322,880		322,880
2041	0604647A	94	NON-LINE OF SIGHT CANNON	112,237		112,237	112,237		112,237
2040	0604710A	95	NIGHT VISION SYSTEMS - SDD	38,821		38,821	38,821		38,821
2040	0604713A	96	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	3,017		3,017	3,017		3,017
2040	0604715A	97	NON-SYSTEM TRAINING DEVICES - SDD	121,553		121,553	121,553		121,553
2040	0604716A	98	TERRAIN INFORMATION - SDD						
2040	0604726A	99	INTEGRATED METEOROLOGICAL SUPPORT SYSTEM						

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2040	0604741A	100	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE - SDI Counter Rocket, Artillery and Mortar (C-RAM) System	21,757	21,757	47,257		21,757
2040	0604742A	101	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	40,006	40,006	[25,500]		40,006
2040	0604746A	102	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,136	8,136	8,136		8,136
2040	0604760A	103	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	19,596	19,596	19,596		19,596
2040	0604766A	104	TACTICAL SURVEILLANCE SYSTEMS - SDD					
2040	0604768A	105	ARMY TACTICAL MISSILE SYSTEM (ATACMS)					
2040	0604778A	106	POSITIONING SYSTEMS DEVELOPMENT (SPACE)					
2040	0604780A	107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE					
2040	0604783A	108	JOINT NETWORK MANAGEMENT SYSTEM	39,901	39,901	39,901		39,901
2040	0604801A	109	AVIATION - SDD	5,187	5,187	5,187		5,187
2040	0604802A	110	WEAPONS AND MUNITIONS - SDD	130,581	130,581	130,581		130,581
2040	0604804A	111	LOGISTICS AND ENGINEER EQUIPMENT - SDD	40,301	40,301	40,301		40,301
2040	0604805A	112	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD HIMARS	10,783	13,283	10,783	1,500	12,283
2040	0604807A	113	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIP Leishmania diagnostic skin test	14,509	19,209	14,509	4,000	18,509
2040	0604808A	114	LANDMINE WARFARE/BARRIER - SDD LSTAT	118,078	121,078	118,078	[1,000]	118,078
2040	0604814A	115	ARTILLERY MUNITIONS AT4 confined space enhancements Excalibur XM982	102,554	113,554	102,554	[3,000]	102,554
2040	0604817A	116	COMBAT IDENTIFICATION	39	39	39		39
2040	0604818A	117	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFT	69,172	69,172	69,172		69,172
2040	0604819A	118	LOSAT					
2040	0604820A	119	RADAR DEVELOPMENT	2,527	2,527	2,527		2,527

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2040	0604822A	120	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBBS)	61,194	61,194	61,194	-39,200	21,994
			Program adjustment				[-39,200]	
2040	0604823A	121	FIREFINDER	70,151	70,151	70,151		70,151
2040	0604827A	122	SOLDIER SYSTEMS - WARRIOR DEM/VAL	27,498	27,498	27,498		27,498
2040	0604854A	123	ARTILLERY SYSTEMS	1,650	1,650	1,650		1,650
2040	0604865A	124	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION	329,583	329,583	329,583		329,583
2040	0604869A	125	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	7,428	7,428	7,428		7,428
2040	0604870A	126	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	70,185	60,385	70,185	-7,500	62,685
2040	0605013A	127	INFORMATION TECHNOLOGY DEVELOPMENT		[-14,300]		[-7,500]	
			Future business systems					
			Automated shop floor work instructions		[4,500]			
2040	0604256A	128	THREAT SIMULATOR DEVELOPMENT	21,180	21,180	21,180		21,180
2040	0604258A	129	TARGET SYSTEMS DEVELOPMENT	10,928	10,928	12,928	2,000	12,928
			Prototype Electro-Explosive Ice Protection System			[2,000]	[2,000]	
2040	0604759A	130	MAJOR T&E INVESTMENT	64,953	64,953	64,953		64,953
2040	0605103A	131	RAND ARROYO CENTER	20,171	20,171	22,671	2,000	22,171
			Analytical and technical support			[2,500]	[2,000]	
2040	0605301A	132	ARMY KWAJALEIN ATOLL	178,891	178,891	178,891		178,891
2040	0605326A	133	CONCEPTS EXPERIMENTATION PROGRAM	21,626	25,126	28,826	4,500	26,126
			Biometric ID device			[4,000]		
			Automated communications support			[3,200]	[1,000]	
			Auto language translation				[3,500]	
2040	0605502A	134	SMALL BUSINESS INNOVATIVE RESEARCH	389,840	389,840	389,840		389,840
2040	0605601A	135	ARMY TEST RANGES AND FACILITIES	74,066	74,066	74,066		74,066
2040	0605602A	136	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	40,780	40,780	40,780		40,780
2040	0605604A	137	SURVIVABILITY/LETHALITY ANALYSIS					

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2040	0203752A	160	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	860	860	860		860
2040	0203758A	161	DIGITIZATION	13,373	13,373	13,373		13,373
2040	0203759A	162	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB)	26,375	26,375	26,375		26,375
2040	0203801A	163	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	10,770	10,770	10,770		10,770
2040	0203802A	164	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	19,706	19,706	19,706		19,706
2040	0203806A	165	TRACTOR RUT					
2040	0203808A	166	TRACTOR CARD	7,242	7,242	7,242		7,242
2040	0208010A	167	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	5,804	5,804	5,804		5,804
2040	0208053A	168	JOINT TACTICAL GROUND SYSTEM	15,044	15,044	15,044		15,044
2040	0208058A	169	JOINT HIGH SPEED VESSEL (JHSV)	20,397	20,397	20,397		20,397
2040	0301359A	170	SPECIAL ARMY PROGRAM	[]	[]	[]		[]
2040	0301555A	171	CLASSIFIED PROGRAMS	[]	[]	[]		[]
2040	0301556A	172	SPECIAL PROGRAM	[]	[]	[]		[]
2040	0303028A	173	SECURITY AND INTELLIGENCE ACTIVITIES	3,170	3,170	6,670	3,000	6,170
			Portable iris enrollment and recognition device			[3,500]	[3,000]	
2040	0303140A	174	INFORMATION SYSTEMS SECURITY PROGRAM	23,828	23,828	26,828	2,000	25,828
			Retinal/iris multimodal biometrics technology			[3,000]	[2,000]	
2040	0303141A	175	GLOBAL COMBAT SUPPORT SYSTEM	55,272	61,272	55,272		55,272
			Product lifecycle management plus		[6,000]			
2040	0303142A	176	SATCOM GROUND ENVIRONMENT (SPACE)	41,336	41,336	41,336		41,336
2040	0303150A	177	WMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	12,200	12,200	12,200		12,200
2040	0303158A	178	JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,057	4,057	4,057		4,057
2040	0305204A	179	TACTICAL UNMANNED AERIAL VEHICLES	114,087	125,487	114,087	5,000	119,087
			Heavy fuel engine - Shadow UAV		[11,400]		[5,000]	
2040	0305206A	180	AIRBORNE RECONNAISSANCE SYSTEMS	12	12	12		12

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2040	0305208A	181	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS High assurance secure object proxy	120,562	131,562 [6,000]	120,562	4,500	125,062
2040	0702239A	182	Asymmetric threat response and analysis	1,031	[5,000]		[4,500]	1,031
2040	0708045A	183	AVIONICS COMPONENT IMPROVEMENT PROGRAM END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES Adv modeling technology for large structure titanium machining	68,075	1,031 72,475	1,031 79,575	20,900 [2,000]	88,975
			Manufacturing systems demonstration			[2,000]	[3,000]	
			Super Pulse Laser System development			[3,000]	[3,500]	
			Packaging and interconnect technologies			[3,500]	[3,000]	
			Vehicle common armor manufacturing process			[3,000]	[4,400]	
			Low cost domestic titanium reduction to powder initiative			[4,400]	[5,000]	
2040	1001018A	184	NATO JOINT STARS	688	688	688		688
2040	06070XX	NEW	Tactical Wheeled Vehicle Product Improvement Program	3,700	10,000	3,700		3,700
2040	XXXXXXXX	999	CLASSIFIED PROGRAMS					
			Total, RDT&E Army	10,855,559	10,925,209	11,167,009	21,050	10,876,609

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1319	0601103N	1	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY UNIVERSITY RESEARCH INITIATIVES	73,322	73,322	88,822	5,500	78,822
			Multifunctional materials for Navy structures			[1,500]	[1,500]	
			Neurotechnology research			[2,000]	[2,000]	
			Smart, remote sensing systems using nanotechnology			[2,000]	[2,000]	
			University research initiative (S. Amdt)			[10,000]		
1319	0601152N	2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	15,916	15,916	15,916		15,916
1319	0601153N	3	DEFENSE RESEARCH SCIENCES	366,649	383,149	369,649	9,000	375,649
			Early career awards			[1,000]		
			Software reliability			[2,000]		
			Carbon nanotube based hard non-volatile RAM				[9,000]	
			N-STEP			[7,500]		
1319	0602114N	4	POWER PROJECTION APPLIED RESEARCH	84,914	100,614	86,914	8,500	93,414
			Thermal management systems			[2,000]	[2,000]	
			High performance FM fiber optic link			[4,000]	[2,000]	
			Retroreflecting optical communications for special operations			[4,000]	[3,000]	
			Boost to cruise hypersonic technology			[2,200]		
			Marine mammal research			[2,200]		
			FireLidar			[3,500]	[1,500]	

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1319	0602123N	5	FORCE PROTECTION APPLIED RESEARCH Advanced simulation tools for aircraft structures Real-time wide band acoustic processor for fiber sensors Mark V technology demonstrator Nano-magnetic materials for propulsion and energy systems Undersea perimeter security integrated defense environment (UPSIDE) Small watercraft propulsion demonstrator Advanced material techniques for lithium ion large cell manufacturing	123,443	127,643	141,443	20,000	143,443
						[2,000]	[2,000]	
						[2,500]	[2,500]	
						[5,000]	[5,000]	
						[2,500]	[1,000]	
						[2,000]	[2,000]	
						[4,000]	[4,000]	
					[4,200]		[3,500]	
1319	0602131M	6	MARINE CORPS LANDING FORCE TECHNOLOGY High power zinc-air battery	37,741	37,741	43,641	5,900	43,641
						[1,900]	[1,900]	
						[4,000]	[4,000]	
1319	0602233N	7	HUMAN SYSTEMS TECHNOLOGY Rapid awareness processing technology (S. Amdt)					
1319	0602234N	8	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY					
1319	0602235N	9	COMMON PICTURE APPLIED RESEARCH Human factors and organizational design Fiber optic remote amplifier Program reduction	68,352	71,852	66,352	-2,000	66,352
						[-2,000]		
							[-2,000]	

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				<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
1319	0602236N	10	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	89,964	109,764	84,964	-2,000	87,964
			Bi-directional translator			[2,000]		
			Sea basing technologies			[-7,000]		
			POSS biofilm packaging		[2,000]			
			Partnership simulation lab - PULSE		[4,000]		[3,000]	
			Virtual clinical learning lab		[6,000]		[2,000]	
			Phase one clinical trials for infusible hemostatic agent		[6,300]		[2,000]	
			New materials for aircraft tires		[1,500]		[1,000]	
			Program reduction				[-10,000]	
1319	0602271N	11	RF SYSTEMS APPLIED RESEARCH	42,619	42,619	42,619		42,619
1319	0602435N	12	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	48,718	48,718	48,718		48,718
1319	0602651M	13	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,036	6,036	6,036		6,036
1319	0602747N	14	UNDERSEA WARFARE APPLIED RESEARCH	83,435	83,435	83,435		83,435
1319	0602782N	15	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	53,435	53,435	53,435		53,435
1319	0603114N	16	POWER PROJECTION ADVANCED TECHNOLOGY	76,806	92,806	68,806	12,000	88,806
			Information processing technologies for mobile targeting			[2,000]	[2,000]	
			Reduce growth due to lack of transition path					
			DP-2 vectored thrust aircraft		[8,000]		[6,000]	
			Fly by wire for high speed watercraft		[2,000]		[6,000]	
			Laser radar				[4,000]	

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603123N	17	FORCE PROTECTION ADVANCED TECHNOLOGY	61,504	110,204	78,504	51,700	113,204
			Navy manufacturing and repair cell			[5,000]	[5,000]	
			Completion of advanced ship service fuel cell power plant			[4,000]	[2,000]	
			Wide-band gap semiconductor materials research			[8,000]	[8,000]	
			DockShock Ship Shock System		[8,000]			
			Sea fighter (X craft)		[25,700]		[23,000]	
			High temperature superconducting generator study		[3,000]		[3,000]	
			Pure hydrogen supply from logistics fuels		[3,000]		[2,700]	
			Secure infrastructure technology laboratory		[8,000]		[8,000]	
			HM&E data integration firewall		[1,000]			
1319	0603235N	18	COMMON PICTURE ADVANCED TECHNOLOGY	61,725	66,525	66,725	6,000	67,725
			Improved shipboard combat information center			[3,000]	[3,000]	
			Rail sensor testbed			[2,000]	[2,000]	
			MIST phased array radar		[4,800]		[1,000]	
1319	0603236N	19	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	82,035	92,535	99,035	15,000	97,035
			Advanced composite materials research			[5,000]	[5,000]	
			Vertical lift center of excellence			[4,000]	[3,000]	
			Defense systems modernization and sustainment initiative			[8,000]	[4,000]	
			SEAPRINT				[3,000]	
			Virtual at sea training technologies				[5,000]	
			Validation of prognostic of health management systems				[2,500]	
1319	0603271N	20	RF SYSTEMS ADVANCED TECHNOLOGY	45,317	47,317	47,317	2,000	47,317
			APY-6 real-time precision targeting radar					
			Advanced Radar Module Cooling System				[2,000]	

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603640M	21	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	59,170	59,170	80,170	17,000	76,170
			Expeditionary water purification			[3,000]	[3,000]	
			Advanced technology demonstrations			[12,000]	[8,000]	
			Advanced tactical vehicle			[6,000]	[6,000]	
1319	0603651M	22	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	1,405	1,405	1,405		1,405
1319	0603727N	23	NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM					
1319	0603729N	24	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	17,982	20,482	17,982	2,500	20,482
			Special warfare performance and injury prevention program		[2,500]		[2,500]	
1319	0603747N	25	UNDERSEA WARFARE ADVANCED TECHNOLOGY	35,055	38,055	35,055		35,055
			HE lithium ion battery technology		[3,000]			
1319	0603757N	26	JOINT WARFARE EXPERIMENTS					
1319	0603758N	27	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	41,308	41,308	41,308		41,308
1319	0603782N	28	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	21,326	23,926	23,326	2,000	23,326
			Augmented reality visualization of the common operational picture			[2,000]	[2,000]	
			Countermine LIDAR for UAVs		[2,600]			
1319	0603158N	29	JOINT COMMAND AND CONTROL PROGRAM (JC2)	1,001		1,001		1,001
			Transfer to line 179a		[-1,001]			
1319	0603207N	30	AIR/OCEAN TACTICAL APPLICATIONS	31,778	31,778	31,778		31,778
1319	0603216N	31	AVIATION SURVIVABILITY	6,177	11,177	6,177	2,000	8,177
			Air Sentinel UAV		[5,000]		[2,000]	
1319	0603237N	32	DEPLOYABLE JOINT COMMAND AND CONTROL	16,383	16,383	16,383		16,383
1319	0603254N	33	ASW SYSTEMS DEVELOPMENT	16,782	26,782	23,482	9,700	26,482
			Electro-optic Passive ASW System		[4,000]	[6,700]	[6,700]	
			Tactical e-field buoy development		[6,000]		[3,000]	
1319	0603261N	34	TACTICAL AIRBORNE RECONNAISSANCE	3,959	3,959	3,959		3,959
1319	0603382N	35	ADVANCED COMBAT SYSTEMS TECHNOLOGY	12,398	12,398	12,398		12,398

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603502N	36	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	130,265	130,265	132,265	2,000	132,265
			Surface Navy integrated undersea tactical technology			[2,000]	[2,000]	
1319	0603506N	37	SURFACE SHIP TORPEDO DEFENSE	40,627	50,627	40,627	9,000	49,627
			Detection, classification, and localization demo		[10,000]		[9,000]	
1319	0603512N	38	CARRIER SYSTEMS DEVELOPMENT	153,894	153,894	153,894		153,894
1319	0603513N	39	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	14,135	23,135	28,135	9,500	23,635
			Smart valve		[2,000]	[2,500]	[2,500]	
			Gas Turbine Electric Start System technology upgrade		[4,000]	[6,000]	[6,000]	
			High temp superconductor AC synchronous propulsion motor		[3,000]	[5,500]	[1,000]	
			Shipboard wireless maintenance assistant					
1319	0603525N	40	PILOT FISH	134,550	134,550	134,550		134,550
1319	0603527N	41	RETRACT LARCH	87,180	87,180	87,180		87,180
1319	0603536N	42	RETRACT JUNIPER	38,462	38,462	38,462		38,462
1319	0603542N	43	RADIOLOGICAL CONTROL	1,901	1,901	1,901		1,901
1319	0603553N	44	SURFACE ASW	38,696	38,696	38,696		38,696
1319	0603559N	45	SSGN CONVERSION	25,953	25,953	25,953		25,953
1319	0603561N	46	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	140,432	146,432	150,432	6,000	146,432
			Next strategic missile submarine			[10,000]		
			LD-UUV At-Sea Launch and Recovery System		[6,000]		[6,000]	
1319	0603562N	47	SUBMARINE TACTICAL WARFARE SYSTEMS	10,357	10,357	10,357		10,357
1319	0603563N	48	SHIP CONCEPT ADVANCED DESIGN	21,549	24,549	21,549	-2,500	19,049
			Machinery Analytics for Control and Monitoring System		[3,000]		[3,000]	
			Program underexecution					
1319	0603564N	49	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	21,314	21,314	21,314		21,314
1319	0603570N	50	ADVANCED NUCLEAR POWER SYSTEMS	174,648	174,648	174,648		174,648
1319	0603573N	51	ADVANCED SURFACE MACHINERY SYSTEMS					

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603576N	52	CHALK EAGLE	139,017	139,017	139,017		139,017
1319	0603581N	53	LITTORAL COMBAT SHIP (LCS)	319,671	319,671	319,671		319,671
1319	0603582N	54	COMBAT SYSTEM INTEGRATION	62,095	62,095	62,095		62,095
1319	0603609N	55	CONVENTIONAL MUNITIONS	22,385	22,385	22,385		22,385
1319	0603611M	56	MARINE CORPS ASSAULT VEHICLES	188,306	188,306	188,306		188,306
1319	0603612M	57	USMC MINE COUNTERMEASURES SYSTEMS - ADV DEV	3,777	3,777	3,777		3,777
1319	0603635M	58	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	503	3,503	4,503	7,000	7,503
			Moldable fabric armor					
			Urban operations laboratory					
			Marine expeditionary rifle squad					
1319	0604402N	NEW	UCAV (from line 164)		[3,000]	[2,000]	[2,000]	
1319	0603654N	59	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	24,467	239,163	33,567		24,467
			Joint service and EOD IED countermeasures R&D					
1319	0603658N	60	COOPERATIVE ENGAGEMENT	53,406	53,406	[9,100]		53,406
1319	0603713N	61	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	16,324	26,324	16,324	2,000	18,324
			Advanced composite riverine craft		[10,000]		[2,000]	
1319	0603721N	62	ENVIRONMENTAL PROTECTION	20,271	20,271	20,271		20,271
1319	0603724N	63	NAVY ENERGY PROGRAM	1,600	1,600	1,600		1,600
1319	0603725N	64	FACILITIES IMPROVEMENT	4,194	4,194	4,194		4,194
1319	0603734N	65	CHALK CORAL	28,578	28,578	28,578		28,578
1319	0603739N	66	NAVY LOGISTIC PRODUCTIVITY	6,306	6,306	6,306		6,306
1319	0603746N	67	RETRACT MAPLE	344,912	344,912	344,912		344,912
1319	0603748N	68	LINK PLUMERIA	80,662	80,662	80,662		80,662
1319	0603751N	69	RETRACT ELM	64,133	64,133	64,133		64,133
1319	0603755N	70	SHIP SELF DEFENSE	8,897	8,897	8,897		8,897
1319	0603764N	71	LINK EVERGREEN	55,051	55,051	55,051		55,051
1319	0603787N	72	SPECIAL PROCESSES	47,180	47,180	47,180		47,180

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0603790N	73	NATO RESEARCH AND DEVELOPMENT	9,784	9,784	9,784		9,784
1319	0603795N	74	LAND ATTACK TECHNOLOGY	18,571	57,571	18,571	35,800	54,371
			Affordable Weapon System		[27,000]		[24,000]	
			BTERM		[10,000]		[10,000]	
			76mm gun system explosives safety review		[2,000]		[1,800]	
1319	0603851M	75	NONLETHAL WEAPONS	44,815	44,815	44,815		44,815
1319	0603857N	76	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (
1319	0603860N	77	JOINT PRECISION APPROACH AND LANDING SYSTEMS	41,242	41,242	41,242		41,242
1319	0603879N	78	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER	50,282	50,282	50,282	-10,282	40,000
			Reduce growth pending plan				[-10,282]	
1319	0603889N	79	COUNTERDRUG RDT&E PROJECTS			6,500	4,000	4,000
			Project Athena			[6,500]	[4,000]	
NEW	0603925N	79a	Directed Energy Research			50,000	30,000	30,000
1320	0604272N	80	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	20,527	20,527	20,527		20,527
1319	0604327N	81	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTI	77,000	30,000	71,000	-47,000	30,000
			Program decrease		[-47,000]		[-47,000]	
			Trident II conventional modifications (S. Amdt)			[-6,000]		
1319	0604707N	82	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN	43,909	43,909	43,909		43,909
1319	0604787N	83	JOINT WARFARE TRANSFORMATION PROGRAMS			86,197		86,197
1319	0604212N	84	OTHER HELO DEVELOPMENT	86,197	86,197	86,197		86,197
1319	0604214N	85	AV-8B AIRCRAFT - ENG DEV	13,878	13,878	13,878		13,878
1319	0604215N	86	STANDARDS DEVELOPMENT	112,257	120,957	112,257	5,000	117,257
			Metrological standards and systems		[8,700]		[5,000]	
1319	0604216N	87	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	19,259	19,259	19,259		19,259
1319	0604218N	88	AIR/OCEAN EQUIPMENT ENGINEERING	5,578	5,578	5,578		5,578
1319	0604221N	89	P-3 MODERNIZATION PROGRAM	16,139	16,139	16,139		16,139

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0604230N	90	WAREFARE SUPPORT SYSTEM	2,203	2,203	2,203		2,203
1319	0604231N	91	TACTICAL COMMAND SYSTEM	74,225	74,225	74,225	-13,600	60,625
			Program growth					
1319	0604234N	92	ADVANCED HAWKEYE	497,842	505,042	497,842	[-13,600]	497,842
			IFF technology development		[7,200]			
1319	0604245N	93	H-1 UPGRADES	7,844	7,844	7,844		7,844
1319	0604261N	94	ACOUSTIC SEARCH SENSORS	36,764	39,264	36,764	2,300	39,064
			Acoustic Environmental Sensor System		[2,500]		[2,300]	
1319	0604262N	95	V-22A	268,461	268,461	268,461		268,461
1319	0604264N	96	AIR CREW SYSTEMS DEVELOPMENT	12,434	12,434	12,434		12,434
1319	0604269N	97	EA-18	372,363	372,363	372,363		372,363
1319	0604270N	98	ELECTRONIC WARFARE DEVELOPMENT	39,842	47,842	39,842	3,000	42,842
			Next generation electronic warfare simulator		[8,000]		[3,000]	
1319	0604273N	99	VHXX EXECUTIVE HELO DEVELOPMENT	682,597	643,597	682,597		682,597
			Program decrease		[-39,000]			
1319	0604280N	100	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	1,153	1,153	1,153		1,153
1319	0604300N	101	SC-21 TOTAL SHIP SYSTEM ENGINEERING	817,528	842,528	817,528	17,500	835,028
			Permanent magnet motor		[15,000]		[15,000]	
			Wireless Maritime Inspection System		[5,000]		[2,500]	
			Integrated shipboard intelligent surveillance		[5,000]			
1319	0604307N	102	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	190,059	190,059	190,059		190,059
1319	0604311N	103	LPD-17 CLASS SYSTEMS INTEGRATION	5,960	5,960	5,960		5,960
1319	0604312N	104	TRI-SERVICE STANDOFF ATTACK MISSILE					
1319	0604329N	105	SMALL DIAMETER BOMB (SDB)	10,021	10,021	10,021		10,021
1319	0604366N	106	STANDARD MISSILE IMPROVEMENTS	186,144	186,144	186,144		186,144
1319	0604373N	107	AIRBORNE MCM	56,145	56,145	56,145		56,145

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Acct	Account	Line	Program Title	FY2007		House Authorized	Senate Authorized	Conference Change	Conference Authorized
				Request	Change				
1319	0604378N	108	NAVAL INTEGRATED FIRE CONTROL - COUNTER AIR SYSTEMS	14,792		14,792	14,792		14,792
1319	0604503N	109	SSN-688 AND TRIDENT MODERNIZATION Twin line thinline towed array	94,839		103,839	104,839	8,500	103,339
			Affordable towed array construction			[4,500]	[10,000]	[2,500]	
			Common submarine radio room			[4,500]	[4,000]	[2,000]	
1319	0604504N	110	AIR CONTROL	4,603		4,603	4,603		4,603
1319	0604507N	111	ENHANCED MODULAR SIGNAL PROCESSOR						
1319	0604512N	112	SHIPBOARD AVIATION SYSTEMS	33,392		34,392	33,392	1,000	34,392
			Aircraft carrier launch, recovery and support equipment			[1,000]		[1,000]	
1319	0604518N	113	COMBAT INFORMATION CENTER CONVERSION	6,708		6,708	6,708		6,708
1319	0604558N	114	NEW DESIGN SSN	169,580		214,580	234,580	54,600	224,180
			Virginia class affordable design			[25,000]	[65,000]	[23,600]	
			Flexible payload module			[20,000]		[15,000]	
			Large aperture bow array			3,260	3,260		3,260
1319	0604561N	115	SSN-21 DEVELOPMENTS	3,260		3,260	3,260		3,260
1319	0604562N	116	SUBMARINE TACTICAL WARFARE SYSTEM	51,656		51,656	51,656		51,656
1319	0604567N	117	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	72,055		72,055	72,055		72,055
1319	0604574N	118	NAVY TACTICAL COMPUTER RESOURCES						
1319	0604601N	119	MINE DEVELOPMENT	5,631		5,631	5,631		5,631
1319	0604603N	120	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS						
1319	0604610N	121	LIGHTWEIGHT TORPEDO DEVELOPMENT	40,540		40,540	40,540		40,540
1319	0604654N	122	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,026		10,026	10,026		10,026
1319	0604703N	123	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS SEAPRINT	8,754		9,754	8,754	1,000	9,754
						[1,000]		[1,000]	
1319	0604721N	124	BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM						
1319	0604727N	125	JOINT STANDOFF WEAPON SYSTEMS	27,524		27,524	27,524		27,524

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0604755N	126	SHIP SELF DEFENSE (DETECT & CONTROL) Autonomous unmanned surface vessel	10,050	10,050	14,050 [4,000]		10,050
1319	0604756N	127	SHIP SELF DEFENSE (ENGAGE: HARD KILL) Next generation phalanx	46,390	55,390 [9,000]	46,390	5,000 [5,000]	51,390
1319	0604757N	128	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EV) MK 53 (NULKA) Decoy System	11,513	11,513	17,513 [6,000]	4,000 [4,000]	15,513
1319	0604761N	129	INTELLIGENCE ENGINEERING	4,865	4,865	4,865		4,865
1319	0604771N	130	MEDICAL DEVELOPMENT Non-invasive vectored vaccine research Chiropractic treatment study	7,663	7,663	10,163 [2,000]		7,663
1319	0604777N	131	NAVIGATION/ID SYSTEM	47,070	47,070	500		47,070
1319	0604784N	132	DISTRIBUTED SURVEILLANCE SYSTEM Wet end installation system element	58,273	61,673 [3,400]	58,273		58,273
1319	0604800N	133	JOINT STRIKE FIGHTER (JSF) Joint Strike Fighter alternate engine development	2,030,979	2,030,979	2,231,379 [200,400]	170,000 [170,000]	2,200,979
1319	0604910N	134	SMART CARD					
1319	0605013M	135	INFORMATION TECHNOLOGY DEVELOPMENT	13,326	13,326	13,326		13,326
1319	0605013N	136	INFORMATION TECHNOLOGY DEVELOPMENT Navy enterprise resource planning (ERP)	88,323	47,523 [-40,800]	88,323		88,323
1319	0605172N	137	MULTINATIONAL INFORMATION SHARING (MNIS)	20,856	20,856	20,856		20,856
1319	0605212N	138	CH-53X RDTE	362,672	362,672	362,672		362,672
1319	0605500N	139	MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,131,655	1,131,655	1,131,655		1,131,655
1319	0304785N	140	TACTICAL CRYPTOLOGIC SYSTEMS	23,526	23,526	23,526		23,526
1319	0604256N	141	THREAT SIMULATOR DEVELOPMENT	23,668	23,668	23,668		23,668
1319	0604258N	142	TARGET SYSTEMS DEVELOPMENT	45,666	45,666	45,666		45,666
1319	0604759N	143	MAJOR T&E INVESTMENT	39,750	39,750	39,750		39,750

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1319	0101221N	165	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	124,522	127,022	124,522		124,522
			Lithium battery technology		[2,500]			
1319	0101224N	166	SSBN SECURITY TECHNOLOGY PROGRAM	42,869	42,869	42,869		42,869
1319	0101226N	167	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	2,131	2,131	2,131		2,131
1319	0101402N	168	NAVY STRATEGIC COMMUNICATIONS	37,464	37,464	37,464		37,464
1319	0203761N	169	RAPID TECHNOLOGY TRANSITION (RTT)	39,285	39,285	39,285		39,285
1319	0204136N	170	F/A-18 SQUADRONS	31,098	48,198	31,098	7,600	38,698
			Composite missile launcher improvement		[2,000]			
			Digital Electronic Warfare System		[10,000]			
			Digital heads-up display upgrade		[5,100]			
1319	0204152N	171	E-2 SQUADRONS	1,540	1,540	1,540		1,540
1319	0204163N	172	FLEET TELECOMMUNICATIONS (TACTICAL)	27,189	27,189	27,189		27,189
1319	0204229N	173	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (I)	18,635	18,635	18,635		18,635
1319	0204311N	174	INTEGRATED SURVEILLANCE SYSTEM	30,740	30,740	30,740		30,740
1319	0204413N	175	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CR)	1,812	1,812	1,812		1,812
1319	0204571N	176	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	17,857	17,857	17,857		17,857
1319	0204574N	177	CRYPTOLOGIC DIRECT SUPPORT	1,425	1,425	1,425		1,425
1319	0204575N	178	ELECTRONIC WARFARE (EW) READINESS SUPPORT	20,673	20,673	20,673		20,673
1319	0205601N	179	HARM IMPROVEMENT	99,208	99,208	99,208		99,208
1319	0205604N	180	TACTICAL DATA LINKS	41,967	41,967	41,967		41,967
1319	0205620N	181	SURFACE ASW COMBAT SYSTEM INTEGRATION	9,417	13,417	9,417	2,000	11,417
			Advanced materials for acoustic windows		[4,000]			
1319	0205632N	182	MK-48 ADCAP	24,988	24,988	24,988		24,988
1319	0205633N	183	AVIATION IMPROVEMENTS	71,612	71,612	71,612		71,612
1319	0205658N	184	NAVY SCIENCE ASSISTANCE PROGRAM	3,376	3,376	3,376		3,376
1319	0205675N	185	OPERATIONAL NUCLEAR POWER SYSTEMS	69,350	69,350	69,350		69,350

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0206313M	186	MARINE CORPS COMMUNICATIONS SYSTEMS AN/TPS-59 low earth orbit (LEOS) acceleration Battlefield Management System software development Counter-radio controlled IED development Dismounted soldier training test instrumentation Network Communication System for extreme environments	218,460	228,760	250,460	7,700	226,160
					[5,000]	[5,000]		
					[5,000]	[2,000]	[5,000]	
					[1,000]	[25,000]		
					[4,300]			
1319	0206623M	187	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS Ultrasonic consolidation technology Polymer-based IED detection tools Lightweight multi-threat body and appendage armor Small arms and crew served weapon shot counter Tunable camouflage netting	47,592	54,692	56,092	[2,700]	53,592
					[4,000]	[4,500]		
					[4,000]	[4,000]	[2,800]	
					[2,000]	[4,000]	[1,800]	
					[3,300]	[1,400]	[1,400]	
					[1,800]			
1319	0206624M	188	MARINE CORPS COMBAT SERVICES SUPPORT Expeditionary assault bridge development	17,524	17,524	26,524		17,524
						[9,000]		
1319	0207161N	189	TACTICAL AIM MISSILES	7,946	7,946	7,946		7,946
1319	0207163N	190	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	6,705	6,705	6,705		6,705
1319	0208058N	191	JOINT HIGH SPEED VESSEL (JHSV) Program decrease	14,163	14,160	14,163		14,163
					[3]			
1319	0301303N	192	MARITIME INTELLIGENCE Vessel Integrity System Surf Eagle environmental intelligence	[]	[]	5,500		[]
						[1,000]		
						[4,500]		
1319	0301323N	193	COLLECTION MANAGEMENT	[]	[]	[]		[]
1319	0303217N	194	TECHNICAL RECONNAISSANCE AND SURVEILLANCE	[]	[]	[]		[]
1319	0303109N	195	SATELLITE COMMUNICATIONS (SPACE) Joint integrated systems for advanced digital networking	748,662	754,662	748,662	3,000	751,662
					[6,000]		[3,000]	
1319	0303140N	196	INFORMATION SYSTEMS SECURITY PROGRAM	23,037	23,037	23,037		23,037

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1319	0303158N	197	JOINT COMMAND AND CONTROL PROGRAM (JC2) Transfer from line 29	5,073	6,073	5,073		5,073
1319	0305149N	198	COBRA JUDY		[1,000]			
1319	0305160N	199	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (MET)	135,372	135,372	135,372		135,372
1319	0305188N	200	JOINT CAISR BATTLE CENTER (JBC)	7,307	7,307	7,307		7,307
1319	0305192N	201	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,793	6,793	6,793		6,793
1319	0305204N	202	TACTICAL UNMANNED AERIAL VEHICLES	115,950	115,950	115,950		115,950
1319	0305205N	203	ENDURANCE UNMANNED AERIAL VEHICLES	26,357	26,357	26,357		26,357
1319	0305206N	204	AIRBORNE RECONNAISSANCE SYSTEMS	35,038	40,038	35,038	1,000	36,038
			Passive collision avoidance and reconnaissance		[5,000]		[1,000]	
1319	0305207N	205	MANNEDED RECONNAISSANCE SYSTEMS	22,815	73,815	22,815	12,000	34,815
			Classified program		[51,000]		[12,000]	
1319	0305208N	206	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	16,587	16,587	16,587		16,587
1319	0307207N	207	AERIAL COMMON SENSOR (ACS)	17,182	17,182	17,182		17,182
1319	0308601N	208	MODELING AND SIMULATION SUPPORT	7,503	7,503	7,503		7,503
1319	0702207N	209	DEPOT MAINTENANCE (NON-IF)	2,960	2,960	2,960		2,960
1319	0702239N	210	AVIONICS COMPONENT IMPROVEMENT PROGRAM	1,375	1,375	1,375		1,375
1319	0708011N	211	INDUSTRIAL PREPAREDNESS	55,048	55,798	55,048		55,048
			Gas Turbine Diagnostic System		[750]			
1319	0708730N	212	MARITIME TECHNOLOGY (MARITECH)		120,000	10,000	20,000	20,000
			National shipbuilding research program-adv shipbuilding enterprise		[20,000]	[10,000]	[20,000]	
			Shipbuilding industrial base grants		[50,000]			
			Shipbuilding industry loan guarantees		[50,000]			
1319	XXXXXXXX	999	CLASSIFIED PROGRAMS	1,181,325	1,181,325	1,181,325		1,181,325
			Total, RDT&E Navy	16,912,223	17,377,769	17,459,823	471,634	17,383,857

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Pacific coast. The conferees expect the Secretary to make all repairs necessary to restore Sea Fighter to previous capability and make available for operational use.

Research, Development, Test, and Evaluation, Air Force overview

The budget request included \$24,396.8 million in Research Development, Test, and Evaluation, Air Force for the Department of Defense.

The House bill would authorize \$24,810.0 million.

The Senate amendment would authorize \$23,970.9 million.

The conferees agree to authorize \$24,236.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

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Transformational satellite communications

The budget request included \$867.0 million in PE 63845F for transformational satellite communications (TSAT).

The House bill would authorize a decrease of \$80.0 million in PE 63845F for TSAT.

The Senate amendment would authorize a decrease of \$70.0 million in PE 63845F for TSAT.

The conferees agree to authorize \$767.0 million in PE 63845F for TSAT, a decrease of \$100.0 million due to unexecutable growth in the program budget.

While fully supportive of the restructured TSAT program, the conferees note that the budget request for fiscal year 2007 represents a 100 percent increase over fiscal year 2006 appropriated amount of \$429.0 million. The Government Accountability Office questions whether the contractors associated with the space segment of the TSAT program will be able to increase development activities to the requested fiscal year 2007 budget level, hence the recommended reduction.

The conferees direct the Secretary of the Air Force to submit a report to the congressional defense committees by February 15, 2007, explaining what actions the Air Force has taken to address the remaining concerns raised by the TSAT Program Review Group and the Government Accountability Office, including: 1) the need to significantly refine requirements so that program content can be matched to budget constraints, and how the Department plans to control requirements to prevent problems associated with "requirements creep"; 2) the need to adequately staff the TSAT program office with experienced space acquisition professionals; 3) the status of refining key performance parameters so they provide specificity and validation metrics; and 4) the implications for other programs, such as Space Radar and Future Combat System, of a less capable initial block of TSAT satellites.

Space Radar

The budget request included \$266.4 million in PE 63858F for Space Radar (SR) program.

The House bill would authorize a decrease of \$30.0 million in PE 63858F.

The Senate amendment would authorize a decrease of \$66.4 million in PE 63858F.

The conferees agree to authorize \$200.0 million in PE 63858F, a decrease of \$66.4 million, and recommend that the remaining funds be directed toward technology development, system engineering, and concept definition that assumes a single SR system that will meet joint requirements and employ a joint concept of operations with the intelligence community. The conferees are aware that the SR program is being restructured, and may benefit from an incremental, block approach similar to that chosen for the Transformational Satellite (TSAT) program. The conferees would welcome such an approach, however, until further definition of the program is provided, the conferees do not believe it is prudent to move beyond technology development, systems engineering, and concept definition activities. Further definition would include an agreed upon joint requirements document.

Conferees direct the Secretary of Defense and the Director of National Intelligence (DNI) to submit a joint report to the congressional defense and intelligence committees by March 1, 2007, containing the following elements: (1) a description of the respective roles and responsibilities of the intelligence community and the Department of Defense with respect to the development of the SR, including an updated Memorandum of Agreement between the Secretary and the DNI; (2) the process by which the intelligence community and the Department coordinate joint development efforts and requirements definition; (3) the plans for achieving a cost-share agreement between the intelligence community and the Department for the development and acquisition of a SR capability; and (4) a commitment from the Secretary and the DNI that SR will be a single system responsive to the requirements of each organization.

The conferees also direct the Secretary, in consultation with the DNI, to submit a report to the congressional defense committees by January 1, 2007, addressing the following: (1) the scope of the space radar architecture, including the system's interactions with other intelligence, surveillance, and reconnaissance platforms providing similar capability, as well as interactions with TSAT or alternative systems for processing and transmitting space radar data to other military applications; (2) the concept of operations, including how space radar data could be used to support defense and intelligence missions, and models for tasking, processing, exploitation, and dissemination to end users; (3) the acquisition approach that could be pursued by the

Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
			RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE					
3600	0601102F	1	DEFENSE RESEARCH SCIENCES	250,232	250,232	253,232	2,000	252,232
			Basic hypersonics air flow research			[2,000]	[2,000]	
			Early career awards			[1,000]		
3600	0601103F	2	UNIVERSITY RESEARCH INITIATIVES	107,571	107,571	123,071	2,000	109,571
			High assurance software engineering			[2,000]	[2,000]	
			Secure grids for network centric operations			[2,000]		
			Enterprise service secure grid research			[1,500]		
			University research initiative (S. Amdt)			[10,000]		
3600	0601108F	3	HIGH ENERGY LASER RESEARCH INITIATIVES	12,403	12,403	12,403		12,403
3600	0602015F	4	MEDICAL DEVELOPMENT					
3600	0602102F	5	MATERIALS	111,073	126,373	120,073	10,000	121,073
			Advanced materials development			[2,000]	[2,000]	
			Blast resistant barrier research			[3,000]	[2,000]	
			Domestic source of high modulus carbon fibers			[1,500]	[3,000]	
			Complex composite structures research		[3,000]	[2,500]		
			Nanocrystalline diamond coating		[2,900]		[3,000]	
			Electronic type-specific buckyubes		[9,400]			
3600	0602201F	6	AEROSPACE VEHICLE TECHNOLOGIES	112,751	115,751	112,751		112,751
			Active feedback flow control		[3,000]			
3600	0602202F	7	HUMAN EFFECTIVENESS APPLIED RESEARCH	92,991	95,991	92,991	3,000	95,991
			AIRPRINT		[3,000]		[3,000]	

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0602203F	8	AEROSPACE PROPULSION High energy laser research Scramjet technology Advanced engine starter/generator Affordable lightweight power supply	170,885	177,585	175,885 [2,000] [3,000]	7,000 [2,000] [3,000] [1,000] [1,000]	177,885
3600	0602204F	9	AEROSPACE SENSORS Compact optical receiver for loitering weapons Wavelength agile spectral harmonic oxygen sensor Cell level battery controller	117,553	125,753 [3,000] [2,700] [2,500]	120,553	5,000 [2,000]	122,553
3600	0602500F	10	MULTI-DISCIPLINARY SPACE TECHNOLOGY Wideband digital airborne electronic sensing array (S. Amdt)		3,000	[3,000]	[3,000]	3,000
3600	0602601F	11	SPACE TECHNOLOGY Engineering tool improvement Shield rocket payloads Deployable space structures Elastic memory composites	85,594	93,794 [3,000]	85,884 [290]	5,985 [285] [2,500] [1,000] [2,200]	91,579
3600	0602602F	12	CONVENTIONAL MUNITIONS Multicontinuum technology for space structures Advanced carbon nanotube research	62,105	65,105 [3,000]	62,105		62,105
3600	0602605F	13	DIRECTED ENERGY TECHNOLOGY	48,422	48,422	48,422		48,422
3600	0602702F	14	COMMAND CONTROL AND COMMUNICATIONS MASINT visualization tools	119,267	125,267 [6,000]	120,767 [1,500]	3,000 [3,000]	122,267
3600	0602805F	15	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	50,166	50,166	50,166		50,166
3600	0602890F	16	HIGH ENERGY LASER RESEARCH	2,287		2,287		2,287
3600	0207170F	17	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) Transfer to line 136a		[2,287]			

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Title II-RDT and E
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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0603112F	18	ADVANCED MATERIALS FOR WEAPON SYSTEMS Inspection techniques to detect fatigue related damage on aircraft components Metals Affordability Initiative Large panel sapphire window producibility (F-35)	48,901	64,201	54,901	9,200	58,101
					[11,300]	[3,000]	[3,000]	[3,000]
					[4,000]	[3,000]	[3,500]	[3,500]
3600	0603203F	19	ADVANCED AEROSPACE SENSORS	55,150	55,150	55,150	[2,700]	55,150
3600	0603211F	20	AEROSPACE TECHNOLOGY DEV/DEMO Advanced aerospace titanium structures Advanced aluminum aerospace structures initiative (A31) (S. Amdt)	27,424	32,424	29,424	4,000	31,424
					[5,000]	[2,000]	[2,000]	[2,000]
3600	0603216F	21	AEROSPACE PROPULSION AND POWER TECHNOLOGY Certification of flexible JP8 military fuel Turbine engine supersonic cruise missile engine Bi-polar wafer-cell, nickel-metal hydride battery research Versatile affordable advanced turbine engines	115,546	118,546	128,046	13,000	128,546
						[2,000]	[2,000]	[2,000]
						[6,000]	[6,000]	[6,000]
						[2,000]	[2,000]	[2,000]
						[2,500]	[3,000]	[3,000]
3600	0603231F	22	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY Mobile Collaborative Air Traffic Control System Variable transmittal visor	32,156	39,156	32,156	2,000	34,156
					[4,000]			
					[3,000]			
3600	0603270F	23	ELECTRONIC COMBAT TECHNOLOGY	24,436	24,436	24,436	[2,000]	24,436
3600	0603311F	24	BALLISTIC MISSILE TECHNOLOGY					
3600	0603400F	25	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE					
3600	0603401F	26	ADVANCED SPACECRAFT TECHNOLOGY Radically segmented launch vehicle Thin film amorphous solar arrays PINPOINT Low cost reconnaissance spacecraft Intelligent free space optical satellite communications node	68,026	84,026	88,026	28,500	96,526
						[4,000]	[2,000]	[2,000]
						[16,000]	[16,000]	[16,000]
						[5,000]	[5,000]	[5,000]
						[4,000]	[2,500]	[2,500]
						[7,000]	[3,000]	[3,000]

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	EY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0603444F	27	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) High Accuracy Network Determination System	6,074	11,074 [5,000]	6,074	5,000 [5,000]	11,074
3600	0603500F	28	MULTI-DISCIPLINARY ADVANCED DEVELOPMENT SPACE TEC					
3600	0603601F	29	CONVENTIONAL WEAPONS TECHNOLOGY	19,658	19,658	19,658		19,658
3600	0603605F	30	ADVANCED WEAPONS TECHNOLOGY Mid-infrared semiconductor laser for aircraft protection Advanced optics and laser space technology	51,336	50,536 [5,700] [-6,500]	51,336	3,000 [3,000]	54,336
3600	0603723F	31	ENVIRONMENTAL ENGINEERING TECHNOLOGY					
3600	0603789F	32	C3I ADVANCED DEVELOPMENT	35,785	40,585	40,585	3,000	38,785
3600	0603801F	33	SPECIAL PROGRAMS Massively parallel optical interconnects for battlespace information		[4,800]	[4,800]	[3,000]	
3600	0603850F	34	INTEGRATED BROADCAST SERVICE	316,605	316,605	316,605		316,605
3600	0603924F	35	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	3,713	3,713	3,713		3,713
3600	0207418F	36	TACTICAL AIRBORNE CONTROL SYSTEMS Program decrease	26		26		26
3600	0207423F	37	ADVANCED COMMUNICATIONS SYSTEMS					
3600	0401840F	38	AMC COMMAND AND CONTROL SYSTEM					
3600	0804757F	39	JOINT NATIONAL TRAINING CENTER					
3600	0603260F	40	INTELLIGENCE ADVANCED DEVELOPMENT	4,776	4,776	4,776		4,776
3600	0603287F	41	PHYSICAL SECURITY EQUIPMENT Tactical Automated Security System	298	3,298 [3,000]	298		298
3600	0603421F	42	NAVSTAR GLOBAL POSITIONING SYSTEM III	315,314	315,314	315,314		315,314
3600	0603430F	43	ADVANCED EHF MILSATCOM (SPACE)	633,258	633,258	633,258		633,258
3600	0603432F	44	POLAR MILSATCOM (SPACE)	35,685	35,685	35,685		35,685
3600	0603438F	45	SPACE CONTROL TECHNOLOGY	27,076	27,076	27,076		27,076
3600	0603742F	46	COMBAT IDENTIFICATION TECHNOLOGY	26,517	26,517	26,517		26,517
3600	0603790F	47	NATO RESEARCH AND DEVELOPMENT	4,095	4,095	4,095		4,095

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Title II-RDT and E
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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0603791F	48	INTERNATIONAL SPACE COOPERATIVE R&D	593	593	593		593
3600	0603845F	49	TRANSFORMATIONAL SATCOM (TSAT)	867,102	787,102	797,102	-100,000	767,102
			Transformational satellite communications					
			Program decrease		[-80,000]	[-70,000]	[-100,000]	
3600	0603850F	50	INTEGRATED BROADCAST SERVICE	20,592	20,592	20,592		20,592
3600	0603851F	51	INTERCONTINENTAL BALLISTIC MISSILE	45,538	45,538	45,538		45,538
3600	0603854F	52	WIDEBAND GAFILLER SYSTEM RDT&E (SPACE)	37,672	37,672	46,172		37,672
			Satellite command and control consolidation		[8,500]			
3600	0603858F	53	SPACE RADAR	266,401	236,401	200,001	-66,401	200,000
			Space radar			[-66,400]		
			Program decrease		[-30,000]		[-66,401]	
3600	0603859F	54	POLLUTION PREVENTION	2,853	2,853	4,353	1,500	4,353
			O2 diesel particulate emission reduction research			[1,500]	[1,500]	
3600	0603860F	55	JOINT PRECISION APPROACH AND LANDING SYSTEMS	10,011	10,011	10,011		10,011
3600	0604015F	56	NEXT GENERATION BOMBER	25,598	25,598	25,598		25,598
3600	0604327F	57	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTI)					
3600	0604400F	58	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE					
3600	0604855F	59	OPERATIONALLY RESPONSIVE LAUNCH	33,386	33,386	33,386		33,386
3600	0604856F	60	COMMON AERO VEHICLE (CAV)	35,625	60,625	35,625		35,625
3600	0604857F	61	OPERATIONALLY RESPONSIVE SPACE					
			Program increase		[20,000]			
			High altitude airship program increase (HIASC Amdt)		[5,000]			
3600	0207423F	62	ADVANCED COMMUNICATIONS SYSTEMS	349,311	349,311	349,311		349,311
3601	0305178F	63	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL	23,599	23,599	23,599		23,599
3600	0603840F	64	GLOBAL BROADCAST SERVICE (GBS)					

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0604012F	65	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS) Program decrease	2,792	[-2,792]	2,792		2,792
3600	0604222F	66	NUCLEAR WEAPONS SUPPORT	14,895	14,895	14,895		14,895
3600	0604226F	67	B-1B	130,546	130,546	130,546		130,546
3600	0604233F	68	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	3,703	3,703	3,703		3,703
3600	0604239F	69	F-22					
3600	0604240F	70	B-2 ADVANCED TECHNOLOGY BOMBER SDB integration	224,177	240,177	224,177	16,000	240,177
3600	0604261F	71	PERSONNEL RECOVERY SYSTEMS Contract award delays	254,310	[16,000] 254,310	254,310	[16,000] -30,000	224,310
3600	0604270F	72	ELECTRONIC WARFARE DEVELOPMENT	87,784	87,784	87,784		87,784
3600	0604280F	73	JOINT TACTICAL RADIO	93	93	93		93
3600	0604287F	74	PHYSICAL SECURITY EQUIPMENT	104,080	104,080	104,080		104,080
3600	0604329F	75	SMALL DIAMETER BOMB (SDB)	47,292	52,292	55,292	8,000	55,292
3600	0604421F	76	COUNTERSPACE SYSTEMS Space control test capabilities	121,157	[5,000] 116,157	[8,000] 125,157	[8,000] 2,000	123,157
3600	0604425F	77	SPACE SITUATION AWARENESS SYSTEMS Joint space intelligent decision support			[4,000]	[2,000]	
3600	0604429F	78	AIRBORNE ELECTRONIC ATTACK Space Based Space Surveillance System program reduction (HASC Amdt)	12,421	[-5,000] 12,421	12,421		12,421
3600	0604441F	79	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	668,902	668,902	668,902		668,902
3600	0604443F	80	ALTERNATIVE INFRARED SPACE SYSTEM (AIRSS)	102,962	102,962	102,962		102,962
3600	0604479F	81	MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE) (H)					
3600	0604600F	82	MUNITIONS DISPENSER DEVELOPMENT	5,039	5,039	5,039		5,039
3600	0604602F	83	ARMAMENT/ORDNANCE DEVELOPMENT	5,759	5,759	5,759		5,759
3600	0604604F	84	SUBMUNITIONS	10,095	10,095	10,095		10,095
3600	0604617F	85	AGILE COMBAT SUPPORT					

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Asst	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0604618F	86	JOINT DIRECT ATTACK MUNITION	15,450	15,450	15,450		15,450
3600	0604706F	87	LIFE SUPPORT SYSTEMS	12,370	12,370	12,370		12,370
3600	0604735F	88	COMBAT TRAINING RANGES	14,363	14,363	14,363		14,363
3600	0604740F	89	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A) Global Awareness Presentation System	167	5,167	4,167	7,000	7,167
			Distributed mission interoperability tool kit		[4,000]		[2,000]	
3600	0604750F	90	INTELLIGENCE EQUIPMENT	1,426	[5,000]	1,426	[5,000]	1,426
3600	0604762F	91	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOV)					
3600	0604800F	92	JOINT STRIKE FIGHTER (JSF) Joint Strike Fighter alternate engine development	1,999,068	2,408,568	2,199,468	171,500	2,170,568
			Second source tire research		[408,000]	[200,400]	[170,000]	
3600	0604851F	93	INTERCONTINENTAL BALLISTIC MISSILE ICBM security modernization (S. Amdt)		[1,500]	5,000	[1,500]	
3600	0604853F	94	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	18,513	18,513	18,513		18,513
3600	0605011F	95	RDT&E FOR AGING AIRCRAFT	25,490	25,490	25,490		25,490
3600	0605807F	96	TEST AND EVALUATION SUPPORT	2,388	2,388	2,388		2,388
3600	0207434F	97	LINK-16 SUPPORT AND SUSTAINMENT	172,625	172,625	172,625		172,625
3600	0207443F	98	FAMILY OF INTEROPERABLE OPERATIONAL PICTURES (FIOP)					
3600	0207450F	99	E-10 SQUADRONS	390,896	390,896	390,896		390,896
3600	0207451F	100	SINGLE INTEGRATED AIR PICTURE (SIAP)	40,124	40,124	40,124		40,124
3600	0207701F	101	FULL COMBAT MISSION TRAINING	32,243	32,243	32,243		32,243
3600	0305176F	102	COMBAT SURVIVOR EVADER LOCATOR					
3600	0401318F	103	CV-22	26,601	26,601	26,601		26,601
3600	0604256F	104	THREAT SIMULATOR DEVELOPMENT	38,131	38,131	38,131		38,131

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0604759F	105	MAJOR T&E INVESTMENT Enterprise test data management Eglin Air Armament Center	58,506	67,306 [5,800]	58,506	4,000 [3,000]	62,506
3600	0605101F	106	RAND PROJECT AIR FORCE Analytical and technical support	25,211	25,211	29,711 [4,500]	3,000 [3,000]	28,211
3600	0605306F	107	RANCH HAND II EPIDEMIOLOGY STUDY					
3600	0605502F	108	SMALL BUSINESS INNOVATION RESEARCH	34,802	34,802	34,802		34,802
3600	0605712F	109	INITIAL OPERATIONAL TEST & EVALUATION	740,134	740,134	740,134		740,134
3600	0605807F	110	TEST AND EVALUATION SUPPORT	14,704	26,704	27,704	13,000	27,704
3600	0605860F	111	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) Ballistic missile range safety tech Joint advanced global strike demo		[12,000]	[13,000]	[13,000]	
3600	0605864F	112	SPACE TEST PROGRAM (STP)	46,310	46,310	46,310		46,310
3600	0605976F	113	FACILITIES RESTORATION AND MODERNIZATION - TEST AND	54,683	54,683	54,683		54,683
3600	0605978F	114	FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT1	25,579	25,579	25,579		25,579
3600	0804731F	115	GENERAL SKILL TRAINING	305	305	305		305
3600	0909900F	116	FINANCING FOR EXPIRED ACCOUNT ADJUSTMENTS					
3600	0909980F	117	JUDGMENT FUND REIMBURSEMENT					
3600	1001004F	118	INTERNATIONAL ACTIVITIES	3,911	3,911	3,911		3,911
3600	0605024F	119	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	8,014	8,014	8,014		8,014
3600	0605798F	120	ANALYSIS SUPPORT GROUP	[]	[]	[]		[]
3600	010113F	121	B-52 SQUADRONS MIL-STD-1760	71,379	77,379	71,379	6,000 [6,000]	77,379
3600	0101120F	122	ADVANCED CRUISE MISSILE	6,983	6,983	6,983		6,983
3600	0101122F	123	AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,736	3,736	3,736		3,736

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Title II-RDT and E
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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0101313F	124	STRAT WAR PLANNING SYSTEM - USSTRATCOM	27,285	27,285	32,285	3,000	30,285
			Global command & control devel center			[5,000]	[3,000]	
3600	0101314F	125	NIGHT FIST - USSTRATCOM	5,162	5,162	5,162		5,162
3600	0101815F	126	ADVANCED STRATEGIC PROGRAMS	22,423	22,423	22,423		22,423
3600	0102326F	127	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZA	14,853	14,853	14,853		14,853
3600	0203761F	128	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TF	30,584	30,584	30,584		30,584
3600	0207131F	129	A-10 SQUADRONS	80,771	80,771	80,771	-48,800	31,971
			Propulsion upgrade program				[-48,800]	
3600	0207133F	130	F-16 SQUADRONS	148,373	148,373	148,373		148,373
3600	0207134F	131	F-15E SQUADRONS	125,062	125,062	125,062		125,062
3600	0207136F	132	MANNED DESTRUCTIVE SUPPRESSION	515	515	515		515
3600	0207138F	133	F/A-22 SQUADRONS	584,290	584,290	584,290	-100,000	484,290
			Program growth				[-100,000]	
3600	0207141F	134	F-117A SQUADRONS	14,093	14,093	14,093		14,093
3600	0207161F	135	TACTICAL AIM MISSILES	8,850	8,850	8,850		8,850
3600	0207163F	136	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	43,417	45,704	43,417		43,417
			Transfer from line 17		[2,287]			
3600	0207224F	137	COMBAT RESCUE AND RECOVERY					
3600	0207247F	138	AF TENCAP	11,202	11,202	11,202		11,202
3600	0207248F	139	SPECIAL EVALUATION PROGRAM	530,038	530,038	530,038		530,038
3600	0207253F	140	COMPASS CALL	4,469	4,469	4,469		4,469
3600	0207268F	141	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	154,319	154,319	154,319		154,319
3600	0207277F	142	CSAF INNOVATION PROGRAM	1,612	1,612	1,612		1,612
3600	0207325F	143	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	40,881	40,881	40,881		40,881
3600	0207410F	144	AIR & SPACE OPERATIONS CENTER (AOC)	87,483	87,483	87,483	-10,000	77,483
			Program moderation				[-10,000]	

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0303131F	170	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETW	64,109	64,109	64,109		64,109
3600	0303140F	171	INFORMATION SYSTEMS SECURITY PROGRAM	183,523	183,523	183,523		183,523
3600	0303141F	172	GLOBAL COMBAT SUPPORT SYSTEM	19,895	19,895	19,895		19,895
3600	0303150F	173	GLOBAL COMMAND AND CONTROL SYSTEM	3,348	13,348	3,348	10,000	13,348
			Command and control service level management		[10,000]		[10,000]	
3600	0303158F	174	JOINT COMMAND AND CONTROL PROGRAM (JC2)	5,818	5,818	5,818		5,818
3600	0303601F	175	MILSATCOM TERMINALS	271,562	271,562	271,562		271,562
3600	0304111F	176	SPECIAL ACTIVITIES	[]	[]	[]		[]
3600	0304260F	177	AIRBORNE SIGINT ENTERPRISE	117,834	117,834	117,834		117,834
3600	0304311F	178	SELECTED ACTIVITIES	[]	[]	[]		[]
3600	0304346F	179	IMAGERY DERIVED MASINT	[]	[]	[]		[]
3600	0304347F	180	OVERHEAD NON-IMAGING INFRARED	[]	[]	[]		[]
3600	0305099F	181	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	6,620	6,620	6,620		6,620
3600	0305110F	182	SATELLITE CONTROL NETWORK (SPACE)	19,907	19,907	19,907		19,907
3600	0305111F	183	WEATHER SERVICE	34,899	34,899	34,899		34,899
3600	0305114F	184	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (/					
3600	0305116F	185	AERIAL TARGETS	5,203	5,203	5,203		5,203
3600	0305124F	186	SPECIAL APPLICATIONS PROGRAM	[]	[]	[]		[]
3600	0305128F	187	SECURITY AND INVESTIGATIVE ACTIVITIES	509	509	509		509
3600	0305142F	188	APPLIED TECHNOLOGY AND INTEGRATION	[]	[]	[]		[]
3600	0305148F	189	MEASUREMENT AND SIGNATURE INTELLIGENCE (MASINT) SY					
3600	0305159F	190	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	[]	[]	[]		[]
3600	0305160F	191	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	969	969	969		969
3600	0305164F	192	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	131,083	131,083	131,083		131,083
3600	0305165F	193	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTR	177,792	177,792	177,792		177,792
3600	0305172F	194	COMBINED ADVANCED APPLICATIONS	[]	[]	[]		[]

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Asst	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0305173F	195	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,675	4,675	4,675		4,675
3600	0305174F	196	SPACE WARFARE CENTER	726	726	726		726
3600	0305182F	197	SPACE LIFT RANGE SYSTEM (SPACE)	38,044	38,044	38,044		38,044
3600	0305193F	198	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	3,813	3,813	3,813		3,813
3600	0305202F	199	DRAGON U-2					
3600	0305206F	200	AIRBORNE RECONNAISSANCE SYSTEMS	52,824	52,824	52,824		52,824
3600	0305207F	201	MANNED RECONNAISSANCE SYSTEMS	10,132	10,132	10,132		10,132
3600	0305208F	202	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	120,777	124,777	120,777	3,800	124,577
			Formal training unit		[4,000]			
3600	0305219F	203	PREDATOR UAV (JMIP)	61,466	61,466	61,466		61,466
3600	0305220F	204	GLOBAL HAWK UAV	247,665	247,665	247,665		247,665
3600	0305221F	205	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	8,499	15,499	8,499		8,499
			Project Suter		[7,000]			
3600	0305887F	206	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,163	5,163	5,163		5,163
3600	0305906F	207	NCMC - TW/AA SYSTEM	50,908		55,908	-34,600	16,308
			Single integrated space picture			[5,000]		
			CCIC2S		[-50,908]			
3600	0305910F	208	SPACE TRACK (SPACE)					
3600	0305913F	209	NUDET DETECTION SYSTEM (SPACE)	60,281	60,281	60,281		60,281
3600	0305917F	210	SPACE ARCHITECT					
3600	0305924F	211	NATIONAL SECURITY SPACE OFFICE	13,437	13,437	18,437		13,437
			National security space office			[5,000]		
3600	0305940F	212	SPACE SITUATION AWARENESS OPERATIONS	31,401	31,401	31,401		31,401
3600	0307141F	213	NASS, IO TECHNOLOGY INTEGRATION & TOOL DEV	15,449	15,449	15,449		15,449
3600	0308699F	214	SHARED EARLY WARNING (SEW)	2,999	2,999	2,999		2,999
3600	0401115F	215	C-130 AIRLIFT SQUADRON	248,283	255,383	248,283	3,000	251,283
			Automated maintenance		[7,100]			
								[3,000]

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0401119F	216	C-5 AIRLIFT SQUADRONS (IF)	150,209	150,209	150,209		150,209
3600	0401130F	217	C-17 AIRCRAFT (IF)	173,781	173,781	173,781		173,781
3600	0401132F	218	C-130J PROGRAM	40,542	40,542	40,542		40,542
3600	0401133F	219	AEROMEDICAL EVACUATION					
3600	0401134F	220	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	34,916	49,916	34,916		34,916
			AC-130U		[15,000]			
3600	0401218F	221	KC-135S	1,126	1,126	1,126		1,126
3600	0401219F	222	KC-10S	4,781	4,781	4,781		4,781
3600	0401221F	223	KC-135 TANKER REPLACEMENT	203,932	152,432	4,932	-51,500	132,432
			KC-135 aircraft replacement		[-51,500]	[-199,000]	[-51,500]	
3600	0401839F	224	AIR MOBILITY TACTICAL DATA LINK	32,099	32,099	32,099	-10,000	22,099
			Program scope				[-10,000]	
3600	0408011F	225	SPECIAL TACTICS / COMBAT CONTROL	1,024	3,924	1,024	2,000	3,024
			Bioshatic protective clothing		[2,900]		[2,000]	
3600	0702207F	226	DEPOT MAINTENANCE (NON-IF)	1,457	3,457	1,457		1,457
3600	0702239F	227	AVIONICS COMPONENT IMPROVEMENT PROGRAM					
			Interactive avionics roadmap		[2,000]			
3600	0702806F	228	ACQUISITION AND MANAGEMENT SUPPORT	17,706	17,706	17,706		17,706
3600	0708011F	229	INDUSTRIAL PREPAREDNESS	36,673	47,173	46,673	19,000	55,673
			Advanced prototyping of nanomaterials			[8,000]	[7,000]	
			Rapid manufacturing and repair of composites for high temp apps			[2,000]	[2,000]	
			Laser peening fatigue life extension				[3,000]	
			Nanocomposites for aerospace applications		[4,500]		[4,000]	
			Radio frequency identification tag		[3,000]		[3,000]	
3600	0708012F	230	LOGISTICS SUPPORT ACTIVITIES					

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Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3600	0708610F	231	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	166,338	136,338	166,338	-30,000	136,338
			Expeditionary Combat Support System		[-30,000]		[-30,000]	
3600	0708611F	232	SUPPORT SYSTEMS DEVELOPMENT	10,596	13,596	13,596	6,000	16,596
			Aircraft sustainment and availability tools		[3,000]	[3,000]	[3,000]	
			Heavy duty hybrid electric engine propulsion		[3,000]		[3,000]	
3600	0804757F	233	JOINT NATIONAL TRAINING CENTER	3,073	3,073	3,073		3,073
3600	0808716F	234	OTHER PERSONNEL ACTIVITIES	113	113	113		113
3600	0901202F	235	JOINT PERSONNEL RECOVERY AGENCY	992	992	992		992
3600	0901218F	236	CIVILIAN COMPENSATION PROGRAM	7,779	7,779	7,779		7,779
3600	0901220F	237	PERSONNEL ADMINISTRATION	18,262	18,262	18,262		18,262
3600	0901538F	238	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOP	27,541	27,541	27,541		27,541
3600	XXXXXXXX	999	CLASSIFIED PROGRAMS	7,196,154	7,196,154	6,746,154		7,196,154
			Program reduction (S. Amdt)			[-450,000]		
			Total, RDT&E Air Force	24,596,767	24,810,041	23,970,857	-160,816	24,235,951

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SR program, including the identification of key technologies and their expected maturity at the time of program initiation; and (4) the schedule for meeting a realistic launch date, potential risks to that schedule, and potential risks of not meeting that launch date.

Combatant commanders' integrated command and control system

The budget request included \$50.9 million in PE 35906F for the combatant commanders' integrated command and control system (CCIC2S).

The House bill would authorize no funds in PE 35906F.

The Senate amendment would authorize the budget request.

The conferees agree to authorize \$16.3 million in PE 35906F for the CCIC2S program, a decrease of \$34.6 million.

The conferees believe that the capability to warn against air, missile, and space attacks is critical to our national security and homeland defense, and support the necessary modernization and integration of the command and control systems at Cheyenne Mountain, Colorado for mission execution by North American Aerospace Defense Command, U.S. Northern Command, and U.S. Strategic Command.

In a July 2006 report on the CCIC2S program, the Government Accountability Office (GAO) found that poor past performance, inadequate management and oversight, and changing requirements resulted in significant cost overruns and an undefined delivery schedule. The report further noted that most mission critical capabilities will not be delivered in fiscal year 2006, as initially planned. While the missile warning mission is partially complete, no work has been completed on the space mission and estimated completion dates have not been determined. GAO recommended that eight actions be taken to improve management and oversight of the project.

The conferees believe that many of these recommendations are being addressed, but remain concerned about the Department's prioritization of and commitment to the CCIC2S program, as evidenced by its continued reductions in program funding. The conferees further believe that continued investments in a development program without a defined schedule and final cost risks further cost overruns and schedule delays. It is therefore prudent to reassess program requirements, cost, and schedule; and determine program affordability within the context of the Department's priorities, other acquisition programs, and long-range investment plans, prior to continuing with further development.

The conferees direct the Secretary of Defense to maintain essential operation and maintenance activities, and limit developmental activities to the completion of the missile warning system. In addition, the conferees direct the Secretary of Defense to submit a report by March 1, 2007, to the congressional

defense committees that addresses all eight of the GAO recommended actions including an affordability assessment, an economic analysis, and an independent life cycle cost estimate.

The conferees would like to be clear that the reduction to the amount requested for the CCIC2S program should not be construed as a lack of support for the program, but rather a reflection of continuing concerns related to the CCIC2S acquisition approach. The conferees expect that future budget requests reflect an executable program with a defined schedule and commitment of adequate resources.

Research, Development, Test, and Evaluation, Defense-wide overview

The budget request included \$20,809.9 million in Research, Development, Test, and Evaluation, Defense-wide for the Department of Defense.

The House bill would authorize \$20,760.0 million.

The Senate amendment would authorize \$21,488.9 million.

The conferees agree to authorize \$20,930.0 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

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National Defense Education Program

The budget request included \$19.5 million in PE 61120D8Z for the National Defense Education Program (NDEP).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of \$5.0 million in PE 61120D8Z.

The conferees agree to authorize \$19.5 million in PE 61120D8Z, specifically for Science, Mathematics, and Research for Transformation scholarships and for other authorized NDEP activities; but authorize no funding for institutional scholarships, fellowships, and traineeships. The conferees recommend that the Department provide information on the need for this activity along with a request for legislative authority to conduct it.

Printed circuit board supply chain

The budget request included \$23.4 million in PE 63712S for generic logistics research and development technology demonstrations.

The House bill would authorize an increase of \$10.0 million in PE 63712S for the emerging critical interconnection technology program to address reliable printed circuit board manufacturing in the United States.

The Senate amendment would authorize an increase of \$4.0 million in PE 63712S for the emerging critical interconnection

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			RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE					
0400	0601000BR	1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEAR	5,000	5,000	5,000		5,000
0400	0601101E	2	DEFENSE RESEARCH SCIENCES	150,690	150,690	163,690	1,000	151,690
			Next-generation protective gear for small arms threats			[3,000]	[1,000]	
			Computer science and cybersecurity (S. Amdt)			[10,000]		
0400	0601111D8Z	3	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY R	9,532	9,532	9,532		9,532
0400	0601114D8Z	4	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPET	19,532	19,532	24,532		19,532
0400	0601120D8Z	5	NATIONAL DEFENSE EDUCATION PROGRAM			[5,000]		
			Program increase (S. Amdt)			108,882	11,500	110,682
0400	0601384BP	6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	99,182	109,182	[1,500]	[1,500]	
			Detection of biological agents in water			[2,000]	[2,000]	
			Organic light emitting receptor based nanosensors			[3,000]	[3,000]	
			Next-generation protective gear for chem bio defense			[3,200]		
			Superstructural particle evaluation and characterization with targeted reaction analysis					
			Basic research initiative		[10,000]		[5,000]	
0400	0602000D8Z	7	INSENSITIVE MUNITIONS - EXPLORATORY DEVELOPMENT	10,447	10,447	10,447		10,447
0400	0602227D8Z	8	MEDICAL FREE ELECTRON LASER (MFEL)	10,255	15,255	20,255	8,700	18,955
			Program increase (MFEL)		[5,000]	[10,000]	[8,700]	
0400	0602228D8Z	9	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)	14,423	14,423	14,423		14,423
0400	0602234D8Z	10	LINCOLN LABORATORY RESEARCH PROGRAM	28,975	28,975	28,975		28,975
0400	0602303E	11	INFORMATION & COMMUNICATIONS TECHNOLOGY	242,852	236,852	242,852		242,852
			Program decrease (HASC Amdt)		[-6,000]			
0400	0602304E	12	COGNITIVE COMPUTING SYSTEMS	220,085	220,085	220,085		220,085
0400	0602383E	13	BIOLOGICAL WARFARE DEFENSE	112,242	124,242	112,242	2,400	114,642
			Asymmetrical protocols for biological defense enhancement		[12,000]		[2,400]	

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<u>Acct</u>	<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
0400	0602384BP	14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM Alternative delivery methods for recombinant protein vaccines Chemical agent fate evaporation model verification and validation Multi-purpose biodefense immunarray Mustard gas antidote research consortium (STIMAL) CB smart materials Rapid identification of biological warfare agents Next-generation chem-bio protection suit Escape mask Personal protection against infectious agents Low cost collective protection shelters Transformational medical technology initiative Applied research initiative	280,422	275,422	306,022	5,300 [3,500] [2,000] [1,500] [1,000] [4,000] [1,000] [1,800] [4,000] [4,000] [1,000] [4,000] [15,500] -8,000 [-6,000]	285,722
0400	0602702E	15	TACTICAL TECHNOLOGY Automated battle management HEDLight TETURAN	383,680	383,680	373,680	[-6,000] [-2,000]	375,680
0400	0602715E	16	MATERIALS AND BIOLOGICAL TECHNOLOGY	297,277	297,277	292,277	[-2,000]	297,277
0400	0602716BR	17	Biochemical materials WMD DEFEAT TECHNOLOGY	213,152	213,152	213,152	[-5,000]	213,152
0400	0602716E	18	ELECTRONICS TECHNOLOGY	246,978	246,978	246,978		246,978
0400	0602717BR	19	WMD DEFENSE TECHNOLOGIES Modeling and simulation	105,021	105,021	110,021	4,000 [4,000]	109,021
0400	0602787D8Z	20	MEDICAL TECHNOLOGY					

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0400	1160401BB	21	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT Wearable Hyperspectral Imaging System Global observer Angel fire	12,698	32,698 [10,000] [10,000]	16,298 [3,600]	7,000 [2,000] [5,000]	19,698
0400	1160407BB	22	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,293	2,293	2,293		2,293
0400	0603002D8Z	23	MEDICAL ADVANCED TECHNOLOGY	30,575	30,575	30,575		30,575
0400	0603121D8Z	24	SO/LIC ADVANCED DEVELOPMENT	65,768	89,768	65,768	2,800	68,568
0400	0603122D8Z	25	COMBATING TERRORISM TECHNOLOGY SUPPORT Cooperative prototyping UAS Avionics Upgrades		[18,000] [4,000]			
0400	0603160BR	26	COUNTERPROLIFERATION INITIATIVES - PROLIFERATION PRE Portable Armor Wall System	104,582	[2,000] 104,582	108,582	4,000	108,582
0400	0603175C	27	BALLISTIC MISSILE DEFENSE TECHNOLOGY Radiation portal monitor Glass Scintillation fiber radiation detectors High altitude airship	206,676	173,976 [-40,700] [8,000]	206,676	-17,600 [-20,000]	189,076
0400	0603225D8Z	28	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT Program decrease	16,862	16,862	16,862		16,862
0400	0603286E	29	ADVANCED AEROSPACE SYSTEMS Heavy fuel engine Cormorant	115,829	104,629	99,529	-5,300	110,529
0400	0603287E	30	SPACE PROGRAMS AND TECHNOLOGY Global range transatmospheric vehicle Reduction in new starts Program decrease Improved suborbital space operations	254,913	[-11,200] 259,913 [5,000]	254,913	[-5,300] [-3,000]	254,913

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0400	0603384BP	31	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCE Next-generation gas chromatographic mass spectrometer Transformational medical technology initiative Advanced technology development initiative	207,114	197,114	209,114	-10,000	197,114
					[-20,000]	[2,000]		
					[10,000]			
0400	0603400D8Z	32	JOINT UNMANNED COMBAT AIR SYSTEMS (J-UCAS) ADVANCE	9,400	9,400	9,400		9,400
0400	0603618D8Z	33	JOINT ELECTRONIC ADVANCED TECHNOLOGY	35,553	35,553	37,753		35,553
0400	0603648D8Z	34	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS Large data joint capability technology demonstration			[2,200]		
0400	0603711D8Z	35	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS Versatile, Modular, Diesel Hybrid Unmanned System	7,700	7,700	10,700		7,700
						[3,000]		
0400	0603712S	36	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS Vehicle fuel cell program Emerging critical interconnection technology Emergency power source development Comprehensive and integrated strategy for hydrogen New England manufacturing supply chain Aging systems and sustainment technologies Advanced mobile gas-to-liquid fueler Solid hydrogen storage systems Conjunctory expansion for rapid ID of technology sources	23,437	37,437	59,337	29,800	53,237
					[-10,000]	[7,000]	[7,000]	
						[4,300]		
						[1,700]		
						[3,000]		
						[3,000]		
						[3,000]		
						[4,200]		
						[5,000]		
						[8,000]		
0400	0603713S	37	DISTRIBUTION PROCESS OWNER TECHNOLOGY DEVELOPMENT	15,215	15,215	15,215		15,215
0400	0603716D8Z	38	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM Dendrimer enhanced water remediation research	67,149	67,149	69,149	2,000	69,149
						[2,000]		
0400	0603720S	39	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUP. Super lattice nanotechnology Surface radar technology		14,000			12,000
					[6,000]			
						[8,000]		

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0400	0603727D8Z	40	JOINT WARFIGHTING PROGRAM	10,641	10,641	10,641		10,641
0400	0603739E	41	ADVANCED ELECTRONICS TECHNOLOGIES	248,627	248,627	248,627		248,627
0400	0603750D8Z	42	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	158,334	158,334	160,334	2,000	160,334
			Masking shunt		[2,000]	[2,000]		
0400	0603755D8Z	43	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRA	175,313	175,313	177,313	2,000	177,313
			Simulation center upgrades		[2,000]	[2,000]		
0400	0603760E	44	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	232,489	232,489	224,689	[2,000]	232,489
			PANDA					
			XG					
0400	0603764E	45	LAND WARFARE TECHNOLOGY	48,975	48,975	48,975		48,975
0400	0603765E	46	CLASSIFIED DARPA PROGRAMS	151,598	151,598	151,598		151,598
0400	0603766E	47	NETWORK-CENTRIC WARFARE TECHNOLOGY	174,276	174,276	174,276		174,276
0400	0603767E	48	SENSOR TECHNOLOGY	205,519	205,519	205,519		205,519
0400	0603768E	49	GUIDANCE TECHNOLOGY	157,367	157,367	157,367		157,367
0400	0603769SE	50	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOP	14,918	14,918	14,918		14,918
0400	0603781D8Z	51	SOFTWARE ENGINEERING INSTITUTE	26,594	26,594	26,594		26,594
0400	0603805S	52	DUAL USE TECHNOLOGY					
0400	0603826D8Z	53	QUICK REACTION SPECIAL PROJECTS	107,782	107,782	111,282		107,782
			Portable explosive screening and countermeasures					
0400	0603828D8Z	54	JOINT EXPERIMENTATION	115,684	115,684	[3,500]	8,000	123,684
			Joint modeling, simulation and experimentation			[10,000]	[8,000]	
0400	0603832D8Z	55	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	36,179	36,179	36,179		36,179
0400	0603941D8Z	56	TEST & EVALUATION SCIENCE & TECHNOLOGY	39,939	39,939	39,939		39,939
0400	0603942D8Z	57	TECHNOLOGY LINK	6,822	9,322	6,822		6,822
			Homeland defense technology transfer					
0400	0605160D8Z	58	COUNTERPROLIFERATION SUPPORT		[2,500]			

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0400	1160402BB	59	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMI Small and medium caliber recoil mitigation technologies Advanced tactical laser Special operations portable power source program Flashlight Soldier to Soldier Combat Identification System (FSCIS) Advanced tactical airborne C4ISR systems (ATACS) Foxhound Arabic software Modular computing Surveillance augmentation vehicle - SAVIOR	80,402	92,902	73,602 [3,000] [-20,000] [5,000] [2,000] [3,200]	-10,500 [3,000] [-20,000] [5,000] [1,500]	69,902
0400	0603161D8Z	60	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPM	33,890	33,890	33,890		33,890
0400	0603228D8Z	61	PHYSICAL SECURITY EQUIPMENT Intelligent design exploration					
0400	0603527D8Z	62	RETRACT LARCH	22,383	22,383	22,383		22,383
0400	0603709D8Z	63	JOINT ROBOTICS PROGRAM Machine vision and mapping software for autonomous movement	12,210	15,210	12,210	1,000 [1,000]	13,210
0400	0603714D8Z	64	ADVANCED SENSOR APPLICATIONS PROGRAM	18,820	18,820	18,820		18,820
0400	0603851D8Z	65	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PRC	28,841	28,841	28,841		28,841
0400	0603879C	66	ADVANCED CONCEPTS, EVALUATIONS AND SYSTEMS					
0400	0603881C	67	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT Arrow Ballistic Missile Defense System (non-add) (S. Amdt) Arrow system improvement program (non-add) (S. Amdt) Arrow co-production	1,038,310	1,038,310	1,038,310 [52,000] [8,000]	50,000 [50,000]	1,088,310

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0400	0603882C	68	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT Ground-Based Midcourse Defense System Midcourse concurrent test and operations Block 2010 third site	2,876,972	2,841,172 [20,000] [-55,800]	3,121,972 [200,000]	202,000 [225,000]	3,078,972
0400	0603883C	69	Ground-Based Midcourse Defense System (S. Amdt)			[45,000]		
0400	0603884BP	70	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM Oral anthrax/plague vaccine	631,616 73,111	631,616 73,111	631,616 77,111 [4,000]	4,000 [4,000]	631,616 77,111
0400	0603884C	71	BALLISTIC MISSILE DEFENSE SENSORS Airborne Infrared Surveillance System	514,510	514,510	519,510 [5,000]	4,000 [4,000]	518,510
0400	0603886C	72	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR BMD System interceptor	405,508	305,508 [-100,000]	205,508 [-200,000]	-160,000 [-160,000]	245,508
0400	0603888C	73	BALLISTIC MISSILE DEFENSE TEST & TARGETS	591,911	591,911	591,911	-28,000	591,911
0400	0603889C	74	BALLISTIC MISSILE DEFENSE PRODUCTS BMD products	506,840	506,840	466,840 [-40,000]	-28,000 [-28,000]	478,840
0400	0603890C	75	BALLISTIC MISSILE DEFENSE SYSTEMS CORE BMD core	473,077	483,077	433,077 [-40,000]	-25,000 [-25,000]	448,077
0400	0603891C	76	Aegis information assurance and systems integration SPECIAL PROGRAMS - MDA Special programs - MDA	374,532	[10,000] 374,532	354,532 [-20,000]	-26,400 [-26,400]	348,132
0400	0603892C	77	AEGIS BMD Aegis BMD SM-3 interceptors S band radar development Aegis BSP, two color seeker open architecture program acceleration	1,031,874	1,071,874 [20,000] [10,000] [10,000]	1,131,874 [100,000]	100,000 [70,000] [10,000] [20,000]	1,131,874

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0400	0603893C	78	SPACE TRACKING & SURVEILLANCE SYSTEM Space Tracking Surveillance System (Block 2012)	390,585	390,585	390,585	-67,000	323,585
0400	0603894C	79	MULTIPLE KILL VEHICLE Program decrease	164,975	99,975	164,975	-40,000	124,975
0400	0603920D8Z	80	HUMANITARIAN DEMINING	14,489	14,489	14,489		14,489
0400	0603923D8Z	81	COALITION WARFARE	5,878	5,878	5,878		5,878
0400	0604016D8Z	82	DEPARTMENT OF DEFENSE CORROSION PROGRAM Corrosion prevention research	4,966	4,966	6,966		4,966
0400	0604400D8Z	83	JOINT UNMANNED COMBAT AIR SYSTEMS (J-LUCAS) ADVANCE			[2,000]		
0400	0604648D8Z	84	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	3,047	3,047	3,047		3,047
0400	0604722D8Z	85	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	20,755	20,755	20,755		20,755
0400	0604828D8Z	86	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	16,782	16,782	16,782		16,782
0400	0605017D8Z	87	REDUCTION OF TOTAL OWNERSHIP COST	25,289	25,289	25,289		25,289
0400	0303191D8Z	88	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,672	3,672	3,672		3,672
0400	0604051D8Z	89	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP) DD(X), CVN proposals	29,500	33,500	29,500		29,500
0400	0604161D8Z	90	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPM	9,277	9,277	9,277		9,277
0400	0604384BP	91	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	212,072	212,072	212,072		212,072
0400	0604618D8Z	92	MANPADS DEFENSE PROGRAM					
0400	0604709D8Z	93	JOINT ROBOTICS PROGRAM	6,004	6,004	6,004		6,004
0400	0604764K	94	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	9,392	9,392	9,392		9,392
0400	0604771D8Z	95	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTID)	8,177	8,177	8,177		8,177
0400	0605013BL	96	INFORMATION TECHNOLOGY DEVELOPMENT	11,005	11,005	11,005		11,005
0400	0605015BL	97	INFORMATION TECHNOLOGY DEVELOPMENT-STANDARD PRC					
0400	0605016D8Z	98	FINANCIAL MANAGEMENT SYSTEM IMPROVEMENTS					
0400	0605018SE	99	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTE					

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0400	0605019D8Z	100	ACQUISITION DOMAIN	140,245	90,245	140,245		140,245
0400	0605020BT7	101	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES Program decrease		[-50,000]			
0400	0605140D8Z	102	TRUSTED FOUNDRY	42,522	42,522	42,522		42,522
0400	0605648D8Z	103	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	6,015	6,015	6,015		6,015
0400	0303129K	104	DEFENSE MESSAGE SYSTEM	11,202	11,202	11,202		11,202
0400	0303140K	105	INFORMATION SYSTEMS SECURITY PROGRAM					
0400	0303141K	106	GLOBAL COMBAT SUPPORT SYSTEM	18,556	18,556	18,556		18,556
0400	0303158K	107	JOINT COMMAND AND CONTROL PROGRAM (JC2)	47,031	47,031	47,031		47,031
0400	0305840K	108	ELECTRONIC COMMERCE					
0400	0305840S	109	ELECTRONIC COMMERCE					
0400	0901200D8Z	110	BMMP DOMAIN MANAGEMENT AND SYSTEMS INTEGRATION					
0400	0603704D8Z	111	SPECIAL TECHNICAL SUPPORT					
0400	0603757D8Z	112	TRAINING TRANSFORMATION (T2) Command and control network	72,897	76,897	77,897	8,000	80,897
			Joint simulation linking campaign analysis to warfighter mission rehearsal		[4,000]	[5,000]	[5,000]	[3,000]
0400	0603858D8Z	113	UNEXPLODED ORDNANCE DETECTION AND CLEARANCE					
0400	0604140D8Z	114	CAPITAL ASSET MANAGEMENT SYSTEM-MILITARY EQUIPMEI	10,322	10,322	10,322		10,322
0400	0604774D8Z	115	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,390	9,390	9,390		9,390
0400	0604875D8Z	116	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	130,290	130,290	130,290		130,290
0400	0604940D8Z	117	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPME	7,492	7,492	7,492		7,492
0400	0604943D8Z	118	THERMAL VICAR					
0400	0605100D8Z	119	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,600	10,600	10,600		10,600
0400	0605104D8Z	120	TECHNICAL STUDIES, SUPPORT AND ANALYSIS NDU pilot program	30,339	31,339	30,339	1,000	31,339
					[1,000]		[1,000]	
0400	0605110BR	121	CRITICAL TECHNOLOGY SUPPORT					

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0400	0605110D8Z	122	USD(A&T)-CRITICAL TECHNOLOGY SUPPORT	2,029	2,829	4,029	2,000	4,029
			Militarily critical technologies program (Transfer from OMDW 260)		[800]	[2,000]	[2,000]	
			Wisconsin Project - International Export Control Center					
0400	0605114D8Z	123	BLACK LIGHT					
0400	0605117D8Z	124	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	38,253	38,253	38,253		38,253
0400	0605123D8Z	125	INTERAGENCY EXPORT LICENSE AUTOMATION					
0400	0605124D8Z	126	DEFENSE TRAVEL SYSTEM					
0400	0605126J	127	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	52,486	52,486	52,486		52,486
0400	0605128D8Z	128	CLASSIFIED PROGRAM USD(P)					
0400	0605130D8Z	129	FOREIGN COMPARATIVE TESTING	31,995	31,995	31,995		31,995
0400	0605161D8Z	130	NUCLEAR MATTERS-PHYSICAL SECURITY	4,285	4,285	4,285		4,285
0400	0605170D8Z	131	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	10,990	10,990	10,990		10,990
0400	0605200D8Z	132	GENERAL SUPPORT TO USD (INTELLIGENCE)	5,637	5,637	5,637		5,637
0400	0605384BP	133	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM					
0400	0605502BR	134	SMALL BUSINESS INNOVATION RESEARCH	80,134	80,134	80,134		80,134
0400	0605502C	135	SMALL BUSINESS INNOVATIVE RESEARCH - MDA					
0400	0605502D8Z	136	SMALL BUSINESS INNOVATIVE RESEARCH					
0400	0605502E	137	SMALL BUSINESS INNOVATIVE RESEARCH					
0400	0605790D8Z	138	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMI	2,073	2,073	2,073		2,073
0400	0605798S	139	DEFENSE TECHNOLOGY ANALYSIS	5,577	5,577	5,577		5,577
0400	0605799D8Z	140	FORCE TRANSFORMATION DIRECTORATE	20,404	30,404	45,404	28,500	48,904
			Operationally responsive space			[20,000]	[20,000]	
			Airborne reconnaissance sensor for ORS			[5,000]	[3,500]	
			Project Sheriff			[5,000]	[5,000]	
			Tactical redirected energy initiative					
0400	0605801KA	141	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,929	51,929	51,929		51,929
0400	0605803SE	142	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALU.	9,348	9,348	9,348		9,348

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0400	0605804D8Z	143	DEVELOPMENT TEST AND EVALUATION	9,203	9,203	9,203		9,203
0400	0605898E	144	MANAGEMENT HQ - R&D	50,951	50,951	45,951	-5,000	45,951
			Management headquarters			[-5,000]		
0400	0301555G	145	CLASSIFIED PROGRAMS	[]	[]	[]		[]
0400	0301556G	146	SPECIAL PROGRAM	[]	[]	[]		[]
0400	0303169D8Z	147	INFORMATION TECHNOLOGY RAPID ACQUISITION	5,090	5,090	5,090		5,090
0400	0305193D8Z	148	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	14,128	14,128	14,128		14,128
0400	0305193G	149	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[]	[]	[]		[]
0400	0901585C	150	PENTAGON RESERVATION	15,586	15,586	15,586		15,586
0400	0901598C	151	MANAGEMENT HQ - MDA	87,389	87,389	87,389		87,389
0400	0901598D8V	152	IT SOFTWARE DEV INITIATIVES	1,412	1,412	1,412		1,412
0400	0604130V	153	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	35,439	35,439	35,439		35,439
0400	0605127T	154	PARTNERSHIP FOR PEACE (PPP) INFORMATION MANAGEMENT	1,521	1,521	1,521		1,521
0400	0607384BP	155	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTE	7,035	7,035	7,035		7,035
0400	0607828D8Z	156	JOINT INTEGRATION AND INTEROPERABILITY	66,906	66,906	66,906		66,906
0400	0204571J	157	JOINT STAFF ANALYTICAL SUPPORT	7,686	7,686	7,686		7,686
0400	0208043J	158	CLASSIFIED PROGRAMS	1,662	1,662	1,662		1,662
0400	0208045K	159	C4I INTEROPERABILITY	84,313	84,313	84,313		84,313
0400	0208052J	160	JOINT ANALYTICAL MODEL IMPROVEMENT PROGRAM	[]	[]	[]		[]
0400	0301011G	161	CRYPTOLOGIC ACTIVITIES	[]	[]	[]		[]
0400	0301301L	162	GENERAL DEFENSE INTELLIGENCE PROGRAM	[]	[]	[]		[]
			High performance computational systems					
			Armed Forces medical and food research					
0400	0301318BB	163	HUMINT (CONTROLLED)	[]	[]	[]		[]
0400	0301398L	164	MANAGEMENT HQ - GDIP	[]	[]	[]		[]
0400	0301555BB	165	CLASSIFIED PROGRAMS	[]	[]	[]		[]

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0400	030156BB	166	SPECIAL PROGRAM	[]	[]	[]	[]	[]
0400	0302016K	167	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	721	721	721		721
0400	0302019K	168	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGR	34,007	34,007	34,007		34,007
0400	0303126K	169	LONG-HAUL COMMUNICATIONS - DCS	1,523	1,523	1,523		1,523
0400	0303131K	170	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETW	7,691	7,691	7,691		7,691
0400	0303135G	171	PUBLIC KEY INFRASTRUCTURE (PKI)	14,240	14,240	14,240		14,240
0400	0303136G	172	KEY MANAGEMENT INFRASTRUCTURE (KMI)	38,257	38,257	38,257		38,257
0400	0303140D8Z	173	INFORMATION SYSTEMS SECURITY PROGRAM	14,856	14,856	14,856		14,856
0400	0303140G	174	INFORMATION SYSTEMS SECURITY PROGRAM	404,337	411,337	404,337		404,337
			Polymorphic encryption and detection	[]	[4,000]	[]		[]
			Accelerated intelligence analyst education and training	[]	[3,000]	[]		[]
0400	0303148K	175	DISA MISSION SUPPORT OPERATIONS	1,224	1,224	1,224		1,224
0400	0303149J	176	C4I FOR THE WARRIOR	3,556	3,556	3,556		3,556
0400	0303149K	177	C4I FOR THE WARRIOR	6,551	6,551	6,551		6,551
0400	0303150K	178	GLOBAL COMMAND AND CONTROL SYSTEM	59,681	59,681	59,681		59,681
0400	0303153K	179	JOINT SPECTRUM CENTER	12,448	12,448	12,448		12,448
0400	0303165K	180	DEFENSE COLLABORATION TOOL SUITE (DCTS)	[]	[]	[]		[]
0400	0303170K	181	NET-CENTRIC ENTERPRISE SERVICES (NCES)	28,630	28,630	28,630		28,630
0400	0303610K	182	TELEPORT PROGRAM	14,424	14,424	14,424		14,424
0400	0304210BB	183	SPECIAL APPLICATIONS FOR CONTINGENCIES	11,302	11,302	11,302		11,302
0400	0304345BQ	184	NATIONAL GEOSPACIAL - INTELLIGENCE PROGRAM (NGP)	[]	[]	[]		[]
0400	0305102BQ	185	DEFENSE GEOSPACIAL - INTELLIGENCE PROGRAM	[]	[]	[]		[]
			Commercial airborne IFSAR mapping for NGIA	[]	[]	10,000		[]
0400	0305125D8Z	186	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,422	12,422	12,422		12,422
0400	0305127BZ	187	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	[]	[]	2,000		[]
			Credibility Assessment Research Initiative	[]	[]	[2,000]		[]

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(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0400	0305146BZ	188	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	20,791	20,791	20,791		20,791
0400	0305183L	189	DEFENSE HUMAN INTELLIGENCE (HUMINT) PROGRAM (DHIP)	[]	[]	[]		[]
0400	0305193L	190	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	[]	[]	[]		[]
0400	0305199D8Z	191	NET CENTRICITY	8,746	8,746	8,746		8,746
0400	0305202G	192	DRAGON U-2 (JMIP)	[]	[]	[]		[]
0400	0305206G	193	AIRBORNE RECONNAISSANCE SYSTEMS	[]	[]	6,000		[]
			Combat Sent wideband sensor upgrade program			[6,000]		[]
0400	0305207G	194	MANNED RECONNAISSANCE SYSTEMS	[]	[]	[]		[]
0400	0305208BQ	195	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]	[]	[]		[]
0400	0305208G	196	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]	[]	[]		[]
0400	0305208K	197	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,451	7,451	7,451		7,451
0400	0305208L	198	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	[]	[]	[]		[]
0400	0305880L	199	COMBATANT COMMAND INTELLIGENCE OPERATIONS	[]	[]	[]		[]
0400	0305883L	200	HARD AND DEEPLY BURIED TARGET (HDBT) INTEL SUPPORT	[]	[]	[]		[]
0400	0305884L	201	INTELLIGENCE PLANNING AND REVIEW ACTIVITIES	[]	[]	[]		[]
0400	0305885G	202	TACTICAL CRYPTOLOGICAL ACTIVITIES	[]	[]	[]		[]
0400	0305889G	203	COUNTERDRUG INTELLIGENCE SUPPORT	[]	[]	[]		[]
0400	0305889L	204	COUNTERDRUG INTELLIGENCE SUPPORT	[]	[]	[]		[]
0400	0307141G	205	NASS, IO TECHNOLOGY INTEGRATION AND TOOL DEV	[]	[]	[]		[]
0400	0307207G	206	AERIAL COMMON SENSOR (ACS)	[]	[]	[]		[]
0400	0708011S	207	INDUSTRIAL PREPAREDNESS	18,748	21,748	26,748	3,000	21,748
			Castings for improved readiness			[3,000]		[]
			High performance defense manufacturing tech R&D			[5,000]		[]
			Lithium battery systems for asset tracking				[3,000]	
0400	0708012S	208	LOGISTICS SUPPORT ACTIVITIES	2,912	2,912	2,912		2,912
0400	0902298J	209	MANAGEMENT HEADQUARTERS (JCS)	3,090	3,090	3,090		3,090
0400	1001018D8Z	210	NATO JOINT STARS	41,670	41,670	41,670		41,670

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Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program Title	FY2007 Request	House	Senate	Conference	Conference
					Authorized	Authorized	Change	Authorized
0400	1160279BB	211	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH	83,704	83,704	83,704	83,704	83,704
0400	1160403BB	212	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVEI	58,241	58,241	56,141	8,400	53,641
0400	1160404BB	213	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	45,241	[4,400]	[4,400]	[4,400]	
			Wavelet packet modulation		[4,100]	[4,100]	[4,000]	
			Special operations combat assault rifle (scar)			[2,400]		
			Helmet Mount Track System		[4,500]			
			Dominant vision		34,011	39,011	5,500	34,511
0400	1160405BB	214	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMEP	29,011	[4,000]	[4,000]		
			Wireless management and control project			[6,000]		
			Multi-spectral laboratory and analytical services center				[3,000]	
			METOC		[5,000]		[2,500]	
0400	1160408BB	215	SOF OPERATIONAL ENHANCEMENTS	99,010	106,010	99,010	3,000	102,010
			Miniaturized tracking devices		[7,000]		[3,000]	
0400	1160421BB	216	SPECIAL OPERATIONS CV-22 DEVELOPMENT	7,850	7,850	7,850	7,850	7,850
0400	1160425BB	217	SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS	32,452	42,452	32,452	32,452	32,452
0400	1160426BB	218	OPERATIONS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DE		[10,000]			
			Program increase					
0400	1160427BB	219	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	1,782	1,782	1,782	1,782	1,782
0400	1160428BB	220	UNMANNED VEHICLES (UV)	1,521	1,521	1,521	1,521	1,521
0400	XXXXXXXX	999	CLASSIFIED PROGRAMS	3,312,490	3,341,490	3,762,490	3,312,490	3,312,490
			Program increase		[29,000]			
			Program increase (S. Amdt)			[450,000]		
Total, RDT&E Defense-Wide				20,809,939	20,760,039	21,488,939	120,100	20,930,039

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technology program.

The conferees agree to authorize an increase of \$4.3 million in PE 63712S for the emerging critical interconnection technology program.

The conferees direct the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the National Research Council (NRC) Committee on Manufacturing Trends in Printed Circuit Board Technology. This report should be submitted not later than 9 months after the date of the enactment of this Act. The report should, at a minimum, provide an analysis of each finding and a detailed description of the response by the Department of Defense to each recommendation of the NRC Committee, including a schedule with specific milestones and required funding for completing the implementation of the recommendation or the reasons for a decision not to implement the recommendation.

Joint modeling, simulation, and experimentation

The budget request included \$115.7 million in PE 63828D8Z for joint experimentation, modeling, and simulation technologies.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of \$10.0 million in PE 63828D8Z to further develop joint, interagency, and coalition modeling, simulation, and experimentation.

The conferees agree to authorize the budget request and an increase of \$8.0 million in PE 63828D8Z in order to fund joint effects-based modeling and simulation that effectively incorporates political, economic, infrastructure, information, societal, and diplomatic factors, as well as coalition warfare, at the tactical level of operations.

As mentioned in the Senate report accompanying S. 2766 (S. Rept. 109-254) of the National Defense Authorization Act for Fiscal Year 2007, the 2006 Quadrennial Defense Review (QDR) Report noted that the Department of Defense must shift its emphasis from Department-centric approaches toward interagency solutions that incorporate all elements of national power. Cooperation across the Federal Government is essential and can be facilitated efficiently by enhanced modeling, simulation, and experimentation. Of the amount authorized, the conferees recommend that \$4.0 million be utilized to carry out an East Coast Asymmetric Warfare Initiative (AWI). The East Coast AWI is designed to enhance our nation's coordination and response capabilities to a Weapon of Mass Destruction (WMD) event through a complex, scenario-based exercise utilizing the experience and unique capabilities of the Navy's Center for Asymmetric Warfare and involving the Commonwealth of Virginia and the State of Maine. This multi-agency exercise involving the Department of Defense, the Department of Homeland Security, other Federal

agencies, State and local government entities, as well as the private sector will greatly enhance U.S. response capability to a WMD event and provide a template for future exercises designed to further strengthen our nation's ability to respond to a WMD event.

Ballistic Missile Defense

Ground-based Midcourse Ballistic Missile Defense

The budget request included \$2.9 billion in PE 63882C for the Ballistic Missile Defense midcourse defense segment to cover continued development, ground and flight testing, fielding, and support for the Ground-based Midcourse Defense (GMD) system.

The House bill would authorize a decrease of \$35.8 million in PE 63882C, which includes the elimination of all funding, \$55.8 million, for the third GMD site in Europe.

The Senate amendment would authorize an increase of \$245.0 million in PE 63882C.

The conferees agree to authorize \$3.1 billion in PE 63882C, an increase of \$225.0 million for the BMD midcourse defense segment. The increase is directed as follows: \$60.0 million for efforts to accelerate the ability of the GMD system to conduct concurrent test and operations; \$140.0 million for enhanced testing and to increase the pace of GMD flight testing; and \$25.0 million for advanced procurement of an additional six flight test missiles. The Missile Defense Agency (MDA) is expected to budget for the completion of these tasks over fiscal years 2008 to 2011.

The conferees also agree to provide \$32.8 million for the third GMD site in Europe, a decrease of \$23.0 million, and note that a ground-based interceptor site in Europe could provide future protection for the United States and Europe against longer-range ballistic missiles launched from the Middle East. The conferees also direct the Secretary of Defense to report to the congressional defense committees within 30 days of the completion of planned intercept tests FTG-04 and FTG-05. The report should include an assessment of whether the test objectives for these intercept tests have been met. In the event that these test objectives are not met, the Secretary should provide in this report a determination as to whether the remaining block 2008 funds should be reallocated for additional testing of the block 2004/2006 configuration.

Aegis Ballistic Missile Defense

The budget request included \$1.0 billion in PE 63892C for the sea-based Aegis Ballistic Missile Defense system.

The House bill would authorize an increase of \$40.0 million in PE 63892C.

The Senate amendment would authorize an increase of \$100.0 million in PE 63892C.

The conferees agree to authorize \$1.1 billion in PE 63892C, an increase of \$100.0 million. The increase is directed as follows: \$10.0 million for continued S-band advanced radar algorithm work; \$20.0 million for Aegis BMD signal processor, 2-color seeker development, and acceleration of the open architecture program; and \$70.0 million to support the procurement of 24 additional SM-3 block 1B missiles over fiscal years 2008 to 2011. MDA is expected to budget for the completion of these tasks over fiscal years 2008 to 2011.

The conferees are aware that the MDA and the Department of the Navy are exploring the feasibility of modifying 100 SM-2 Block IV missiles to obtain a near-term sea-based terminal ballistic missile defense capability starting in fiscal year 2007 with conversion of all missiles completed by the end of fiscal year 2009. According to briefings by the MDA and Department of the Navy, such a capability could afford protection for ships and other critical assets against short-range ballistic missiles in the Scud A/B class. This proposed development would cost approximately \$130.0 million over fiscal years 2007 to 2009, with the Navy share estimated at approximately \$20.0 million in fiscal year 2007. The conferees, while supportive of efforts to provide near-term missile defense capability, require further information before authorizing this development effort to proceed. Therefore, the conferees encourage the Department of Defense to submit to Congress a reprogramming request in fiscal year 2007 to pursue a sea-based terminal missile defense capability, should such a step be consistent with Department requirements and resource constraints. If submitted, the reprogramming request should be accompanied by documentation that: (1) explains the need for such a capability; (2) indicates Department of the Navy endorsement of this program; and (3) includes a Navy-MDA cost-share agreement through completion of the effort.

Arrow Ballistic Missile Defense System

The budget request included \$1.0 billion in PE 63881C for Ballistic Missile Defense Terminal Defense Segment, of which \$13.0 million was for Arrow missile production and \$56.2 million was for the Arrow System Improvement Program.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of \$8.0 million for the Arrow System Improvement Program and an increase of \$52.0 million for Arrow co-production in PE 63881C.

The conferees agree to authorize a total of \$63.0 million in PE 63881C for Arrow co-production, an increase of \$50.0 million.

Kinetic Energy Interceptor

The budget request included \$405.5 million in PE 63886C for Ballistic Missile Defense System Interceptors for continued development of the Kinetic Energy Interceptor.

The House bill would authorize a decrease of \$100.0 million in PE 63886C.

The Senate amendment would authorize a decrease of \$200.0 million in PE 63886C.

The conferees agree to authorize \$245.5 in PE 63886C, a decrease of \$160.0 million. The conferees further recommend that no additional funds be reprogrammed into this program element over the course of fiscal year 2007.

Space Tracking and Surveillance System

The budget request included \$390.6 million in PE 63893C for the Space Tracking and Surveillance System.

The House bill and Senate admendment would authorize the budget request.

The conferees agree to authorize \$223.6 million in PE 63893C, a decrease of \$67.0 million.

Products

The budget request included \$506.8 million in PE 63889C for Ballistic Missile Defense (BMD) Products.

The House bill and would authorize the budget request.

The Senate amendment would authorize a decrease of \$40.0 million in PE 63889C.

The conferees agree to authorize \$478.8 million in PE 63889C, a decrease of \$28.0 million.

Systems Core

The budget request included \$473.1 million in PE 63890C for Ballistic Missile Defense Systems Core.

The House bill would authorize a decrease of \$10.0 million in PE 63890C.

The Senate amendment would authorize a decrease of \$40.0 million in PE 63890C.

The conferees agree to authorize \$348.1 million in PE 63890C, a decrease of \$25.0 million.

Special Programs

The budget request included \$374.5 million in PE 63891C for Special Programs - MDA.

The House bill would authorize the budget request.

The Senate amendment would authorize a decrease of \$20.0 million in PE 63891C.

The conferees agree to authorize \$348.1 million in PE 63891C, a decrease of \$26.4 million.

Multiple Kill Vehicle

The budget request included \$165.0 million in PE 63894C for Multiple Kill Vehicle.

The House bill would authorize a decrease of \$65.0 million in PE 63894C.

The Senate amendment would authorize the budget request.

The conferees agree to authorize \$125.0 million in PE 63894C, a decrease of \$40.0 million, and note the importance of this program as a future spiral improvement for the ground-based interceptor.

Operationally responsive space capabilities

The budget request included \$20.4 million in PE 65799D8Z for the Office of Force Transformation (OFT) in the Office of the Secretary of Defense, but included no funding for operationally responsive space capabilities.

The House bill would authorize the budget request in PE 65799D8Z, and would authorize an increase of \$20.0 million in PE 64857F for operationally responsive space capabilities.

The Senate amendment would authorize an increase of \$25.0 million in PE 65799D8Z for development of operationally responsive space capabilities.

The conferees agree to authorize \$48.9 million in PE 65799D8Z, an increase of \$23.5 million for operationally responsive space capabilities. Of this amount, \$20.0 million is for payloads, satellite busses, integration, command and control, and joint warfighter experimentation; and \$3.5 million is to support adapting existing airborne reconnaissance sensor capabilities for use in responsive space missions.

The conferees expect future operationally responsive space budget requests would be in support of the Operationally Responsive Space Program Office, to the extent applicable, pursuant to guidance in the Operationally Responsive Space provision (sec 913) of this Act.

Operational Test and Evaluation, Defense overview

The budget request included \$181.5 million in Operational Test and Evaluation, Defense for the Department of Defense.

The House bill would authorize \$181.5 million.

The Senate amendment would authorize \$181.5 million.

The conferees agree to authorize \$181.5 million.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E
(Dollars in Thousands)

Acct	Account	Line	Program	Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
				OPERATIONAL TEST & EVALUATION, DEFENSE					
0460	0603941D8Z	1		TEST & EVALUATION SCIENCE & TECHNOLOGY					
0460	0604940D8Z	2		CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPME					
0460	0605118D8Z	3		OPERATIONAL TEST AND EVALUATION	50,161	50,161	50,161		50,161
0460	0605118OTE	4		OPERATIONAL TEST AND EVALUATION					
0460	0605131D8Z	5		LIVE FIRE TESTING	11,245	11,245	11,245		11,245
0460	0605131OTE	6		LIVE FIRE TEST AND EVALUATION					
0460	0605804D8Z	7		DEVELOPMENT TEST AND EVALUATION	120,114	120,114	120,114		120,114
0460	0605814OTE	8		OPERATIONAL TEST ACTIVITIES AND ANALYSES					
				Total, Operational Test & Evaluation, Defense	181,520	181,520	181,520	451,968	181,520
				TOTAL RDT&E	73,156,008	74,054,578	74,268,148	451,968	73,607,976

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Item of Special Interest

Proposed realignment of Air Force test and evaluation facilities

The conferees are concerned about a proposed realignment of Air Force test and evaluation facilities and personnel that could have significant impacts beginning in fiscal year 2007 and continuing into the out years. The conferees believe that additional information and analysis of the impacts of the proposed action is required before any implementation of the plan proceeds. The conferees direct the Secretary of the Air Force, jointly with the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD (AT&L)), and the Director of the Test Resource Management Center (TRMC) to submit separate reports to the congressional defense committees analyzing the proposed actions.

The impact report prepared by the Air Force and USD (AT&L) should include an analysis of the following for proposed personnel relocations and for the facilities proposed closure or realignment: (1) missions served; (2) Department of Defense acquisition programs affected, including an analysis of impacts on risk, cost, and schedule; (3) costs to the Air Force and to the Department, including costs to close or realign test and evaluation capabilities and reconstitute or acquire required capabilities, including personnel, contract termination, military construction, housing costs, installation operations and maintenance, and other costs; (4) a detailed analysis and disclosure of the estimated net cost or savings to the Department derived from the actions and payback period of such actions; (5) developmental and operational test programs impacted; (6) the extent to which the recommendations of the 2005 Defense Base Closure and Realignment Commission support or contradict the findings of this analysis; (7) impacts on the test and evaluation workforce and on the ability to recruit and retain skilled personnel at affected facilities; and (8) alternatives considered. The impact report should also include a joint statement by the Secretary of the Air Force and the USD (AT&L) on changes, if any, to the proposed course of action as a result of the conclusions of the analysis, subsequent actions required as a result of the analysis, and an explanation of the criteria used to determine the level of acceptable risk to the Department in proceeding with the proposed action.

The TRMC report should include an assessment of how the proposed closures or realignments of Air Force research, development, test, and evaluation activities may impact the strategic plan for Department of Defense test and evaluation resources, as required by section 196 of title 10, United States Code. The assessment should focus on whether the Air Force test and evaluation facilities, resources, and budgets will meet the

test and evaluation requirements and satisfy performance measures included in the strategic plan.

The conferees direct the Secretary of the Air Force to undertake no action to realign or close any test and evaluation activities, other than those specifically included in the final decisions of the 2005 Defense Base Realignment and Closure round, until 60 days after the two required reports are received by the congressional defense committees.

Legislative Provisions Adopted

Subtitle A-Authorization of Appropriations

Authorization of appropriations (sec. 201)

The House bill contained a provision (sec. 201) that would authorize the recommended fiscal year 2007 funding levels for the Research, Development, Test, and Evaluation accounts for the Army, Navy, Marine Corps, Air Force, Defense-wide activities, and the Director of Operational Test and Evaluation.

The Senate amendment contained a similar provision (sec. 201).

The conference agreement includes this provision.

Amount for defense science and technology (sec. 202)

The House bill contained a provision (sec. 202) that would authorize \$11.7 billion for Department of Defense science and technology programs in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 202) that would authorize \$11.5 billion.

The conferees agree to authorize \$11.7 billion for Department of Defense science and technology programs in fiscal year 2007.

Subtitle B-Program Requirements, Restrictions, and Limitations

Acquisition of, and independent cost analyses for, the Joint Strike Fighter propulsion system (sec. 211)

The Senate amendment contained a provision (sec. 254) that would direct the Secretary of Defense to provide for the development of the propulsion system for the Joint Strike Fighter (JSF) through either: (1) the continuing development and sustainment of two interchangeable propulsion systems by two separate contractors throughout the life cycle of the aircraft, or (2) a one-time firm-fixed-price contract for a selected

propulsion system for the life cycle of the aircraft following the initial service release of the aircraft propulsion system in fiscal year 2008.

The House bill contained no similar provision.

The House recedes with an amendment that would:

(1) require the Secretary to provide for the continuing development and sustainment of two interchangeable propulsion systems by two separate contractors throughout the life cycle of the aircraft;

(2) prohibit the Secretary from carrying out any modification to the development and sustainment of two interchangeable engines until:

(a) the Secretary notifies the congressional defense committees of any modification to the acquisition program for the JSF propulsion systems,

(b) three independent, comprehensive, and detailed cost analyses have been submitted, and

(c) funds are appropriated for that purpose pursuant to an authorization of appropriations; (3)

require independent cost analyses be completed by the Secretary, acting through the Cost Analysis Improvement Group of the Office of the Secretary of Defense, the Comptroller General, and a federally-funded research and development center, which would be selected by the Secretary, and be submitted to the congressional defense committees not later than March 15, 2007; and

(4) include a one-time firm-fixed-price contract as part of the independent cost analyses.

Expansion and extension of authority to award prizes for advanced technology achievements (sec. 212)

The Senate amendment contained a provision (sec. 252) that would extend the authority to award prizes for advanced technology achievements to September 30, 2011. The provision would also elevate the authority to the Director, Defense Research and Engineering (DDRE) and expand the authority to include the military departments.

The House bill contained a similar provision (sec. 212) that would extend the authority to September 30, 2010, but would not elevate or expand the authority.

The House recedes with an amendment that would extend the authority to September 30, 2010, and would suspend the authority for failure to provide the report as required in subsection (e) of section 2374a of title 10, United States Code.

The conferees recognize the efforts of the Defense Advanced Research Projects Agency (DARPA) to utilize the prize authority to spur innovation and to engage nontraditional organizations in defense research. The amendment would continue to allow use of the prize authority by DARPA and other components under DDRE.

The conferees have been informed that DARPA has independently decided to withdraw its support of the X PRIZE Foundation's 2006 space technology competitions, but plans to continue work on the advancement of unmanned ground vehicle technology through the Urban Challenge competition. The conferees note that both activities may hold promise for the development of technologies to support defense missions, and therefore encourage the DDRE to evaluate potential benefits of such activities and the use, if appropriate, of the authority provided by this section. The conferees believe that such evaluations could be conducted in a manner that ensures seamless planning and execution for existing programs.

Defense Acquisition Challenge Program extension, enhancement, and modification to address critical cost growth threshold breaches in major defense acquisition programs (sec. 213)

The House bill contained a provision (sec. 213) that would permanently extend the Defense Acquisition Challenge Program (DACP), and protect the identity of those submitting challenge proposals during the proposal evaluation process. The House bill also contained a provision (sec. 805) that would: (1) modify section 2359b of title 10, United States Code, to establish requirements for a DACP proposal solicitation in the event of a critical cost growth threshold breach for a major defense acquisition program, and (2) modify section 2433 of title 10, United States Code, to require that, in the event of a critical cost growth threshold breach, the Secretary of Defense perform certain additional assessments, certifications, and reporting.

The Senate amendment contained a provision (sec. 802) that would extend the DACP through 2012 and would provide the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD (AT&L)) with the authority to establish procedures to ensure that the program is focused on small and medium-sized businesses, and nontraditional defense contractors.

The Senate recedes with an amendment that would consolidate the three provisions into a single provision. The amendment would: (1) modify section 2433 to require the Secretary to perform certain assessments; (2) require USD (AT&L), in coordination with service acquisition executives, to evaluate current challenge proposal transition initiatives and identify additional incentives or authorities; (3) establish procedures to give priority to proposals from nontraditional defense contractors; (4) extend the DACP until September 30, 2012; and (5) clarify amendments to section 2359b regarding requirements for challenge proposal solicitations for acquisition programs that experience critical cost growth threshold breaches, funding guidelines for such challenge proposals, the procedures for disposition of proposals that receive favorable preliminary

reviews but unfavorable full evaluations, and measures to ensure confidentiality of challenge proposal submissions.

Future Combat Systems milestone review (sec. 214)

The House bill contained a provision (sec. 214) that would require the Secretary of Defense to conduct a Future Combat Systems (FCS) milestone review, following the preliminary design review, by September 30, 2008, and to submit a report on the results of the FCS milestone review not later than February 13, 2009.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the submission date of the required report to 120 days after completion of the preliminary design review of FCS. Although the amendment withholds the obligation of FCS procurement funds beginning in fiscal year 2009 until the Secretary submits the required report, the amendment allows the Department of the Army to obligate funds for the non-line-of-sight cannon and for the costs attributable to insertion of new technology into the current force, if the insertion is approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics. The conferees strongly endorse a program strategy that will enable early spin out of FCS technologies into the current force, a top priority of the Chief of Staff of the Army.

Dedicated amounts for implementing or evaluating Navy shipbuilding technology proposals under Defense Acquisition Challenge Program (sec. 215)

The House bill contained a provision (sec. 216) that would require the Secretary of Defense to provide an additional \$4.0 million for the Defense Acquisition Challenge Program to evaluate or implement challenge proposals specifically for the DD(X) next-generation destroyer and the CVN-21 next-generation aircraft carrier programs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize up to \$4.0 million to evaluate or implement challenge proposals that relate to technology directly contributing to combat systems and open architecture design for Navy ship platforms.

Independent estimate of costs of the Future Combat Systems (sec. 216)

The Senate amendment contained a provision (sec. 211) that would withhold \$500.0 million from the amount of funds authorized to be appropriated for the development of the Future Combat Systems (FCS) until the Secretary of Defense submits a report of

an independent cost estimate for FCS conducted by a federally-funded research and development center.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the withhold of \$500.0 million and change the submission date of the required report to April 1, 2007.

The conferees are disappointed with the response by the Department of Defense to reports required in section 211 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) and section 213 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163). The conferees expect the Department to share the details of the independent cost estimate prepared by the Department's Cost Analysis Improvement Group (CAIG) with the organization selected to conduct the independent cost estimate.

The conferees understand that the Army disagrees with the analysis by CAIG of the Army's FCS cost estimate. It would be useful for the organization selected to perform the independent cost estimate to review and comment on the discrepancies between the cost estimates of the Army and the CAIG.

Funding of defense science and technology programs (sec. 217)

The Senate amendment contained a provision (sec. 212) that would extend the funding objective for science and technology programs, established in section 212 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 107-107), to fiscal year 2012, and would require submission of two reports if the Department of Defense fails to meet the outlined funding objective in any single fiscal year budget request.

The House bill contained no similar provision.

The House recedes with an amendment that would make technical changes and would consolidate submission of the required information along with budget requests.

Hypersonics development (sec. 218)

The Senate amendment contained a provision (sec. 213) that would direct the Secretary of Defense to establish a joint technology office (JTO) to coordinate and integrate hypersonics research, development, and demonstration programs and budgets.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify certain responsibilities of the JTO and ensure consideration of test and evaluation resources and facilities in hypersonics programs and plans.

The conferees expect the Department of Defense to fully utilize existing management and coordination functions in fulfilling the requirements of this section and to consider virtual structures and organizations, as appropriate, to minimize

any administrative burdens associated with a new JTO while maximizing program outcomes.

Report on program for replacement of nuclear warheads on certain Trident sea-launched ballistic missiles with conventional warheads (sec. 219)

The Senate amendment contained a provision (sec. 214) that would prohibit \$95.0 million of the funds authorized to be appropriated for the Conventional Trident Modification (CTM) program from being obligated or expended until the Secretary of Defense, in consultation with the Secretary of State, submits a report to the congressional defense committees.

The House bill contained no similar provision, but would authorize \$30.0 million in Research, Development, Test, and Evaluation.

The House recesses with an amendment that would strike the limitation on funding while maintaining the reporting requirement. The conference outcome with respect to funding for the CTM program is reflected in the tables of this report under Research, Development, Test, and Evaluation, Navy; Weapons Procurement, Navy; and Other Procurement, Navy.

The conferees continue to believe it is important for the Department of Defense to explore a wide range of capabilities for responding rapidly to emerging threats to the United States and its strategic interests. The conferees encourage the Department to expedite consideration of mid-term options for prompt global strike, and to propose to the congressional defense committees as soon as possible those activities that may be required during fiscal year 2007 to make progress toward developing those concepts the Congress and the Department deem appropriate, including reprogramming actions.

Subtitle C-Missile Defense Programs

Fielding of ballistic missile defense capabilities (sec. 221)

The House bill contained a provision (sec. 221) that would allow funds authorized to be appropriated for fiscal years 2007 and 2008 for research, development, test, and evaluation for the Missile Defense Agency to be used for the development and fielding of ballistic missile defense capabilities.

The Senate amendment contained a similar provision.
The Senate recesses.

Limitation on use of funds for space-based interceptor (sec. 222)

The House bill contained a provision (sec. 222) that would prevent the Department of Defense from obligating funds for the

testing or deployment of a space-based interceptor program until 90 days after submitting a report to Congress describing the program and its national security implications.

The Senate amendment contained no similar provision.

The Senate recesses.

Policy of the United States on priorities in the development, testing, and fielding of missile defense capabilities (sec. 223)

The Senate amendment contained a provision (sec. 232) that would make it the policy of the United States to accord a priority within the missile defense program to the development, testing, fielding, and improvement of effective near-term missile defense capabilities, including the Ground-based Midcourse Defense (GMD) system, the Aegis Ballistic Missile Defense (BMD) system, additional Patriot PAC-3 units, the Terminal High Altitude Area Defense (THAAD) system, and sensors based on land, sea, and in space that support these interceptor systems.

The House bill contained no similar provision.

The House recesses with an amendment that would update the findings to take into account the North Korean ballistic missile test launches of July 2006.

On July 4, 2006, the United States detected the launch of six ballistic missiles from North Korea, followed by an additional launch on July 5, 2006. These missiles varied in range from the short-range Scud to the medium-range No-Dong and included the firing of a Taepo-Dong 2 missile, which intelligence agencies believe could eventually reach United States territory. The conferees believe these North Korean launches, as well as activities related to the development and testing of Iranian ballistic missiles, reinforce congressional direction provided to the Department of Defense over the past 2 years to focus its efforts on those initial missile defense systems that are now providing, or starting to provide, a measure of protection for the United States and its deployed forces.

The Department's excessive focus on and investment in the development of long-term technologies has made it difficult for the Missile Defense Agency to successfully develop, test, and field -- in sufficient numbers -- the initial missile defense capabilities necessary to address the current threat. For example, the Department has reduced planned deliveries of the highly successful sea-based Standard-Missile 3 from 120 to 96 over the future years defense program and is programming to procure only 48 THAAD missiles. Also, the Department is not funding enough PAC-3 missiles to meet the needs of combatant commanders in areas where forward deployed U.S. forces are currently within range of short- and medium-range ballistic missiles. The budget request for the GMD system also leads conferees to believe that inadequate resources have been applied

toward ensuring the GMD system is fully tested and is able to stand alert even while testing is underway.

The conferees believe that the emphasis of our missile defense efforts should be on the current generation of missile defense capabilities - even if this comes at the expense of longer-term development efforts. Based on congressional testimonies by combatant commanders, who inform Congress that they require more missile defense inventory to keep pace with the threat, and mindful of recent developments in North Korea and Iran, the conferees believe that priority should be given to developing, testing, fielding, and improving effective near-term missile defense capabilities, including GMD, Aegis BMD, Patriot PAC-3, and THAAD. The conferees expect the Department to reflect this policy in their fiscal year 2008 budget submission.

One-year extension of Comptroller General assessments of ballistic missile defense programs (sec. 224)

The Senate amendment contained a provision (sec. 233) that would extend until fiscal year 2008 the requirement for the Comptroller General to provide an assessment of the extent to which the Missile Defense Agency achieved the goals established for that fiscal year for each ballistic missile defense program of the Department of Defense.

The House bill contained no similar provision.

The House recesses.

Submittal of plans for test and evaluation of the operational capability of the Ballistic Missile Defense System (sec. 225)

The Senate amendment contained a provision (sec. 234) that would require each plan approved by the Director of Operational Test and Evaluation to test and evaluate the operational capability of the ballistic missile defense system, as required by section 234(a) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 2431 note), to be submitted to the congressional defense committees within 30 days of such approval.

The House bill contained no similar provision.

The House recesses.

Annual reports on transition of ballistic missile defense programs to the military departments (sec. 226)

The Senate amendment contained a provision (sec. 235) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to submit a report to the congressional defense committees, not later than March 1, 2007, and annually thereafter through 2013, on the plans of the Department of

Defense for the transition of missile defense programs from the Missile Defense Agency to the military departments.

The House bill contained no similar provision.

The House recedes with an amendment that would include the requirement to report on any agreement on the operational test criteria that must be achieved before the transition of a missile defense program to the military departments.

Subtitle D-Other Matters

Policies and practices on test and evaluation to address emerging acquisition approaches (sec. 231)

The House bill contained a provision (sec. 231) that would require a review of test and evaluation policies and practices, and modify reporting requirements of the Director of Operational Test and Evaluation (DOTE) under section 2399(b)(2) of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 253) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD (AT&L)) and the DOTE to review and revise policies and practices on test and evaluation in light of emerging approaches to acquisition. The provision would also amend section 2399(b) of title 10, United States Code, to address deficient testing information on rapid acquisition programs purchased prior to a decision to proceed to low rate initial production

The House recedes with an amendment that would include elements of both provisions, and add a new section to clarify the responsibilities of the DOTE with respect to force protection equipment. The amendment would: (1) update reporting requirements of the DOTE to allow for submission of relevant information on operational capabilities of tested items; (2) require submission of testing information to Congress on major defense acquisition programs that do not move beyond low rate initial production, but that proceed to operational use or make use of procurement funds; (3) require a review, and revision if necessary, of policies and practices on test and evaluation; and (4) update the responsibilities of the DOTE under section 139 of title 10, United States Code, to include advice and consultation to the Secretary of Defense, USD (AT&L), and Secretaries of the military departments on operational test and evaluation and survivability testing of force protection equipment.

The conferees do not intend this section to modify existing authorities of the DOTE with respect to major defense acquisition programs, as defined in section 139(a)(2)(B) of title 10, United States Code, or operational test and evaluation in general. The conferees direct the Secretaries of the military departments to

ensure that the DOTE is made aware of force protection equipment programs.

Extension of requirement for Global Research Watch Program (sec. 232)

The Senate amendment contained a provision (sec. 251) that would extend the requirement for the Global Research Watch program.

The House bill contained no similar provision.
The House recesses.

Sense of Congress on technology sharing of Joint Strike Fighter technology (sec. 233)

The Senate amendment contained a provision (sec. 256) that would express the sense of the Senate that the Secretary of Defense should allow Joint Strike Fighter technology to be shared between the governments of the United States and the United Kingdom.

The House bill contained no similar provision.
The House recesses with a technical amendment.

Report on vehicle-based active protection systems for certain battlefield threats (sec. 234)

The Senate amendment contained a provision (sec. 358) that would require the Secretary of Defense to contract with an appropriate entity independent of the United States Government to conduct an assessment of various foreign and domestic technological approaches to vehicle-based active protective systems.

The House bill contained no similar provision.
The House recesses.

The conferees expect the Secretary of Defense to provide to the entity selected to perform the independent assessment the documentation and findings of all related studies of active protection systems conducted by the Department of Defense within the last 3 years or deemed relevant by the Secretary.

Legislative Provisions Not Adopted

Amount for development and validation of warfighter rapid awareness processing technology

The Senate amendment contained a provision (sec. 203) that would authorize \$4.0 million for Marine Corps development and validation of a rapid awareness processing technology.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Navy PE 62131M.

Alternate engine for Joint Strike Fighter

The House bill contained a provision (sec. 211) that would authorize \$408.0 million for the continued development of an alternate engine for the Joint Strike Fighter.

The Senate amendment contained no similar provision.

The House recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Navy, line 133; and in Research, Development, Test, and Evaluation, Air Force, line 92.

Arrow ballistic missile defense

The Senate amendment contained a provision (sec. 215) that would make available \$65.0 million for coproduction of the Arrow ballistic missile defense system, and \$63.7 million for the Arrow System Improvement Program.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Defense-wide, PE 63881C, Ballistic Missile Defense Terminal Defense Segment.

Independent cost analyses for Joint Strike Fighter engine program

The House bill contained a provision (sec. 215) that would direct the Comptroller General and the Secretary of Defense, acting through the Cost Analysis Improvement Group of the Office of the Secretary of Defense, to independently perform comprehensive and detailed cost analyses of the Joint Strike Fighter (JSF) engine program.

The Senate amendment contained a similar provision (sec. 255) that would direct the Comptroller General, the Secretary of Defense, acting through the Cost Analysis Improvement Group of the Office of the Secretary of Defense, and a federally-funded research and development center, which would be selected by the Secretary of Defense, to independently perform comprehensive and detailed cost analyses of the JSF engine program.

The conference agreement does not include either provision.

Elsewhere in this report, the conferees agree to include the requirement for three independent cost analyses on the acquisition of, and independent cost analyses for, the JSF propulsion systems.

High energy laser low aspect target tracking

The Senate amendment contained a provision (sec. 216) that would authorize \$5.0 million to support instrumentation and test and evaluation activities of the high energy laser systems test facility.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 65605A.

Advanced Aluminum Aerostructures Initiative

The Senate amendment contained a provision (sec. 217) that would authorize \$2.0 million for the Advanced Aluminum Aerostructures Initiative.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Air Force PE 63211F.

Legged mobility robotic research

The Senate amendment contained a provision (sec. 218) that would authorize \$1.0 million for legged mobility robotic research.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 62601A.

Wideband digital airborne electronic sensing array

The Senate amendment contained a provision (sec. 219) that would authorize \$3.0 million for Air Force research on the wideband digital airborne electronic sensing array.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Air Force PE 62204F.

Science and technology

The Senate amendment contained a provision (sec. 220) that would authorize \$45.0 million for competitively awarded basic research programs.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Army PE 61103A, Navy PE 61103N, Air Force PE 61103F, Defense-wide PE 61101E, and Defense-wide PE 61120D8Z.

High Altitude Airship program

The House bill contained a provision (sec. 223) that would make \$5.0 million available for the High Altitude Airship program from amounts provided in section 201 for Research, Development, Test, and Evaluation, Air force.

The Senate amendment contained no similar provision.

The House recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation.

Testing and operations for missile defense

The Senate amendment contained a provision (sec. 236) that would make available an additional \$45.0 million for the Ballistic Missile Defense Midcourse Defense Segment (PE 63882C) to accelerate the ability to conduct concurrent test and missile defense operations and to increase the pace of realistic flight testing of the ground-based midcourse defense system.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Research, Development, Test, and Evaluation, Defense-wide, PE 63882C.

Report on biometrics programs of the Department of Defense

The Senate amendment contained a provision (sec. 257) that would require the Secretary of Defense to submit a report on the management and adequacy of biometrics programs.

The House bill contained no similar provision.

The Senate recesses.

The conferees note the importance of an integrated biometrics program to meet Department of Defense needs in the areas of network security and access, facility security, intelligence and detainee operations, force protection, and homeland and border security.

The conferees direct the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a report in both classified and unclassified form on the biometrics programs of the Department. The report should be submitted no later than January 31, 2007, and should address the following:

(1) an assessment of the adequacy of the current executive agent management structure for meeting the needs of the biometrics programs throughout the Department and recommendations, if any, for improvements to the management structure;

(2) current and anticipated future requirements for the biometrics programs to meet needs throughout the Department;

(3) a description and assessment of adequacy of programs currently fielded to meet operational requirements, including those in Iraq and Afghanistan;

(4) an assessment of programmatic or capability gaps in meeting future requirements; and

(5) actions being taken within the Department to coordinate and integrate biometrics programs among the departments and agencies of the executive branch, including development, requirements generation, resource allocation, and operational use.

For the purposes of the required report, the conferees consider the term "biometrics" to mean an identity management program or system that utilizes distinct personal attributes, including DNA, facial features, irises, retinas, signatures, or voices, to identify individuals.

TITLE III-OPERATION AND MAINTENANCE

Operation and Maintenance overview

The budget request included \$130,089.0 million in Operation and Maintenance, \$23,445.6 million in Other Programs, and \$2,436.4 million in Working Capital Fund Accounts for the Department of Defense.

The House bill would authorize \$129,770.1 million in Operation and Maintenance, \$23,647.0 million in Other Programs, and \$2,503.2 million in Working Capital Fund Accounts.

The Senate amendment would authorize \$129,531.8 million in Operation and Maintenance, \$23,351.8 million in Other Programs, and \$2,436.4 million in Working Capital Fund Accounts.

The conferees agree to authorize \$129,018.1 million in Operation and Maintenance, \$23,847.1 million in Other Programs, and \$2,436.4 million in Working Capital Fund Accounts.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Offset Folios.....1.....to.....4.....Insert..... Offset Folios.....1.....to.....34.....Insert
Items of Special Interest

C-17 maintenance, sustainment, and modernization

NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007
(Dollars in Thousands)

	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Title III - OPERATION AND MAINTENANCE & OTHER PROGRAMS					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army	24,902,380	24,920,735	24,785,580	-486,028	24,416,352
Operation and Maintenance, Navy	31,330,984	31,089,075	31,130,784	-173,345	31,157,639
Operation and Maintenance, MC	3,878,962	3,974,081	3,905,262	-15,500	3,863,462
Operation and Maintenance, AF	31,342,307	31,098,957	31,251,107	-261,050	31,081,257
Operation and Maintenance, Defense-wide	20,075,656	19,875,763	20,116,756	18,220	20,093,876
Operation and Maintenance, Army Reserve	2,299,202	2,300,102	2,139,702	-38,400	2,260,802
Operation and Maintenance, Navy Reserve	1,288,764	1,288,764	1,288,764	-13,000	1,275,764
Operation and Maintenance, Marine Corps Reserve	211,911	211,911	211,911	-600	211,311
Operation and Maintenance, Air Force Reserve	2,723,800	2,723,800	2,575,100	-25,400	2,698,400
Operation and Maintenance, Army National Guard	4,838,665	5,090,565	4,857,728	-62,244	4,776,421
Operation and Maintenance, Air National Guard	5,336,017	5,336,017	5,318,717	-43,500	5,292,517
Transfer Accounts	1,403,295	1,403,295	1,493,295	40,000	1,443,295
Miscellaneous Appropriations	457,053	457,053	457,053	-10,000	447,053
SUBTOTAL OPERATION AND MAINTENANCE	130,088,996	129,770,118	129,531,759	-1,070,847	129,018,149

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NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007
(Dollars in Thousands)

	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
OTHER PROGRAMS					
DEFENSE HEALTH PROGRAM					
Defense Health Program, O&M	20,498,163	20,699,563	20,397,863	396,500	20,894,663
Pregnancy recovery education for military women			[1,000]		
Primary care early intervention			[2,000]		
Unobligated balances		[-290,750]	[-140,300]	[-140,300]	
Pediatric dental anesthesia			[5,000]		
Improved cancer screening for women			[3,000]	[3,000]	
Increased education and training for PTSD			[5,000]		
Incentive payments in rural areas			[8,000]		
Study on traumatic brain injury (S. Amdt)			[5,000]	[5,000]	
Training curricula for traumatic brain injury (S. Amdt)			[1,000]	[1,000]	
Ranch Hand data (non-add) (s. Amdt)			[850]		
Reimburse National Academy of Sciences for Rand Hand (non-add) (S. Amdt)			[200]		
Post traumatic stress disorder pilot projects			[10,000]	[10,000]	
Defer certain TRICARE cost share increases				[486,000]	
TRICARE pharmacy cost share changes				[-9,000]	
Authorize anesthesia / other costs for child dental care				[2,750]	
Index children's hospitals reimbursement differential				[1,700]	
Offset for transfer Ranch Hand data (TMA)				[-1,050]	
Air Force brain acoustic monitor				[1,200]	
Health care pilot project				[400]	
Madigan Army Medical Center trauma assistance program				[1,650]	
Theatre enterprise-wide logistics systems				[8,500]	
Disease management programs				[10,000]	
Traumatic brain injury treatment and rehabilitation				[12,000]	

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NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007

(Dollars in Thousands)

	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Defense Health Program, RDTE	130,603	130,603	135,603	5,000	135,603
Chronic pain management			[5,000]		
Defense Health Program, Procurement	396,355	396,355	397,855	[5,000]	396,355
Robotic surgery for prostate cancer			[1,500]		
Advanced tech high dose internal radiation therapy					
Subtotal Defense Health Program	21,025,121	21,226,521	20,931,321	401,500	21,426,621
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES					
Drug Enforcement and Policy Support	926,890	926,890	926,890		926,890
SOUTHCOM		[-7,000]			
NORTHCOM		[-2,000]			
PACOM		[-1,000]			
CENTCOM		[-2,000]			
Intelligence technology		[-4,000]			
Southwest border fence		[10,000]			
Maritime domain awareness		[6,000]			
Subtotal Drug Interdiction and Counter-Drug Activities	926,890	926,890	926,890		926,890
OFFICE OF THE INSPECTOR GENERAL					
Office of the Inspector General, O&M	214,897	214,897	214,897		214,897
Office of the Inspector General, RDTE	1,400	1,400	1,400		1,400
Office of the Inspector General, Procurement	216,297	216,297	216,297		216,297
Subtotal Office of the Inspector General					

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NATIONAL DEFENSE AUTHORIZATION FOR FISCAL YEAR 2007
(Dollars in Thousands)

	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION					
Chemical Agents and Munitions Destruction, O&M	1,046,290	1,046,290	1,046,290		1,046,290
Chemical Agents and Munitions Destruction, RDTE	231,014	231,014	231,014		231,014
Chemical Agents and Munitions Destruction, Procurement	1,277,304	1,277,304	1,277,304		1,277,304
Subtotal Chemical Agents and Munitions Destruction	23,445,612	23,647,012	23,351,812	401,500	23,847,112
SUBTOTAL OTHER PROGRAMS					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds	161,998	161,998	161,998		161,998
Defense Working Capital Funds - DeCA	1,184,000	1,184,000	1,184,000		1,184,000
National Defense Sealift Fund	1,071,932	1,138,732	1,071,932		1,071,932
Buyout one additional lease		[66,800]			
Pentagon Reservation Maintenance Revolving Fund	18,500	18,500	18,500		18,500
SUBTOTAL REVOLVING AND MANAGEMENT FUNDS	2,436,430	2,503,230	2,436,430		2,436,430
TOTAL O&M AND OTHER PROGRAMS	155,971,038	155,920,360	155,320,001	-669,347	155,301,691

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Operation and Maintenance, Army							
BUDGET ACTIVITY 01: OPERATING FORCES							
LAND FORCES							
2020a	010	DIVISIONS	992,281	1,014,249	995,281		992,281
		UH-60 AoA armor		[3,000]			
		Restoration of training requirement		[20,968]			
		M-Gator		[1,000]			
2020a	020	CORPS COMBAT FORCES	430,556	439,176	430,556		430,556
		Restoration of training requirement		[8,620]			
2020a	030	CORPS SUPPORT FORCES	388,518	397,709	395,318	6,000	394,518
		Battlefield mobility enhancers (M-Gators)		[6,800]		[6,000]	
		Restoration of training requirement		[9,191]			
2020a	040	EAC SUPPORT FORCES	884,236	909,274	884,236		884,236
		Restoration of training requirement		[25,038]			
2020a	050	LAND FORCES OPERATIONS SUPPORT	1,189,294	1,207,558	1,192,094		1,189,294
		Rapid Data Management System		[2,800]			
		Restoration of training requirement		[18,264]			
LAND FORCES READINESS							
2020a	060	FORCE READINESS OPERATIONS SUPPORT	1,971,662	1,971,662	1,974,662	1,500	1,973,162
		Cognitive air defense simulators (CADS)		[3,000]		[1,500]	
2020a	070	LAND FORCES SYSTEMS READINESS	571,894	524,163	594,094	-28,000	543,894
		Corrosion prevention and control		[5,200]		[4,000]	
		Blood bag transport modernization project		[17,000]		[8,000]	
		Combat development core		[-47,731]		[-40,000]	

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2020a	080 LAND FORCES DEPOT MAINTENANCE Unfunded requirements in depot maintenance	974,354	1,075,380 [101,026]	974,354		974,354
LAND FORCES READINESS SUPPORT						
2020a	090 BASE OPERATIONS SUPPORT	5,235,492	5,235,492	5,235,492		5,235,492
2020a	100 FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	1,810,774	1,810,774	1,810,774		1,810,774
2020a	110 MANAGEMENT AND OPERATIONAL HQ Army management headquarters activities	252,976	233,888 [-19,088]	252,976	-19,088 [-19,088]	233,888
2020a	120 UNIFIED COMMANDS Standing Joint Forces Headquarters	108,594	103,594 [-5,000]	108,594		108,594
2020a	130 MISCELLANEOUS ACTIVITIES	219,469	219,469	219,469		219,469
TOTAL, BA 01: OPERATING FORCES		15,030,100	15,142,388	15,067,900	-39,588	14,990,512
BUDGET ACTIVITY 02: MOBILIZATION						
MOBILITY OPERATIONS						
2020a	140 STRATEGIC MOBILITY Quadraple specialty containers	197,583	267,033 [71,750]	203,583 [6,000]	6,000 [6,000]	203,583
2020a	150 ARMY PREPOSITIONING STOCKS Restoration of prepositioned stocks Logistics Modernization Program	66,594	100,633 [-2,300]	66,594		66,594
2020a	160 INDUSTRIAL PREPAREDNESS Restoration of prepositioned stocks	4,700	4,700 [34,039]	4,700		4,700
TOTAL, BA 02: MOBILIZATION		268,877	372,366	274,877	6,000	274,877

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BUDGET ACTIVITY 03: TRAINING AND RECRUITING						
ACCESSION TRAINING						
2020a	170 OFFICER ACQUISITION	112,359	112,359	112,359		112,359
2020a	180 RECRUIT TRAINING	38,480	38,480	38,480		38,480
2020a	190 ONE STATION UNIT TRAINING	45,827	45,827	45,827		45,827
2020a	200 SENIOR RESERVE OFFICERS TRAINING CORPS	273,430	273,430	273,430		273,430
BASIC SKILL/ ADVANCE TRAINING						
2020a	210 SPECIALIZED SKILL TRAINING	524,645	524,645	524,645		524,645
2020a	220 FLIGHT TRAINING	637,726	637,726	637,726		637,726
2020a	230 PROFESSIONAL DEVELOPMENT EDUCATION Leadership for Leaders Command and General Staff College	115,231	116,231	115,231	1,000	116,231
2020a	240 TRAINING SUPPORT Live training instrumentation for air and missile defense units	661,743	[1,000] 665,743 [4,000]	661,743	[1,000] 3,000 [3,000]	664,743
RECRUITING/OTHER TRAINING						
2020a	250 RECRUITING AND ADVERTISING	516,857	516,857	516,857		516,857
2020a	260 EXAMINING	130,238	130,238	130,238		130,238
2020a	270 OFF-DUTY AND VOLUNTARY EDUCATION	273,188	273,188	273,188		273,188
2020a	280 CIVILIAN EDUCATION AND TRAINING	136,568	136,568	136,568		136,568
2020a	290 JUNIOR ROTC Spirit of America JROTC youth conference	148,215	148,575 [360]	148,215	360	148,575
TOTAL, BA 03: TRAINING AND RECRUITING		3,614,507	3,614,867	3,614,507	4,360	3,618,867

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES							
SECURITY PROGRAMS							
2020a	300	SECURITY PROGRAMS	782,719	782,719	782,719		782,719
LOGISTICS OPERATIONS							
2020a	310	SERVICEWIDE TRANSPORTATION	451,070	451,070	451,070		451,070
2020a	320	CENTRAL SUPPLY ACTIVITIES	453,386	453,386	453,386		453,386
2020a	330	LOGISTIC SUPPORT ACTIVITIES	415,582	413,182	415,582		415,582
		Logistics Modernization Program		[-2,400]			
2020a	340	AMMUNITION MANAGEMENT	308,552	306,352	308,552		308,552
		Logistics Modernization Program		[-2,200]			
SERVICEWIDE SUPPORT							
2020a	350	ADMINISTRATION	701,834	620,713	704,834	-50,000	651,834
		Strategic Management System (non-add)			[30,000]		
		Integrated digital environment pilot program			[3,000]		
		Army operations center headquarters		[-50,000]			
		Other contracts - excessive growth		[-31,121]			
2020a	360	SERVICEWIDE COMMUNICATIONS	957,811	956,411	957,811	-4,900	952,911
		Future business systems		[-4,900]			
		Army Knowledge Online disaster recovery		[3,500]			
2020a	370	MANPOWER MANAGEMENT	276,963	276,963	276,963	-3,000	273,963
		National Security Personnel System delayed implementation					
2020a	380	OTHER PERSONNEL SUPPORT	200,993	200,993	200,993	[-3,000]	200,993

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2020a	390	OTHER SERVICE SUPPORT	833,850	818,189	833,850	-17,900	815,950
		Combat readiness center		[-16,161]		[-10,000]	
		Continue holocaust education exhibits		[500]		[500]	
		Public affairs unjustified growth				[-8,400]	
2020a	400	ARMY CLAIMS ACTIVITIES	203,144	203,144	203,144		203,144
2020a	410	REAL ESTATE MANAGEMENT	48,934	48,934	48,934		48,934
		SUPPORT OF OTHER NATIONS					
2020a	420	SUPPORT OF NATO OPERATIONS	310,277	310,277	310,277		310,277
2020a	430	MISC. SUPPORT OF OTHER NATIONS	43,781	43,781	43,781		43,781
		JUDGMENT FUND					
2020a	440	JUDGMENT FUND					
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	5,988,896	5,886,114	5,991,896	-75,800	5,913,096
		Information assurance vulnerability alert cell			3,000	3,000	3,000
		Military to civilian conversions			-50,000	-20,900	-20,900
		Unobligated balances		-100,000	-67,600	-125,000	-125,000
		WCF excess balances			-50,000		
		Connect and join			1,000	1,000	1,000
		VMI military training infrastructure (non-add) (S. Amdt)			[2,900]		
		VMI military training infrastructure				2,900	2,900

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Title III - Operation and Maintenance

(Dollars in Thousands)

<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
		Peace time training offset				-245,000	-245,000
		Expanded Army early commissioning program				3,000	3,000
		Total Operation and Maintenance, Army	24,902,380	24,920,735	24,785,580	-486,028	24,416,352
		Operation and Maintenance, Navy					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
1804n	010	MISSION AND OTHER FLIGHT OPERATIONS	3,587,750	3,587,750	3,587,750		3,587,750
1804n	020	FLEET AIR TRAINING	863,788	863,788	863,788		863,788
1804n	030	INTERMEDIATE MAINTENANCE	56,502	56,502	56,502		56,502
1804n	040	AIR OPERATIONS AND SAFETY SUPPORT	121,303	121,303	126,303		121,303
		Long arm high-intensity arc metal halide handheld searchlights			[5,000]		
1804n	050	AIR SYSTEMS SUPPORT	485,830	485,830	485,830		485,830
1804n	060	AIRCRAFT DEPOT MAINTENANCE	902,864	977,864	902,864		902,864
		Unfunded aviation requirements		[75,000]			
1804n	070	AIRCRAFT DEPOT OPERATIONS SUPPORT	144,243	134,243	144,243		144,243
		Navy enterprise resources planning		[-10,000]			
		SHIP OPERATIONS					
1804n	080	MISSION AND OTHER SHIP OPERATIONS	3,166,923	3,290,923	3,170,823	123,500	3,290,423
		Man overboard safety systems install and maintenance		[3,000]	[3,900]	[2,500]	
		Restore ship steaming day reduction		[-121,000]		[121,000]	
1804n	090	SHIP OPERATIONS SUPPORT & TRAINING	645,040	645,040	645,040		645,040

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(Dollars in Thousands)

Account	Line	Program Title	FY2007		House Authorized	Senate Authorized	Conference Change	Conference Authorized
			Request	House Authorized				
1804n	100	SHIP DEPOT MAINTENANCE	3,722,690	3,605,690	3,722,690	3,722,690	3,722,690	
		Restore ship deferred maintenance		[145,000]				
		Shipyards rate savings - mission funding conversion		[262,000]				
1804n	110	SHIP DEPOT OPERATIONS SUPPORT	979,341	982,341	979,341	979,341	979,341	
		Damage Control Inventory Management and Stowage System		[3,000]				
		COMBAT OPERATIONS/SUPPORT						
1804n	120	COMBAT COMMUNICATIONS	318,105	318,105	318,105	318,105	318,105	
1804n	130	ELECTRONIC WARFARE	52,039	52,039	52,039	52,039	52,039	
1804n	140	SPACE SYSTEMS AND SURVEILLANCE	164,454	164,454	164,454	164,454	164,454	
1804n	150	WARFARE TACTICS	356,815	356,815	356,815	356,815	356,815	
1804n	160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	267,193	267,193	267,193	267,193	267,193	
1804n	170	COMBAT SUPPORT FORCES	1,073,662	1,073,662	1,073,662	1,073,662	1,073,662	
1804n	180	EQUIPMENT MAINTENANCE	170,116	173,816	170,116	170,116	170,116	
		METBENCH Automated Calibration System		[3,700]				
1804n	190	DEPOT OPERATIONS SUPPORT	3,855	3,855	3,855	3,855	3,855	
		WEAPONS SUPPORT						
1804n	200	CRUISE MISSILE	132,602	132,602	132,602	132,602	132,602	
1804n	210	FLEET BALLISTIC MISSILE	946,811	946,811	946,811	946,811	946,811	
1804n	220	IN-SERVICE WEAPONS SYSTEMS SUPPORT	115,230	115,230	115,230	115,230	115,230	
1804n	230	WEAPONS MAINTENANCE	433,856	433,856	458,856	458,856	450,656	
		Mk45 Mod 5 th gun depot overhauls			[25,000]		16,800	
							[16,800]	
1804n	240	OTHER WEAPON SYSTEMS SUPPORT	300,901	300,901	300,901	300,901	300,901	

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n 250	<u>WORKING CAPITAL FUND SUPPORT</u> NWCF SUPPORT					
	<u>BASE SUPPORT</u>					
1804n 260	ENTERPRISE INFORMATION	713,421	713,421	713,421		713,421
1804n 270	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,201,313	1,201,313	1,201,313		1,201,313
1804n 280	BASE OPERATING SUPPORT	3,470,443	3,470,443	3,470,443	-25,000	3,445,443
	Base operating support unjustified program growth				[-25,000]	
	TOTAL, BA 01: OPERATING FORCES	24,397,090	24,475,790	24,430,990	115,300	24,512,390
	<u>BUDGET ACTIVITY 02: MOBILIZATION</u>					
	<u>READY RESERVE AND REPOSITIONING FORCES</u>					
1804n 290	SHIP REPOSITIONING AND SURGE	545,607	545,607	545,607		545,607
	<u>ACTIVATIONS/INACTIVATIONS</u>					
1804n 300	AIRCRAFT ACTIVATIONS/INACTIVATIONS	4,626	4,626	4,626		4,626
1804n 310	SHIP ACTIVATIONS/INACTIVATIONS	197,171	205,171	197,171		197,171
	U.S. Navy ship disposal program		[8,000]			
	<u>MOBILIZATION PREPAREDNESS</u>					
1804n 320	FLEET HOSPITAL PROGRAM	30,928	30,928	30,928		30,928
1804n 330	INDUSTRIAL READINESS	1,660	1,660	1,660		1,660

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n	340	COAST GUARD SUPPORT	20,236	20,236	20,236		20,236
		TOTAL, BA 02: MOBILIZATION	800,228	808,228	800,228		800,228
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
1804n	350	OFFICER ACQUISITION	134,960	134,960	134,960		134,960
1804n	360	RECRUIT TRAINING	9,973	9,973	9,973		9,973
1804n	370	RESERVE OFFICERS TRAINING CORPS	105,067	105,067	105,067		105,067
		BASIC SKILLS AND ADVANCED TRAINING					
1804n	380	SPECIALIZED SKILL TRAINING	517,787	517,787	517,787		517,787
1804n	390	FLIGHT TRAINING	425,434	425,434	425,434		425,434
1804n	400	PROFESSIONAL DEVELOPMENT EDUCATION	121,568	122,893	121,568		121,568
		Continue education for childcare providers		[975]			
		Navy National Guard RINGGOLD linguists		[350]			
1804n	410	TRAINING SUPPORT	168,461	168,461	168,461		168,461
		RECRUITING AND OTHER TRAINING AND EDUCATION					
1804n	420	RECRUITING AND ADVERTISING	245,469	245,769	245,469	300	245,769
		Naval Sea Cadet Corps		[300]		[300]	
1804n	430	OFF-DUTY AND VOLUNTARY EDUCATION	148,588	148,588	148,588		148,588
1804n	440	CIVILIAN EDUCATION AND TRAINING	75,337	75,337	75,337		75,337

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n	450	JUNIOR ROTC	46,649	46,649	46,649		46,649
TOTAL, BA 03: TRAINING AND RECRUITING			1,999,293	2,000,918	1,999,293	300	1,999,593

BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
SERVICEWIDE SUPPORT							
1804n	460	ADMINISTRATION	719,357	682,923	719,357	-9,500	709,857
		FYDP improvement project		[-9,576]			
		PR -07 / POM -08 planning and analysis		[-3,000]			
		Unjustified growth for HQ staff		[-8,858]			
		Other contract - excessive growth		[-15,000]			
1804n	470	EXTERNAL RELATIONS	3,555	3,555	3,555		3,555
1804n	480	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	103,611	103,611	103,611		103,611
1804n	490	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	186,113	186,113	186,113		186,113
1804n	500	OTHER PERSONNEL SUPPORT	274,108	274,108	274,108		274,108
1804n	510	SERVICEWIDE COMMUNICATIONS	798,527	728,527	768,527	-40,000	758,527
		NMCI program management		[-70,000]			
1804n	520	MEDICAL ACTIVITIES					

LOGISTICS OPERATIONS AND TECHNICAL SUPPORT

1804n	530	SERVICEWIDE TRANSPORTATION	218,575	218,575	218,575		218,575
1804n	540	ENVIRONMENTAL PROGRAMS					
1804n	550	PLANNING, ENGINEERING AND DESIGN	242,607	240,607	242,607	-2,000	240,607
		NAV 2030 vision principles		[-2,000]			
1804n	560	ACQUISITION AND PROGRAM MANAGEMENT	518,512	518,512	518,512		518,512

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
1804n	570	HULL, MECHANICAL AND ELECTRICAL SUPPORT Flash Detection System	58,202	62,202 [4,000]	58,202		58,202
1804n	580	COMBAT/WEAPONS SYSTEMS	43,143	43,143	43,143		43,143
1804n	590	SPACE AND ELECTRONIC WARFARE SYSTEMS	81,528	81,528	81,528		81,528
INVESTIGATIONS AND SECURITY PROGRAMS							
1804n	600	NAVAL INVESTIGATIVE SERVICE	391,438	391,438	391,438		391,438
SUPPORT OF OTHER NATIONS							
1804n	650	INTERNATIONAL HEADQUARTERS AND AGENCIES	10,478	10,478	10,478		10,478
1804n	660	PRESIDENTIAL DRAWDOWN AUTHORITY					
CANCELLED ACCOUNTS							
1804n	670	CANCELLED ACCOUNT ADJUSTMENTS					
OTHER PROGRAMS							
1804n	999	OTHER PROGRAMS Trident Special project aircraft	484,619	490,619 [3,000] [3,000]	484,619		484,619
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			4,134,373	4,035,939	4,104,373	-51,500	4,082,873
Military to civilian conversions					-40,000		
Civilian personnel pay in excess of requirements					-96,800		-96,800

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Unobligated balances					
Peace time training offset		-135,000	-67,300	-67,300	-67,300
					-73,345
Total Operation and Maintenance, Navy	31,330,984	31,089,075	31,130,784	-173,345	31,157,639

Operation and Maintenance, Marine Corps

BUDGET ACTIVITY 01: OPERATING FORCES

EXPEDITIONARY FORCES

1106n 010 OPERATIONAL FORCES	503,462	506,612	536,362	19,500	522,962
High performance base layers			[4,000]	[2,000]	
Cold Weather High Performance Layering System		[2,000]	[6,000]	[4,000]	
Portable Tent Lighting System			[8,400]	[3,000]	
Individual Water Purification System			[4,500]	[3,500]	
Ultra Light Camouflage Net System			[6,000]	[3,000]	
Command Post - large tactical shelters			[4,000]	[1,000]	
EMI Hardened Fluorescent Stringable Tent Lighting System		[7,000]		[3,000]	
Redesignation / establishment of unnecessary command structures		[-5,850]			
	424,331	424,331	429,331	4,000	428,331

1106n 020 FIELD LOGISTICS

Corrosion prevention and control

	111,210	160,294	111,210	[4,000]	111,210
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1106n 030 DEPOT MAINTENANCE

Marine Air Traffic Control and Landing System

Unfunded requirements in depot maintenance

1106n 040 BASE SUPPORT

Unfunded requirements in depot maintenance

		[9,000]			
		[40,084]			

Title III - Operation and Maintenance

(Dollars in Thousands)

<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
		USMC PREPOSITIONING					
1106n	050	MARITIME PREPOSITIONING	70,801	80,701	70,801	1,800	72,601
		Maritime prepositioning reconstitution		[9,900]		[1,800]	
1106n	060	NORWAY PREPOSITIONING	5,284	5,284	5,284		5,284
		BASE SUPPORT					
1106n	070	SUSTAINMENT, RESTORATION, & MODERNIZATION	419,418	419,418	419,418		419,418
1106n	080	BASE OPERATING SUPPORT	1,428,003	1,428,003	1,428,003		1,428,003
		TOTAL, BA 01: OPERATING FORCES	2,962,509	3,024,643	3,000,409	25,300	2,987,809
		BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
		ACCESSION TRAINING					
1106n	090	RECRUIT TRAINING	11,581	13,956	11,581		11,581
		Recruit training support		[2,375]			
1106n	100	OFFICER ACQUISITION	390	390	390		390
		BASIC SKILLS AND ADVANCED TRAINING					
1106n	110	SPECIALIZED SKILL TRAINING	41,130	49,730	41,130		41,130
		Formal school support		[8,600]			
1106n	120	FLIGHT TRAINING	187	187	187		187
1106n	130	PROFESSIONAL DEVELOPMENT EDUCATION	16,476	16,476	16,476		16,476
1106n	140	TRAINING SUPPORT	144,692	169,702	144,692		144,692
		Training support requirements		[25,010]			

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(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		RECRUITING AND OTHER TRAINING EDUCATION					
1106n	150	RECRUITING AND ADVERTISING	108,883	108,883	108,883		108,883
1106n	160	OFF-DUTY AND VOLUNTARY EDUCATION	55,524	55,524	55,524		55,524
1106n	170	JUNIOR ROTC	17,257	17,257	17,257		17,257
		BASE SUPPORT					
1106n	180	SUSTAINMENT, RESTORATION AND MODERNIZATION	50,810	50,810	50,810		50,810
1106n	190	BASE OPERATING SUPPORT	141,242	141,242	141,242		141,242
		TOTAL, BA 03: TRAINING AND RECRUITING	588,172	624,157	588,172		588,172
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE SUPPORT					
1106n	200	SPECIAL SUPPORT	255,058	255,058	255,058		255,058
1106n	210	SERVICE-WIDE TRANSPORTATION	24,140	24,140	24,140		24,140
1106n	220	ADMINISTRATION	34,266	34,266	34,266		34,266
		CANCELLED ACCOUNT					
1106n	230	CANCELLED ACCOUNT ADJUSTMENT					
		BASE SUPPORT					
1106n	240	SUSTAINMENT, RESTORATION, AND MODERNIZATION	2,913	2,913	2,913		2,913
1106n	250	BASE OPERATING SUPPORT	11,904	11,904	11,904		11,904
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	328,281	328,281	328,281		328,281

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(Dollars in Thousands)

<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
		Military to civilian conversions		-3,000	-10,000	-3,000	-3,000
		Unobligated balances			-1,600	-37,800	-37,800
		Civilian personnel pay in excess of requirements					
		Total Operation and Maintenance, Marine Corps	3,878,962	3,974,081	3,905,262	-15,500	3,863,462
		Operation and Maintenance, Air Force					

BUDGET ACTIVITY 01: OPERATING FORCES

AIR OPERATIONS

3400f	010	PRIMARY COMBAT FORCES	4,307,850	4,359,650	4,307,850	2,000	4,309,850
		MBU-20/P oxygen mask with lights		[2,000]		[2,000]	
		B-52 attrition reserve		[49,800]			
3400f	020	PRIMARY COMBAT WEAPONS	281,366	281,366	281,366		281,366
3400f	030	COMBAT ENHANCEMENT FORCES	603,703	633,703	603,703		603,703
		Unjustified transformational efficiencies		[30,000]			
3400f	040	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,439,196	1,447,196	1,439,296	100	1,439,296
		Joint modular targets and urban CAS site			[100]	[100]	
		Nevada Test and Training Range / Utah Test and Training Range		[8,000]			
3400f	050	COMBAT COMMUNICATIONS	1,619,591	1,659,591	1,619,591		1,619,591
		Unjustified transformational efficiencies		[40,000]			
3400f	070	DEPOT MAINTENANCE	1,943,368	1,943,368	1,944,268		1,943,368
		F-16 supply chain management DMSMS program			[900]		
3400f	080	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	924,187	924,187	924,187		924,187

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	090	BASE SUPPORT	2,405,434	2,225,434	2,405,434	-180,000	2,225,434
		Civilian personnel pay in excess of requirements		[-180,000]		[-180,000]	
COMBAT RELATED OPERATIONS							
3400f	100	GLOBAL C3I AND EARLY WARNING	1,147,409	1,147,409	1,147,409		1,147,409
3400f	110	NAVIGATION/WEATHER SUPPORT	243,878	243,878	243,878		243,878
3400f	120	OTHER COMBAT OPS SPT PROGRAMS	610,059	610,059	610,059		610,059
3400f	130	JCS EXERCISES	29,240	29,240	29,240		29,240
3400f	140	MANAGEMENT/OPERATIONAL HQ	241,730	241,730	241,730		241,730
3400f	150	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	350,629	350,629	350,629		350,629
SPACE OPERATIONS							
3400f	160	LAUNCH FACILITIES	324,467	324,467	324,467		324,467
3400f	170	LAUNCH VEHICLES	59,713	59,713	59,713		59,713
3400f	180	SPACE CONTROL SYSTEMS	255,325	255,325	255,325		255,325
3400f	190	SATELLITE SYSTEMS	81,845	81,845	81,845		81,845
3400f	200	OTHER SPACE OPERATIONS	320,801	310,801	325,301	[4,500]	320,801
		Air Force Space Surveillance System					
		Counter space operations		[-10,000]			
3400f	210	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	133,825	133,825	133,825		133,825
3400f	220	BASE SUPPORT	553,394	553,394	553,394		553,394
TOTAL, BA 01: OPERATING FORCES			17,877,010	17,816,810	17,882,510	-177,900	17,699,110

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BUDGET ACTIVITY 02: MOBILIZATION						
MOBILITY OPERATIONS						
3400f 230	AIRLIFT OPERATIONS	2,948,518	2,948,518	2,948,518		2,948,518
3400f 240	AIRLIFT OPERATIONS C31	47,313	47,313	47,313		47,313
3400f 250	MOBILIZATION PREPAREDNESS	204,721	204,721	204,721		204,721
3400f 260	PAYMENTS TO TRANSPORTATION BUSINESS AREA	7,134	7,134	7,134		7,134
3400f 270	DEPOT MAINTENANCE	311,703	311,703	311,703		311,703
3400f 280	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	179,242	179,242	179,242		179,242
3400f 290	BASE SUPPORT	560,838	560,838	560,838		560,838
TOTAL, BA 02: MOBILIZATION		4,259,469	4,259,469	4,259,469		4,259,469

BUDGET ACTIVITY 03: TRAINING AND RECRUITING

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
ACCESSION TRAINING						
3400f 300	OFFICER ACQUISITION	81,429	81,429	81,429		81,429
3400f 310	RECRUIT TRAINING	6,306	6,306	6,306		6,306
3400f 320	RESERVE OFFICERS TRAINING CORPS (ROTC)	95,282	95,282	95,282		95,282
3400f 330	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	43,461	43,461	43,461		43,461
3400f 340	BASE SUPPORT	75,354	75,354	75,354		75,354
BASIC SKILLS AND ADVANCED TRAINING						
3400f 350	SPECIALIZED SKILL TRAINING	351,352	336,352	351,352		351,352
	Euro NATO jet pilot training		[-10,000]			
	Initial flight screening		[-5,000]			

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(Dollars in Thousands)

Account	Line	Program/Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
3400f	360	FLIGHT TRAINING	836,910	836,910	836,910		836,910
3400f	370	PROFESSIONAL DEVELOPMENT EDUCATION	175,225	175,225	175,225		175,225
3400f	380	TRAINING SUPPORT	89,025	91,025	89,025	1,000	90,025
		National Space Studies Center study		[2,000]		[1,000]	
3400f	390	DEPOT MAINTENANCE	12,558	12,558	12,558		12,558
3400f	400	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	134,126	134,126	134,126		134,126
3400f	410	BASE SUPPORT	590,856	590,856	590,856		590,856
RECRUITING AND OTHER TRAINING AND EDUCATION							
3400f	420	RECRUITING AND ADVERTISING	133,600	133,600	133,600		133,600
3400f	430	EXAMINING	3,713	3,713	3,713		3,713
3400f	440	OFF-DUTY AND VOLUNTARY EDUCATION	192,847	192,847	200,847		192,847
		Tuition assistance			[8,000]		
3400f	450	CIVILIAN EDUCATION AND TRAINING	115,394	115,394	115,394		115,394
3400f	460	JUNIOR ROTC	60,380	60,380	60,380		60,380
TOTAL, BA 03: TRAINING AND RECRUITING			2,997,818	2,984,818	3,005,818	1,000	2,998,818
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES							
LOGISTICS OPERATIONS							
3400f	470	LOGISTICS OPERATIONS	892,899	892,899	892,899		892,899
3400f	480	TECHNICAL SUPPORT ACTIVITIES	629,064	629,064	629,064		629,064
3400f	490	SERVICEWIDE TRANSPORTATION	176,222	176,222	176,222		176,222
3400f	500	DEPOT MAINTENANCE	47,817	47,817	47,817		47,817
3400f	510	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	252,911	252,911	252,911		252,911

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(Dollars in Thousands)

<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
3400f	520	BASE SUPPORT	993,307	993,307	993,307		993,307
<u>SERVICEWIDE ACTIVITIES</u>							
3400f	530	ADMINISTRATION	254,311	244,311	254,311		254,311
		Administration - general reduction		[-10,000]			
3400f	540	SERVICE-WIDE COMMUNICATIONS	510,987	510,987	510,987		510,987
3400f	550	PERSONNEL PROGRAMS	222,416	222,416	222,416		222,416
3400f	560	ARMS CONTROL	49,933	49,933	49,933		49,933
3400f	570	OTHER SERVICEWIDE ACTIVITIES	280,473	284,473	280,473	2,000	282,473
		Air Force manufacturing technical assistance production		[-4,000]		[2,000]	
3400f	580	OTHER PERSONNEL SUPPORT	37,775	37,775	37,775		37,775
3400f	590	CIVIL AIR PATROL	21,087	21,087	21,087		21,087
3400f	600	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	16,267	16,267	16,267		16,267
3400f	610	BASE SUPPORT	325,670	325,670	325,670		325,670
<u>SECURITY PROGRAMS</u>							
3400f	620	SECURITY PROGRAMS	1,478,190	1,363,190	1,478,190		1,478,190
		Unjustified growth		[-115,000]			
<u>SUPPORT TO OTHER NATIONS</u>							
3400f	630	INTERNATIONAL SUPPORT	18,681	18,681	18,681		18,681
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			6,208,010	6,087,010	6,208,010	2,000	6,210,010
Interoperable communications				10,000	10,000		10,000
NCR operational enhancements				3,500	3,500		3,500

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
	Consequence management		3,800			
	Military to civilian conversions		-50,000			
	Unobligated balances		-75,000		-100,000	-100,000
	National security space institute		3,000		3,000	3,000
	Other contracts - excessive growth		-50,000			
	Ranch Hand data		850		850	850
	Total Operation and Maintenance, Air Force	31,342,307	31,098,957	31,251,107	-261,050	31,081,257
	Operation and Maintenance, Defense-wide					
	BUDGET ACTIVITY 1: OPERATING FORCES					
	DEFENSEWIDE ACTIVITIES					
0100d 010	JOINT CHIEFS OF STAFF	582,003	572,003	591,503	4,500	586,503
	Gamma Radiation Detection System			[9,500]	[9,500]	
	JCS - excessive growth		[-10,000]		[-10,000]	
	Combatant Commander's Initiative Fund				[5,000]	
0100d 020	SPECIAL OPERATIONS COMMAND	2,852,620	2,852,620	2,852,620		2,852,620
	TOTAL, BUDGET ACTIVITY 1:	3,434,623	3,424,623	3,444,123	4,500	3,439,123
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING					
	DEFENSEWIDE ACTIVITIES					
0100d 030	DEFENSE ACQUISITION UNIVERSITY	104,671	104,671	104,671		104,671

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(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized	
0100d	040	RECRUITING AND OTHER TRAINING EDUCATION					
		85,131	85,131	85,131		85,131	
		NATIONAL DEFENSE UNIVERSITY					
		189,802	189,802	189,802		189,802	
		TOTAL, BUDGET ACTIVITY 3:					
		189,802	189,802	189,802		189,802	
		BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES					
		DEFENSEWIDE ACTIVITIES					
0100d	050	150,329	150,329	150,329		150,329	
		AMERICAN FORCES INFORMATION SERVICE					
0100d	060	106,503	107,503	106,503	1,000	107,503	
		CIVIL MILITARY PROGRAMS					
			[1,000]		[1,000]		
		Starbase					
0100d	090	179,255	179,255	179,255		179,255	
		DEFENSE BUSINESS TRANSFORMATION AGENCY					
0100d	100	391,949	391,949	391,949		391,949	
		DEFENSE CONTRACT AUDIT AGENCY					
0100d	110	452	452	452		452	
		DEFENSE FINANCE AND ACCOUNTING SERVICE					
0100d	120	998,618	998,618	998,618		998,618	
		DEFENSE INFORMATION SYSTEMS AGENCY					
0100d	140	35,538	35,538	35,538		35,538	
		DEFENSE LEGAL SERVICES					
0100d	150	297,502	324,322	327,502	19,820	317,322	
		DEFENSE LOGISTICS AGENCY					
			[5,000]	[30,000]	[5,000]		
		Meals ready to eat war reserve stockpile					
			[15,000]		[8,000]		
		Commercial technologies for maintenance activities (CTMA)					
			[6,820]		[6,820]		
		Procurement technical assistance program (PTAP)					
0100d	160	16,191	16,191	16,191		16,191	
		DEFENSE POW/MIA OFFICE					
0100d	170	21,899	21,899	21,899		21,899	
		DEFENSE TECHNOLOGY SECURITY AGENCY					
0100d	180	314,555	314,555	314,555		314,555	
		DEFENSE THREAT REDUCTION AGENCY					

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
0100d	190	DEPARTMENT OF DEFENSE EDUCATION AGENCY	1,728,851	1,729,051	1,730,351	6,500	1,735,351
		Early childhood education pilot projects			[1,500]	[1,500]	
		Kids voting pilot program		[200]			
		Family support assistance (non-add) (S. Amct)			[5,000]	[5,000]	
		Family support assistance					
0100d	200	DOD HUMAN RESOURCES ACTIVITY	374,352	374,352	374,352		374,352
0100d	210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,040,297	1,040,297	1,040,297		1,040,297
0100d	220	DEFENSE SECURITY COOPERATION AGENCY	140,472	140,472	140,472		140,472
0100d	230	DEFENSE SECURITY SERVICE	287,059	287,059	287,059		287,059
0100d	250	OFFICE OF ECONOMIC ADJUSTMENT	73,021	73,021	73,021	5,000	78,021
		Port of Corpus Christi military seaport infrastructure		[5,000]		[5,000]	
0100d	260	OFFICE OF THE SECRETARY OF DEFENSE	748,368	745,368	779,368	23,000	771,368
		Readiness and Environmental Protection Initiative (REPI)		[30,000]		[25,000]	
		Information assurance scholarships			[3,000]		
		Militarily critical technologies program (Transfer to RDDW 122)			[-2,000]		
		Capital security cost share		[-33,000]			
0100d	270	WASHINGTON HEADQUARTERS SERVICE	466,961	452,961	466,961	-14,000	452,961
		WHS - excessive growth		[-14,000]		[-14,000]	
		OTHER PROGRAMS					
0100d	999	OTHER PROGRAMS	9,079,059	9,079,059	9,079,059		9,079,059
		TOTAL, BUDGET ACTIVITY 4:	16,451,231	16,467,251	16,513,731	41,320	16,497,551
		Armed Forces medical and food research		2,200	2,200	2,200	2,200
		OEF/OIF commemoration funding		20,000	20,000		

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Institute for National Security Analysis			1,000	1,000	1,000
Military to civilian conversions			-10,000		
Unobligated balances		-273,113	-54,100	-108,000	-108,000
Impact Aid		50,000	30,000	35,000	35,000
Impact Aid for children with severe disabilities			5,000	5,000	5,000
DLA WCF excess balances			-50,000		
Citizen soldier support program			5,000	5,000	5,000
Special assistance to local education agencies			10,000	10,000	10,000
DOD Supplementary Impact Aid - force structure / relocation		15,000			
Cold War Medal		2,000			
Ranch Hand data		200		200	200
Reading for the Blind for dependents (non-add) (S. Amdt)			[500]		
Reading for the Blind for dependents				500	500
Joint advertising, market research and studies (S. Amdt)			10,000	7,500	7,500
Transportation of remains				14,000	14,000
Total Operation and Maintenance, Defense-Wide	20,075,656	19,875,763	20,116,756	18,220	20,093,876
Operation and Maintenance, Army Reserve					

BUDGET ACTIVITY 01: OPERATING FORCES

Account Line	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
LAND FORCES					
2080a 010 DIVISIONS	29,104	29,104	29,104		29,104
2080a 020 CORPS COMBAT FORCES	20,498	20,498	20,498		20,498
2080a 030 CORPS SUPPORT FORCES	288,426	288,426	288,426		288,426

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(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
2080a	040	EAC SUPPORT FORCES	190,481	190,481	190,481		190,481
2080a	050	LAND FORCES OPERATIONS SUPPORT	443,161	443,161	443,161		443,161
<u>LAND FORCES READINESS</u>							
2080a	060	FORCE READINESS OPERATIONS SUPPORT	187,781	187,781	187,781		187,781
2080a	070	LAND FORCES SYSTEMS READINESS	90,397	90,397	90,397		90,397
2080a	080	LAND FORCES DEPOT MAINTENANCE	131,485	131,485	131,485		131,485
<u>LAND FORCES READINESS SUPPORT</u>							
2080a	090	BASE OPERATIONS SUPPORT	528,256	528,256	528,256		528,256
2080a	100	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	215,890	215,890	215,890		215,890
2080a	110	MISCELLANEOUS ACTIVITIES	8,504	8,504	8,504		8,504
TOTAL, BA 01: OPERATING FORCES			2,133,983	2,133,983	2,133,983		2,133,983
<u>BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES</u>							
<u>SERVICEWIDE SUPPORT</u>							
2080a	120	ADMINISTRATION	60,096	60,096	60,096		60,096
2080a	130	SERVICEWIDE COMMUNICATIONS	8,852	8,852	8,852		8,852
2080a	140	MANPOWER MANAGEMENT	7,642	7,642	7,642		7,642
2080a	150	RECRUITING AND ADVERTISING	88,629	89,529	88,629		88,629
Citizen soldier support program				[900]			
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			165,219	166,119	165,219		165,219

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Unexplained budget growth			-125,800		
		Cost avoidance for mobilized miltechs			-33,700	-19,700	-19,700
		Unobligated balances				-18,700	-18,700
		Total Operation and Maintenance, Army Reserve	2,299,202	2,300,102	2,139,702	-38,400	2,260,802
		Operation and Maintenance, Navy Reserve					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
1806n	010	MISSION AND OTHER FLIGHT OPERATIONS	591,126	591,126	591,126		591,126
1806n	020	INTERMEDIATE MAINTENANCE	16,969	16,969	16,969		16,969
1806n	030	AIR OPERATIONS AND SAFETY SUPPORT	2,090	2,090	2,090		2,090
1806n	040	AIRCRAFT DEPOT MAINTENANCE	132,570	132,570	132,570		132,570
1806n	050	AIRCRAFT DEPOT OPERATIONS SUPPORT	387	387	387		387
1806n	060	SHIP OPERATIONS	63,574	63,574	63,574		63,574
1806n	070	SHIP OPERATIONS SUPPORT & TRAINING	554	554	554		554
1806n	080	SHIP DEPOT MAINTENANCE	69,215	69,215	69,215		69,215
1806n	090	SHIP DEPOT OPERATIONS SUPPORT	537	537	537		537
		COMBAT OPERATIONS SUPPORT					
1806n	100	COMBAT COMMUNICATIONS	10,705	10,705	10,705		10,705
1806n	110	COMBAT SUPPORT FORCES	112,300	112,300	112,300		112,300

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(Dollars in Thousands)

Account Line Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
WEAPONS SUPPORT					
1806n 120 WEAPONS MAINTENANCE	5,861	5,861	5,861		5,861
BASE SUPPORT					
1806n 130 ENTERPRISE INFORMATION	105,813	105,813	105,813		105,813
1806n 140 SUSTAINMENT, RESTORATION AND MODERNIZATION	52,136	52,136	52,136		52,136
1806n 150 BASE OPERATING SUPPORT	101,524	101,524	101,524		101,524
TOTAL, BA 01: OPERATING FORCES	1,265,361	1,265,361	1,265,361		1,265,361
<u>BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES</u>					
SERVICEWIDE SUPPORT					
1806n 160 ADMINISTRATION	4,712	4,712	4,712		4,712
1806n 170 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,828	7,828	7,828		7,828
1806n 180 SERVICEWIDE COMMUNICATIONS	5,392	5,392	5,392		5,392
1806n 190 COMBAT/WEAPONS SYSTEMS	5,074	5,074	5,074		5,074
CANCELLED ACCOUNTS					
1806n 210 CANCELLED ACCOUNT ADJUSTMENTS					
OTHER PROGRAMS					
1806n 999 OTHER PROGRAMS	397	397	397		397

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(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
	Unobligated balances				-13,000	-13,000
	Total Operation and Maintenance, Navy Reserve	1,288,764	1,288,764	1,288,764	-13,000	1,275,764
	Operation and Maintenance, Marine Corps Reserve					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	EXPEDITIONARY FORCES					
1107n	010 OPERATING FORCES	58,038	58,038	58,038		58,038
1107n	020 DEPOT MAINTENANCE	13,714	13,714	13,714		13,714
1107n	030 TRAINING SUPPORT	23,930	23,930	23,930		23,930
	BASE SUPPORT					
1107n	040 SUSTAINMENT, RESTORATION AND MODERNIZATION	9,579	9,579	9,579		9,579
1107n	050 BASE OPERATING SUPPORT	72,971	72,971	72,971		72,971
	TOTAL, BA 01: OPERATING FORCES	178,232	178,232	178,232		178,232
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE ACTIVITIES					
1107n	060 SPECIAL SUPPORT	12,158	12,158	12,158		12,158
1107n	070 SERVICE-WIDE TRANSPORTATION	814	814	814		814
1107n	080 ADMINISTRATION	8,087	8,087	8,087		8,087
1107n	090 RECRUITING AND ADVERTISING	8,091	8,091	8,091		8,091

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BASE SUPPORT					
1107n 100 BASE OPERATING SUPPORT	4,529	4,529	4,529		4,529
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	33,679	33,679	33,679		33,679
Infantry combat equipment (non-add) (S. Amdt)			[2,500]		
Individual first aid kit (non-add) (S. Amdt)			[1,500]		
Individual first aid kit			[1,500]	1,500	1,500
Unobligated balances				-2,100	-2,100
Total O&M, Marine Corps Reserve	211,911	211,911	211,911	-600	211,311
Operation and Maintenance, Air Force Reserve					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS					
3740f 010 PRIMARY COMBAT FORCES	1,798,478	1,798,478	1,798,478		1,798,478
3740f 020 MISSION SUPPORT OPERATIONS	89,340	89,340	89,340		89,340
3740f 030 DEPOT MAINTENANCE	373,336	373,336	373,336		373,336
3740f 040 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	59,849	59,849	59,849		59,849
3740f 050 BASE SUPPORT	288,560	288,560	288,560		288,560
TOTAL, BA 01: OPERATING FORCES	2,609,563	2,609,563	2,609,563		2,609,563

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES							
SERVICEWIDE ACTIVITIES							
3740f	060	ADMINISTRATION	67,419	67,419	67,419		67,419
3740f	070	RECRUITING AND ADVERTISING	18,204	18,204	18,204		18,204
3740f	080	MILITARY MANPOWER AND PERS MGMT (ARPC)	21,712	21,712	21,712		21,712
3740f	090	MILITARY PERS SUPPORT (DISABILITY COMP)	6,236	6,236	6,236		6,236
3740f	100	AUDIOVISUAL	666	666	666		666
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			114,237	114,237	114,237		114,237
		Training, test and ferry flying hours		-48,000			-48,000
		Cost avoidance for mobilized miltechs		-100,700		-7,100	-107,800
		Unobligated balances				-18,300	-18,300
Total Operation and Maintenance, Air Force Reserve			2,723,800	2,723,800	2,575,100	-25,400	2,698,400
Operation and Maintenance, Army National Guard							
BUDGET ACTIVITY 01: OPERATING FORCES							
LAND FORCES							
2065a	010	DIVISIONS	598,935	600,935	598,935	2,000	600,935
		Advanced solar covers		[1,000]		[1,000]	
		Extended Cold Weather Clothing System		[1,000]		[1,000]	
2065a	020	CORPS COMBAT FORCES	560,370	560,370	560,370		560,370

Title III - Operation and Maintenance

(Dollars in Thousands)

<u>Account</u>	<u>Line</u>	<u>Program Title</u>	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
			<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
2065a	030	CORPS SUPPORT FORCES	373,045	373,045	384,545		373,045
		Battlefield mobility enhancers (M-Gators)		[11,500]			
2065a	040	EAC SUPPORT FORCES	642,935	648,935	642,935	5,000	647,935
		Army National Guard battery modernization program		[6,000]		[5,000]	
2065a	050	LAND FORCES OPERATIONS SUPPORT	26,884	26,884	26,884		26,884
LAND FORCES READINESS							
2065a	060	FORCE READINESS OPERATIONS SUPPORT	225,770	225,770	225,770		225,770
2065a	070	LAND FORCES SYSTEMS READINESS	129,371	129,371	129,371		129,371
2065a	080	LAND FORCES DEPOT MAINTENANCE	351,832	351,832	351,832		351,832
LAND FORCES READINESS SUPPORT							
2065a	090	BASE OPERATIONS SUPPORT	631,832	631,832	631,832		631,832
2065a	100	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	387,882	387,882	387,882		387,882
2065a	110	MANAGEMENT AND OPERATIONAL HQ	466,837	488,837	466,837	16,956	483,793
		Homeland Defense Operational Planning System		[10,000]		[8,000]	
		Nationwide dedicated fiber optic network		[2,500]			
		Weapons of mass destruction civil support teams		[9,500]		[8,956]	
2065a	120	MISCELLANEOUS ACTIVITIES	74,500	74,500	77,500	3,000	77,500
		Operator driving simulator			[3,000]	[3,000]	
		Baseline Adjustment for One-Time Increase					
TOTAL, BA 01: OPERATING FORCES			4,470,193	4,500,193	4,484,693	26,956	4,497,149

Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES							
SERVICEWIDE SUPPORT							
2065a	130	ADMINISTRATION	133,881	133,881	133,881		133,881
2065a	140	SERVICEWIDE COMMUNICATIONS	54,663	54,663	54,663		54,663
2065a	150	MANPOWER MANAGEMENT	53,197	53,197	53,197		53,197
2065a	160	RECRUITING AND ADVERTISING	126,731	127,631	126,731		126,731
		Citizen soldier support program		[900]			
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			368,472	369,372	368,472		368,472
		WMD CST sustainment training and evaluation program		8,500		2,000	2,000
		WMD CST equipment upgrades		5,000			
		Pilot program on reintegration into civilian life after deployment		6,663			
		Cost avoidance for mobilized militechs		-15,600		-37,100	-37,100
		Restore funding to support 350K end strength		220,000			
		Unobligated balances		1,000		-55,100	-55,100
		Peace through Health Care Initiative (HASC Amdt)				1,000	1,000
Total Operation and Maintenance, Army National Guard			4,838,665	5,090,565	4,857,728	-62,244	4,776,421

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account	Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
		Operation and Maintenance, Air National Guard					
		BUDGET ACTIVITY 01: OPERATING FORCES					
		AIR OPERATIONS					
3840f	010	AIRCRAFT OPERATIONS	3,434,443	3,434,443	3,434,443		3,434,443
3840f	020	MISSION SUPPORT OPERATIONS	512,771	512,771	518,971	4,000	516,771
		Warrior skills and convoy trainer			[6,200]	[4,000]	
3840f	030	DEPOT MAINTENANCE	602,590	602,590	602,590		602,590
3840f	040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	255,322	255,322	255,322		255,322
3840f	050	BASE SUPPORT	491,218	491,218	491,218		491,218
		TOTAL, BA 01: OPERATING FORCES	5,296,344	5,296,344	5,302,544	4,000	5,300,344
		BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
		SERVICEWIDE ACTIVITIES					
3840f	060	ADMINISTRATION	29,661	29,661	29,661		29,661
3840f	070	RECRUITING AND ADVERTISING	10,012	10,012	10,012		10,012
		TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	39,673	39,673	39,673		39,673
		Cost avoidance for mobilized miltechs			-23,500	-6,000	-6,000
		Unobligated balances				-41,500	-41,500
		Total Operation and Maintenance, Air National Guard	5,336,017	5,336,017	5,318,717	-43,500	5,292,517

Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
TRANSFER ACCOUNTS						
0810a	010 ENVIRONMENTAL RESTORATION FUND, ARMY	413,794	413,794	463,794		413,794
	Clean up of UXO at BRAC sites			[50,000]		
0810n	020 ENVIRONMENTAL RESTORATION FUND, NAVY	304,409	304,409	304,409		304,409
0810f	030 ENVIRONMENTAL RESTORATION FUND, AIR FORCE	423,871	423,871	423,871		423,871
0810d	040 ENVIRONMENTAL RESTORATION FUND, DEFENSE	18,431	18,431	18,431		18,431
0811d	050 ENVIRONMENTAL RESTORATION FORMERLY USED SITES	242,790	242,790	282,790	40,000	282,790
	Increased funding			[40,000]		
	TOTAL, O&M, TRANSFER ACCOUNTS	1,403,295	1,403,295	1,493,295	40,000	1,443,295

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Title III - Operation and Maintenance

(Dollars in Thousands)

Account Line	Program Title	FY2007 Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
MISCELLANEOUS APPROPRIATIONS						
0104d	060 US COURT OF APPEALS FOR THE ARMED FORCES	11,721	11,721	11,721		11,721
0838d	070 SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS					
0118d	080 OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	10,000	10,000	10,000	-10,000	
4965d	090 AFGHAN DEFENSE FORCES					
4965d	100 IRAQ DEFENSE FORCES					
4965d	110 IRAQ INTERIOR FORCES					
4965d	120 IRAQ QUICK RESPONSE					
4965d	130 IRAQ TRAINING FACILITY					
0833d	140 EMERGENCY RESPONSE FUND, DEFENSE					
0833d	150 EMERGENCY RESPONSE FUND, DEFENSE					
0141d	160 IRAQ FREEDOM FUND, DEF					
0819d	170 OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	63,204	63,204	63,204		63,204
1236d	180 KAH'OOLAWE					
0134d	190 FORMER SOVIET UNION (FSU) THREAT REDUCTION	372,128	372,128	372,128		372,128
TOTAL, MISCELLANEOUS		457,053	457,053	457,053	-10,000	447,053
TOTAL OPERATION AND MAINTENANCE TITLE:		130,088,996	129,770,118	129,531,759	-1,070,847	129,018,149

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The conferees are concerned that the current Air Force plan to perform the long term, non-core maintenance, sustainment, and modernization of the C-17 largely through contractor logistics support may not be providing the warfighter with the most cost-effective solution. The recent Department of Defense Inspector General report entitled "Procurement Procedures Used for C-17 Globemaster III Sustainment Partnership Total System Support" concluded that the Air Force did not use appropriate methodology for making the acquisition decision to procure contractor total system support for the C-17 aircraft, and that the Air Force failed to justify this decision with a business case analysis. The conferees believe that a business case analysis that examines the costs and benefits of multiple maintenance, sustainment, and modernization options (e.g. public/private partnerships) for the C-17 aircraft could lead to a new maintenance, sustainment, and modernization strategy for the C-17, which would provide substantial savings in total life cycle cost.

The conferees direct the Comptroller General to perform a review of the Air Force's current plans for a C-17 sustainment business case analysis to include: (1) the scope of the business case analysis, and (2) the appropriateness of the options under consideration. The Comptroller General shall submit a report to the congressional defense committees on the results of the review no later than June 1, 2007.

Disposal of land at Norwalk Defense Fuel Supply Point, Norwalk, California

The conferees note that the Secretary of the Air Force, in consultation with the General Services Administration, has entered into an agreement with the city of Norwalk, California to withhold any activity to convey by public sale the property at the Norwalk Defense Fuel Supply Point in Norwalk, California until no earlier than November 21, 2006, in order to allow the city to prepare an offer for the fair market transfer of the property to the city.

The conferees expect that the Secretary of the Air Force will provide to the city the relevant and material information held by the Air Force related to the known environmental conditions and planned environmental remediation of the site to assist in the preparation of the city's proposal.

Public sale of damaged equipment

The conferees are concerned that the public may not be fully aware of the availability for purchase of damaged and unsalvageable equipment used in Operation Iraqi Freedom and Operation Enduring Freedom. The conferees encourage the military services and the Defense Logistics Agency (DLA) to establish a public awareness campaign that will allow the services and DLA to

more aggressively pursue the sale of such equipment that is appropriate for disposal to the public through the disposal process managed by the Defense Reutilization and Marketing Service.

Legislative Provisions Adopted

Subtitle A-Authorization of Appropriations

Authorization of appropriations (secs. 301-303)

The House bill contained provisions (secs. 301-303) that would authorize fiscal year 2007 funding levels for all operation and maintenance accounts, working capital funds, and other Department of Defense programs, including the Defense Inspector General, the Chemical Demilitarization Program, and the Defense Health Program.

The Senate amendment contained similar provisions (secs. 301-303).

The conference agreement includes these provisions.

Subtitle B-Environmental Provisions

Revision of requirement for unexploded ordnance program manager (sec. 311)

The House bill contained a provision (sec. 311) that would require the Secretary of Defense to designate the unexploded ordnance program manager position required under section 2701(k) of title 10, United States Code, and add research to the list of policy and budget issues that are within the responsibility of the program manager. The provision would also require that the position of program manager be filled by an employee in a position that is equivalent to pay grade O-6 or above, or a member of the armed forces who is serving in the grade of O-6 or above. The program manager would be required to report to the Deputy Under Secretary of Defense for Installations and Environment.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

Funding of cooperative agreements under environmental restoration program (sec. 312)

The House bill contained a provision (sec. 314) that would amend section 2701(d)(2) of title 10, United States Code, to allow cooperative agreements entered into for environmental restoration at defense facilities to extend beyond the present 2-

year limitation when the agreements are funded out of either the Department of Defense Base Closure Account 1990 or the Department of Defense Base Closure Account 2005.

The Senate amendment contained a similar provision (sec. 334).

The Senate recesses.

Response plan for remediation of unexploded ordnance, discarded military munitions, and munitions constituents (sec. 313)

The Senate amendment contained a provision (sec. 331) that would require the Secretary of Defense to set remediation goals for the cleanup of unexploded ordnance, discarded military munitions, and munitions constituents. Those goals would be to complete, by not later than September 30, 2007, preliminary assessments at all active installations and formerly used defense sites (other than operational ranges); to complete, by not later than September 30, 2010, site inspections at all active installations and formerly used defense sites (other than operational ranges); to achieve, by not later than September 30, 2009, a remedy in place or response complete at all military installations closed or realigned as part of a round of Defense Base Closure and Realignment prior to the 2005 round; and to achieve, by a date certain established by the Secretary of Defense, a remedy in place or response complete at all active installations and formerly used defense sites (other than operational ranges) and all military installations realigned or closed under the 2005 Defense Base Closure and Realignment round.

The provision would also require the Secretary to submit to the congressional defense committees a comprehensive plan for addressing the remediation of unexploded ordnance by March 1, 2007. The Secretary would be required to update this plan not later than March 15 of 2008, 2009, and 2010. The provision would allow the goals established for unexploded ordnance cleanup to be adjusted to respond to unforeseen circumstances as part of the annual update of the plan.

The provision would also require the Secretary to submit a report to the congressional defense committees, not later than March 1, 2007, on the status of efforts of the Department of Defense to achieve agreement with relevant regulatory agencies on appropriate reuse standards or principles related to the remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Research on effects of ocean disposal of munitions (sec. 314)

The House bill contained a provision (sec. 312) that would require the Secretary of Defense to identify, research, monitor,

and provide navigational and safety information on conventional and chemical military munitions disposal sites in the coastal waters of the United States.

The Senate amendment contained a similar provision (sec. 333). The provision would require the Secretary of Defense to review historical records to determine the number, size, and probable locations of disposal sites, and the types of military munitions disposed of at the sites. The Secretary would be required to release periodically to the public and submit annually to Congress the information obtained in this review, including a final report in the annual report to Congress on environmental restoration activities of the Department of Defense for fiscal year 2009. The Secretary would also be required to conduct research on the effects on the ocean environment and those who use it of military munitions disposed of in coastal waters. The provision would further require that if the historical review or the research conducted indicates that contamination is being released at a particular site, or that the site poses a significant public health or safety risk, the Secretary would be required to institute appropriate monitoring mechanisms and report to Congress on any additional measures that may be necessary.

The House recedes with a clarifying amendment.

Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington (sec. 315)

The House bill contained a provision (sec. 313) that would authorize the Secretary of Defense to transfer not more than \$111,114.03 to the Moses Lake Wellfield Superfund Site, 10-6J special account, to reimburse the Environmental Protection Agency for costs incurred in overseeing a remedial investigation and feasibility study performed by the Department of the Army.

The Senate amendment contained a similar provision (sec. 335).

The House recedes with a technical amendment.

Transfer of Government-furnished uranium stored at Sequoyah Fuels Corporation, Gore, Oklahoma (sec. 316)

The Senate amendment contained a provision (sec. 3301) that would require the Secretary of the Army to transport to an authorized disposal facility for appropriate disposal all of the Government-furnished uranium in the chemical and physical form in which it is stored at the Sequoyah Fuels Corporation site in Gore, Oklahoma, by not later than March 31, 2007.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Extension of authority to grant exemptions to certain requirements (sec. 317)

The Senate amendment contained a provision (sec. 332) that would authorize the Administrator of the Environmental Protection Agency to grant an exemption for up to 3 years to the Secretary of Defense and the Secretaries of the military departments to transport polychlorinated biphenyls generated by, or under the control of, the Department of Defense into the United States for purposes of their disposal, treatment, or storage.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Administrator of the Environmental Protection Agency to extend an exemption that has not yet expired for a period not to exceed 60 days for the purpose of authorizing the Secretary of Defense and the Secretaries of the military departments to provide for the transportation into the United States of polychlorinated biphenyls generated by, or under the control of, the Department for the purposes of their disposal, treatment, or storage, if those polychlorinated biphenyls are already in transit.

National Academy of Sciences study on human exposure to contaminated drinking water at Camp Lejeune, North Carolina (sec. 318)

The Senate amendment contained a provision (sec. 352) that would require the Secretary of the Navy to enter into an agreement with the National Academy of Sciences to conduct a comprehensive review and evaluation of the available scientific and medical evidence regarding associations between pre-natal, child, and adult exposure to drinking water contaminated with trichloroethylene and tetrachloroethylene at Camp Lejeune, North Carolina, as well as exposures to levels of trichloroethylene and tetrachloroethylene similar to those experienced at Camp Lejeune, and birth defects or diseases and any other adverse health effects. The provision would also require that, upon completion of the current epidemiological study by the Agency for Toxic Substances Disease Registry, the Commandant of the Marine Corps take appropriate actions, including use of national media, to notify former Camp Lejeune residents and employees who may have been exposed to contaminated drinking water at Camp Lejeune of the results of the study.

The House bill contained no similar provision.

The House recedes.

**Subtitle C-Program Requirements,
Restrictions, and Limitations**

Limitation on financial management improvement and audit initiatives within the Department of Defense (sec. 321)

The Senate amendment contained a provision (sec. 313) that would prohibit the Secretary of Defense from obligating any funds for activities related to the Department of Defense financial management improvement effort until the Secretary submits to the congressional defense committees a written determination that each activity proposed to be funded is consistent with the financial management improvement plan of the Department and likely to improve internal controls or otherwise result in sustained improvements in the ability of the Department to produce timely, reliable, and complete financial management information.

The House bill contained no similar provision.

The House recedes.

Funds for exhibits for the national museums of the Armed Forces (sec. 322)

The Senate amendment contained a provision (sec. 312) that would make \$3.0 million of the amounts appropriated to each of the armed force operation and maintenance accounts available to each Secretary of a military department for education and training purposes to acquire, install, and maintain exhibits at each facility designated by the Secretary concerned as the national museum for each armed force.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Prioritization of funds for equipment readiness and strategic capability (sec. 323)

The House bill contained a provision (sec. 346) that would require the Secretary of the Army to fully fund the reset of equipment used in the global war on terrorism, the fulfillment of equipment requirements for units transforming to modularity, and the reconstitution of prepositioned stocks. The provision would also require the Secretary to submit to the congressional defense committees an annual report containing information on these funding priorities. The provision would limit to \$2.85 billion the funds to be appropriated annually for the Future Combat Systems (FCS) until these funding priorities have been met.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to ensure that financial resources are provided to enable the Secretary of each military department to meet its requirements for repair, recapitalization, and replacement of equipment used in the global war on terrorism. The amendment would also require the Secretary of Defense to

ensure financial resources are provided to the Secretary of the Army to meet the Army's requirements for transforming to a modular force and reconstituting the equipment and materiel in Army prepositioned stocks. The amendment would further require the Secretary of Defense to submit, as part of the normal budget justification materials, detailed information regarding the repair, recapitalization, or replacement of equipment used in the global war on terror, the Army's transformation to a modular force, and the reconstitution of equipment and materiel in Army prepositioned stocks. The amendment would require an annual report to the congressional defense committees from the Secretary of the Army on the Army's progress in meeting the above requirements, and a report from the Comptroller General to the congressional defense committees containing an assessment of the Army's progress in meeting the above requirements.

Limitation on deployment of Marine Corps Total Force System to Navy (sec. 324)

The conferees agree to include a provision that would prohibit the expenditure of any funds for the development or modernization of Navy and Marine Corps manpower, personnel, and pay information technology systems for the application of the Marine Corps Total Force Systems (MCTFS) or any derivative system to the Navy until several conditions have been met. The provision would require the Secretary of the Navy to prepare an analysis of alternatives, comparing MCTFS to the Defense Integrated Military Human Resources System; a business case analysis; and an analysis of compatibility of MCTFS with the enterprise architecture of the Department of Defense. The provision would require the Government Accountability Office to conduct a review of the Navy reports within 90 days of receipt of the reports and provide a written assessment to the congressional defense committees and to the Chairman of the Defense Business Systems Management Committee (DBSMC). The provision would require that, no sooner than 120 days after receiving the Navy's reports, the Chairman of the DBSMC determine in writing to the congressional defense committees whether it is in the best interests of the Department to apply MCTFS to the Navy.

Subtitle D-Workplace and Depot Issues

Permanent exclusion of certain contract expenditures from percentage limitation on the performance of depot-level maintenance (sec. 331)

The House bill contained a provision (sec. 321) that would extend for 5 years the authority to exclude amounts expended for the performance of depot-level maintenance workload by nonfederal

government personnel at a Center of Industrial and Technical Excellence from the percentage limitation in section 2466(a) of title 10, United States Code, if the personnel performing the work are provided pursuant to a public-private partnership.

The Senate amendment contained a similar provision (sec. 362) that would extend the exclusion indefinitely.

The House recedes with an amendment that would move the reporting requirement contained in section 2474(f) of title 10, United States Code, to section 2466(e) of title 10, United States Code. The amendment would also add an element to that report and remove the requirement for a Comptroller General review of that report.

Minimum capital investment for certain depots (sec. 332)

The House bill contained a provision (sec. 322) that would require the Secretary of the Air Force to invest a minimum of 6 percent of the total revenue of the Air Force depots in the capital investment budget to improve or sustain depot maintenance facilities, equipment, or processes.

The Senate amendment contained a similar provision (sec. 361). The provision would require a public depot that utilizes a working capital fund to invest, at a minimum, 6 percent of the actual total revenues from the previous year for capital investment within that depot.

The Senate recedes with an amendment that would require all military departments to invest, at a minimum, 6 percent of average total revenues over the previous 3 years in their public depots for infrastructure, equipment, and process improvements. The Departments of the Army and Navy would only be required to invest at a minimum 4 percent in fiscal year 2007 and 5 percent in fiscal year 2008, before rising to 6 percent per fiscal year thereafter. The amendment would provide for a waiver authority for the Secretary of Defense if the Secretary determines that the waiver is necessary for reasons of national security and notifies the congressional defense committees.

For the purposes of this provision, investment shall include those funds spent on the construction, addition, recapitalization, improvement, restoration, or modernization of depot infrastructure, equipment, and process improvements in direct support of depot operations. Other facility investments (i.e. installation and military community support facilities, utility infrastructure, and investment in facilities supporting other missions and functions of the installation) made at the same location as the depot facilities, but not in direct support of depot maintenance operations, shall not count toward the minimum investment requirement.

The amendment would also require the military departments to report to the congressional defense committees on the level and

type of investment, and a long-term depot maintenance facilities strategy.

Extension of temporary authority for contractor performance of security guard functions (sec. 333)

The House bill contained a provision (sec. 323) that would extend the temporary authority to contract for increased performance of security guard functions. The authority would expire at the end of fiscal year 2008. This section would require a report on implementation of the recommendations of a Government Accountability Office report on contractor security guards.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the expiration date of the authority to contract for security guard functions until the end of fiscal year 2009. The amendment would also require that the total number of personnel employed under such contracts in fiscal year 2007 be no more than the total employed on October 1, 2006. The total number of personnel employed would be further limited in fiscal year 2008 to 90 percent of the number employed on October 1, 2006, and 80 percent of that number in fiscal year 2009.

Subtitle E-Reports

Report on Navy Fleet Response Plan (sec. 341)

The House bill contained a provision (sec. 332) that would require the Secretary of the Navy to submit a report on the Navy Fleet Response Plan. The provision would also require the Comptroller General to submit a review of the Secretary's report. The provision would postpone the expansion of the Fleet Response Plan beyond the carrier strike groups until October 1, 2007.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change some of the required elements of the two reports, change the date the Comptroller General's report is due, and change the limitation date on expansion of the Fleet Response Plan beyond carrier strike groups.

Report on Navy surface ship rotational crew programs (sec. 342)

The House bill contained a provision (sec. 333) that would require the Secretary of the Navy to submit a report on ship rotational crew experiments. The provision would also require the Comptroller General to submit an assessment of the Secretary of Navy's report and require the Director of the Congressional Budget Office to submit a report on the long-term benefits and

costs of surface ship crew rotational programs. The provision would postpone the implementation of any new surface ship rotational crew experiment or program until October 1, 2009.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the ongoing crew rotation program for mine countermeasure ships and allow the Navy to employ two crews per ship for the first four Littoral Combat Ships.

Report on Army live-fire ranges in Hawaii (sec. 343)

The House bill contained a provision (sec. 334) that would require the Secretary of the Army to submit a report to Congress on the adequacy of live-fire training facilities in the state of Hawaii.

The Senate amendment contained no similar provision.

The Senate recedes.

Comptroller General report on joint standards and protocols for access control systems at Department of Defense installations (sec. 344)

The House bill contained a provision (sec. 335) that would require the Comptroller General to submit a report on joint standards and protocols for access control systems at Department of Defense installations.

The Senate amendment contained no similar provision.

The Senate recedes.

Comptroller General report on readiness of Army and Marine Corps ground forces (sec. 345)

The Senate amendment contained a provision (sec. 351) that would require the Comptroller General to submit a report, not later than March 1, 2007, to the congressional defense committees on the readiness of Army and Marine Corps ground forces.

The House bill contained no similar provision.

The House recedes with an amendment that would change the deadline of the report to June 1, 2007, and require the report to be submitted to the Committees on Armed Services of the Senate and the House of Representatives.

Report on Air Force safety requirements for Air Force flight training operations at Pueblo Memorial Airport, Colorado (sec. 346)

The Senate amendment contained a provision (sec. 360) that would require the Secretary of the Air Force to submit to the

congressional defense committees a report, not later than February 15, 2007, on Air Force flight safety requirements at Pueblo Memorial Airport, Colorado.

The House bill contained no similar provision.

The House recesses with an amendment that would require the Secretary to include in the report a description of the funding of fire-fighting and crash rescue support through the execution of a services contract for the Initial Flight Screening program.

Annual report on Personnel Security Investigations for Industry and National Industrial Security Program (sec. 347)

The House bill contained provisions (secs. 336 and 1041) that would address personnel security investigations. Section 336 would require the Secretary of Defense to provide a report to Congress on the status of industry personnel security clearances granted between October 1, 1999, and September 30, 2006. The provision would require that the initial report be followed by semi-annual updates, including a certification by the Secretary concerning improvements to the personnel security clearance investigation process. Section 1041 would prohibit the Department of Defense from allowing a security clearance that is pending renewal to expire unless the Secretary certifies to Congress that the Defense Security Service is fully funded, continuing to accept requests from industry, and has taken steps to eliminate its backlog of requests.

The Senate amendment contained no similar provisions.

The Senate recesses with an amendment that would require the Secretary to provide an annual report on the status of industry security clearances with the submission of the President's annual budget request. The amendment would also require a report by the Comptroller General on the status and cost of industry security clearance investigations conducted between October 1, 1999, and September 30, 2006, as well as the Department's progress in achieving improvements to the personnel security investigations program.

Five-year extension of annual report on training range sustainment plan and training range inventory (sec. 348)

The Senate amendment contained a provision (sec. 353) that would express the sense of Congress that the Department of Defense should establish a policy to identify military aerial training areas, determine aerial training airspace requirements to meet future training needs, and undertake necessary actions to preserve and, if necessary, expand those areas of airspace needed for training requirements. The provision would also require the Secretary of Defense to submit a report to the congressional defense committees setting forth a plan to meet the Department's airspace needs through 2025.

The House bill contained no similar provision.

The House recedes with an amendment that would extend for 5 years the annual report on the Department's training range sustainment plan and training range inventory required by section 366 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314). The amendment would also extend the period for the Comptroller General's review of the report from 60 days to 90 days.

The conferees note that the Comptroller General's most recent assessment of the Secretary's annual report stated that, once again, the report did not include an assessment of current and future training range requirements or an evaluation of the adequacy of resources to meet current and future training requirements, even though specifically required to do so by current law.

The conferees also note, with great concern, that this assessment also indicates that some of the requirements of section 366 have not been met because Department officials consider them overly burdensome or impractical. If the Department believes that it cannot comply with some requirements of the law, or that the requirement is overly burdensome, the conferees expect the Department to ask Congress to modify the appropriate portion of the law, not to ignore the requirements of the law.

The conferees are aware of the increasing pressure on our training ranges. Urban development around many installations in some cases has resulted in restrictions on nighttime training. The growth of commercial and general aviation has put increasing pressure on current aviation training ranges and limits the possibility of expansion of those training areas in the future. Increasing capability and range of both ground and aviation systems increases the likelihood that range requirements may increase in the future.

Therefore, the conferees extend the annual reporting requirement for an additional 5 years and expect that all future reports will fully comply with the requirements specified in section 366.

Reports on withdrawal or diversion of equipment from reserve units for support of reserve units being mobilized and other units (sec. 349)

The Senate amendment contained a provision (sec. 355) that would require the Secretaries of the military departments to submit a report to the Secretary of Defense not later than 90 days after the withdrawal or diversion of equipment from a unit of the reserve component to a unit of the active or reserve component to meet mission requirements. The report would contain a plan to replace or recapitalize withdrawn or diverted equipment and a signed Memorandum of Understanding between the reserve

component unit from which equipment was withdrawn or diverted and the active or reserve component unit that received the withdrawn or diverted equipment that specifies how the equipment will be tracked and the expected replacement date of the withdrawn or diverted equipment.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to submit quarterly reports to the congressional defense committees on the withdrawal or diversion of equipment from a unit of the reserve component to a unit of the active or reserve component.

Subtitle F-Other Matters

Department of Defense strategic policy on prepositioning of materiel and equipment (sec. 351)

The House bill contained a provision (sec. 341) that would require the Secretary of Defense to establish a comprehensive approach to Department of Defense prepositioning programs. The provision would also limit the diversion of materiel and equipment from prepositioned stocks.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add the requirements of combatant commands as a factor to be considered when creating the policy on prepositioning programs, and would also add the provision of humanitarian assistance as an authorized purpose for diversion of materiel and equipment from prepositioned stocks.

It is the conferees' intent that any prepositioning policy created in accordance with this provision shall contain guidance regarding how quickly prepositioned equipment sets must be reconstituted when they have been used for contingency or humanitarian operations.

Authority to make Department of Defense horses available for adoption (sec. 352)

The House bill contained a provision (sec. 342) that would amend section 2583 of title 10, United States Code, to include horses owned by the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

Sale and use of proceeds of recyclable munitions materials (sec. 353)

The House bill contained a provision (sec. 343) that would authorize the Secretary of the Army to establish a program to

sell recyclable materials resulting from the demilitarization of conventional military munitions. The proceeds from the sales would be available to the Army for reclamation, recycling, and reuse of conventional military munitions.

The Senate amendment contained a similar provision (sec. 371).

The Senate recesses with a technical amendment.

Recovery and transfer to Corporation for the Promotion of Rifle Practice and Firearms Safety of certain firearms, ammunition, and parts granted to foreign countries (sec. 354)

The Senate amendment contained a provision (sec. 379) that would allow the Secretary of the Army to recover rifles, ammunition, repair parts, and other supplies from a country who had received those items under the Foreign Assistance Act of 1961 (22 U.S.C. 2314), when those items are excess to the needs of that country. The recovered rifles, ammunition, repair parts, and other supplies would be available for transfer to the Corporation for the Promotion of Rifle Practice and Firearms Safety.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Extension of Department of Defense telecommunications benefit program (sec. 355)

The Senate amendment contained a provision (sec. 373) that would extend the authorization for the Department of Defense telecommunications benefit from September 30, 2006, to 60 days after the date on which the Secretary of Defense has declared that a contingency operation has ended. The provision would also authorize the Secretary to extend the telecommunications benefit to members who remain hospitalized as a result of wounds or injuries incurred while serving in support of a contingency operation.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Extension of availability of funds for commemoration of success of the Armed Forces in Operation Enduring Freedom and Operation Iraqi Freedom (sec. 356)

The Senate amendment contained a provision (sec. 374) that would amend section 378(b)(2) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to extend the authority for commemoration of success of the armed forces in Operation Enduring Freedom and Operation Iraqi Freedom through fiscal year 2007.

The House bill contained no similar provision.

The House recesses.

Capital security cost sharing (sec. 357)

The House bill contained a provision (sec. 344) that would require the Secretary of Defense to provide to the congressional defense committees an annual accounting of Department of Defense overseas staffing levels, and to reconcile that accounting with the cost-sharing fees levied by the Secretary of State, in accordance with section 629(e)(1) of the Consolidated Appropriations Act, 2005 (Public Law 108-447).

The Senate amendment contained no similar provision.
The Senate recesses.

Utilization of fuel cells as back-up power systems in Department of Defense operations (sec. 358)

The Senate amendment contained a provision (sec. 377) that would require the Secretary of Defense to consider the use of fuel cells as replacements for current back-up power systems.

The House bill contained no similar provision.

The House recesses with an amendment that would require the Secretary to also consider the use of fuel cells in individual equipment items.

Improving Department of Defense support for civil authorities (sec. 359)

The Senate amendment contained a provision (sec. 378) that would authorize the Secretary of Defense to preposition prepackaged or preidentified basic response assets such as medical supplies, food, water, and communications equipment in order to improve the ability of the Department of Defense to rapidly respond to requests for support from civilian authorities, and would require that the Department be reimbursed for the cost of such activities.

The House bill contained no similar provision.

The House recesses with an amendment that would authorize the Secretary of Defense to consult with the Secretary of Homeland Security in the development of concept plans to support civilian authorities.

Energy efficiency in weapons platforms (sec. 360)

The Senate amendment contained a provision (sec. 375) that would establish a policy for the Department of Defense to improve the fuel efficiency of weapons platforms, consistent with mission requirements. The provision would also require a report from the Secretary of Defense regarding the progress in implementing that policy.

The House bill contained no similar provision.
The House recesses.

Prioritization of funds within Navy mission operations, ship maintenance, combat support forces, and weapons system support (sec. 361)

The House bill contained a provision (sec. 345) that would require the Secretary of the Navy to ensure that 100 percent of the requirements for steaming days per quarter for deployed and non-deployed ship operations and 100 percent of the projected ship and air depot maintenance workload are funded before Navy operation and maintenance funds may be expended for the Navy Expeditionary Combat Command. The provision would also require the Secretary of the Navy to submit a report with the annual budget request certifying that these requirements are fully funded.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would express the sense of Congress that the Secretary of Defense should ensure sufficient funds are provided to support the critical training and depot maintenance necessary for the Navy to support the National Military Strategy. The amendment would also require a certification from the Secretary of Defense that the Navy has budgeted to fully meet their requirements for ship steaming days per quarter and for projected aviation and ship depot maintenance requirements. The amendment would limit the obligation of funds to no more than 80 percent of the total funds in Operation and Maintenance, Defense-wide, for the Office of the Secretary of Defense, until that certification has been submitted. The amendment would further require the Secretary of the Navy to submit two reports to the congressional defense committees. The first is an annual report regarding the progress towards the above requirements and the second is a report on the Riverine Squadrons of the Navy.

Provision of adequate storage space to secure personal property outside of assigned military family housing unit (sec. 362)

The conferees agree to include a provision that would require the Secretary of a military department to provide, under certain conditions, a means for the storage of certain personal possessions belonging to military members residing in family housing who are assigned to a family-restricted area for a period greater than 180 days.

Expansion of payment of replacement value of personal property damaged during transport at Government expense (sec. 363)

The House bill contained a provision (sec. 1102) that would amend section 2636a of title 10, United States Code, to authorize contracting for full replacement value coverage for household goods of civilian employees of the Department of Defense damaged or lost during transportation at government expense.

The Senate amendment contained a provision (sec. 631) that would amend section 2636a of title 10, United States Code, to require the Secretary of Defense, not later than March 1, 2008, to include in contracts for the transportation of baggage and household effects for both military members and civilian employees a clause requiring carriers to pay the full replacement value for loss or damage. The provision would also require certain certifications by the Secretary about the Families First program and a review and assessment by the General Accountability Office on December 1, 2006, and June 1, 2007, respectively, of the progress of the Department in implementing the Families First program.

The House recedes.

Legislative Provisions Not Adopted

Limitation on availability of funds for the Army Logistics Modernization Program

The Senate amendment contained a provision (sec. 311) that would prohibit the expenditure of any funds for continuing the Army Logistics Modernization Program until the Secretary of Defense certifies that the program has adequately addressed its many shortcomings.

The House bill contained no similar provision.

The Senate recedes.

Limitation on availability of operation and maintenance funds for the management headquarters of the Defense Information Systems Agency

The Senate amendment contained a provision (sec. 314) that would restrict funds authorized to be appropriated for the operation and maintenance of the management headquarters of the Defense Information Systems Agency until the Secretary of Defense submits a report to the congressional defense committees on the acquisition strategy of the Department of Defense for commercial satellite services.

The House bill contained no similar provision.

The Senate recedes.

Analysis and report regarding contamination and remediation responsibility for Norwalk Defense Fuel Supply Point, Norwalk, California

The House bill contained a provision (sec. 315) that would require the Secretary of the Air Force to report to Congress not later than January 30, 2007, on matters related to contamination and remediation of property at the Norwalk Defense Fuel Supply Point in Norwalk, California. This provision would also prohibit the Secretary of the Air Force from conveying the property before pursuing a fair market value transfer of the property to the City of Norwalk, submitting the required report, and providing an explanation of why efforts to transfer the property to the city have not been successful.

The Senate amendment contained no similar provision.

The House recesses.

Report regarding scope of perchlorate contamination at Formerly Used Defense Sites

The House bill contained a provision (sec. 316) that would require the Secretary of Defense to submit to Congress a report containing the results of a study of the scope of perchlorate contamination at Formerly Used Defense Sites, including identification of military installations or contractors that may have stored perchlorate or products containing perchlorate.

The Senate amendment contained no similar provision.

The House recesses.

Infantry combat equipment

The Senate amendment contained a provision (sec. 316) that would authorize \$2.5 million in Operation and Maintenance, Marine Corps Reserve for infantry combat equipment.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Marine Corps Reserve.

Individual First Aid Kit

The Senate amendment contained a provision (sec. 317) that would authorize \$1.5 million in Operation and Maintenance, Marine Corps Reserve for the Individual First Aid Kit.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Marine Corps Reserve.

Reading for the Blind and Dyslexic program of the Department of Defense

The Senate amendment contained a provision (sec. 318) that would authorize \$500,000 in Operation and Maintenance, Defense-

wide, for the Reading for the Blind and Dyslexic program of the Department of Defense for severely wounded or injured members of the Armed Forces.

The House bill contained no similar provision.

The Senate recesses.

The conference outcome is reflected in the tables of this report.

Military training infrastructure improvements at Virginia Military Institute

The Senate amendment contained a provision (sec. 319) that would make \$2.9 million from Operation and Maintenance, Army (OMA), available to the Virginia Military Institute for military training infrastructure improvements.

The House bill contained no similar provision.

The Senate recesses.

However, the conferees agree to authorize an increase of \$2.9 million in OMA for the Virginia Military Institute for military training infrastructure improvements to provide adequate field training of all Armed Forces Reserve Officer Training Corps. The conference agreement is reflected in the tables of this report.

Environmental documentation for beddown of F-22A aircraft at Holloman Air Force Base, New Mexico

The Senate amendment contained a provision (sec. 320) that would require the Secretary of the Air Force to prepare environmental documentation for the beddown of F-22A aircraft at Holloman Air Force Base, New Mexico.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that the Air Force is conducting the environmental compliance documentation under the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to support the beddown of the F-22A aircraft at Holloman Air Force Base, New Mexico, and urge the Air Force to expeditiously complete such requirements.

Report on CH-47 helicopter reset

The House bill contained a provision (sec. 324) that would require a report from the Secretary of the Army regarding reset of all CH-47 helicopters in the Army inventory.

The Senate amendment contained no similar provision.

The House recesses.

Report on nuclear attack submarine depot maintenance

The House bill contained a provision (sec. 331) that would require the Secretary of the Navy to submit a report on criteria used when a nuclear attack submarine is sent for maintenance to a facility other than a facility located at the homeport of the submarine.

The Senate amendment contained no similar provision.

The House recesses.

The conferees direct the Secretary of the Navy to provide to the Committees on Armed Services of the Senate and the House of Representatives the formal directive or guidance for nuclear attack submarine maintenance once it is completed.

Report on actions to reduce Department of Defense consumption of petroleum-based fuel

The Senate amendment contained a provision (sec. 354) that would require the Secretary of Defense to report on the actions taken, and to be taken, by the Department of Defense to reduce the consumption of petroleum-based fuels.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that the implementation of current legislation and regulatory guidance should facilitate reduction of petroleum-based fuels by the Department. Therefore, the conferees direct the Secretary to submit a report, not later than September 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives on the status of implementation by the Department of the requirements contained in the following:

- 1) Energy Policy Act of 2005 (Public Law 109-58);
- 2) Energy Policy Act of 1992 (Public Law 102-486);
- 3) Executive Order 13123;
- 4) Executive Order 13149; and
- 5) other regulations or directions relating to the Department's consumption of petroleum-based fuels.

Furthermore, the conferees are concerned that although Flexible Fuel Vehicles (FFVs) are being introduced into the Department's vehicle inventory, little reduction in petroleum-based fuel is being realized because operators continue to fuel the FFVs with gasoline rather than E85 (85 percent ethanol with 15 percent gasoline) or M85 (85 percent methanol and 15 percent gasoline). Therefore, the conferees direct the Secretary to include in the report an analysis of the reduction of petroleum-based fuels since introduction of FFVs into the inventory and an assessment of how the Department might increase the consumption of E85 or M85 in FFVs.

Plan to replace equipment withdrawn or diverted from the reserve components of the Armed Forces for Operation Iraqi Freedom or Operation Enduring Freedom

The Senate amendment contained identical provisions (secs. 356-357) that would require the Secretary of Defense to submit to the congressional defense committees a plan to replace equipment withdrawn or diverted from units of the reserve components of the Armed Forces for use in Operation Iraqi Freedom or Operation Enduring Freedom.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that the reporting requirements of these provisions are incorporated elsewhere in this report.

Report on High Altitude Aviation Training Site, Eagle County Colorado

The Senate amendment contained a provision (sec. 359) that would require a report from the Secretary of the Army on the High Altitude Aviation Training Site (HAATS) in Eagle County, Colorado.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that a similar reporting requirement already exists in the House Report accompanying H.R. 5122 (H. Rept. 109-452) of the G.V. 'Sonny' Montgomery National Defense Authorization Act for Fiscal Year 2007.

Report on use of alternative fuels by the Department of Defense

The Senate amendment contained a provision (sec. 360A) that would require the Secretary of Defense to conduct a study on the use of alternative fuels by the Armed Forces and the defense agencies.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that section 357 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) requires a study on the use of biodiesel and ethanol fuels containing at least 85 percent ethyl alcohol. The conferees direct the Secretary of Defense to conduct a supplementary study that would address each of the elements set forth in paragraphs (1) through (7) of section 357(b) for the following alternative fuels: biofuels other than biodiesel, renewable diesel, ethanol that contains less than 85 percent ethyl alcohol, cellulosic ethanol, and synthetic hydrocarbon-based fuels. The Secretary shall submit a report on the results of such a study not later than 180 days after the date of the enactment of this Act. The report may be incorporated into, or provided as an annex to, the study required by section 357(c).

Additional exception to prohibition on contractor performance of firefighting functions

The Senate amendment contained a provision (sec. 363) that would provide an exception to the prohibition on contracting for the performance of certain firefighting functions on military installations or facilities.

The House bill contained no similar provision.
The Senate recesses.

Temporary security guard services for certain work caused by realignment of military installations under the base closure laws

The Senate amendment contained a provision (sec. 364) that would allow a military department to contract for security-guard services at installations being realigned under the base closure laws.

The House bill contained no similar provision.
The Senate recesses.

Joint Advertising, Market Research, and Studies Program

The Senate amendment contained a provision (sec. 1416) that would authorize \$10.0 million in Operation and Maintenance, Defense-wide for the Joint Advertising, Market Research, and Studies program.

The House bill contained no similar provision.
The Senate recesses.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Defense-wide.

TITLE IV-MILITARY PERSONNEL AUTHORIZATIONS

Legislative Provisions Adopted

Subtitle A-Active Forces

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active-duty personnel of the armed forces as of September 30, 2007: Army, 512,400; Navy, 340,700; Marine Corps, 180,000; and Air Force, 334,200.

The Senate amendment contained a similar provision (sec. 401).

The Senate recesses.

The conferees recommend end strength levels for active forces for fiscal year 2007 as set forth in the following table:

FY 2007

Change from

Service	FY 2006 authorized	Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army	512,400	482,400	512,400	30,000	0
Navy	352,700	340,700	340,700	0	-12,000
Marine Corps	179,000	175,000	180,000	5,000	1,000
Air Force	357,400	334,200	334,200	0	-23,200
DoD Total	1,401,500	1,332,300	1,367,300	35,000	-34,200

Revision in permanent active duty end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would establish new minimum active duty end strengths for the Army, Navy, Marine Corps, and Air Force as of September 30, 2007.

The Senate amendment contained a provision (sec. 402) that would repeal section 691 of title 10, United States Code, which establishes permanent end strength levels necessary to support a national defense strategy to be able to conduct two nearly simultaneous major regional contingencies.

The Senate recedes with an amendment that would maintain the minimum active duty end strength level for the Army at the fiscal year 2006 level of 502,400.

The conferees recommend minimum end strength levels for active forces as set forth in the following table:

Service	FY 2006 authorized	FY 2007	Change from
		Conferee recommendation	FY 2006
Army	502,400	502,400	0
Navy	352,700	340,700	-12,000
Marine Corps	179,000	180,000	1,000
Air Force	357,400	334,200	-23,200
DoD Total	1,391,500	1,357,300	-34,200

Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009 (sec. 403)

The House bill contained a provision (sec. 403) that would authorize additional increases of active duty end strength for the Army and for the Marine Corps in fiscal years 2008 and 2009 above the strengths authorized for those services in fiscal year 2007. The provision would authorize an additional 20,000 troops for a total end strength of 532,400 for the Army, and an additional 4,000 troops for a total end strength of 184,000 for the Marine Corps, during fiscal years 2008 and 2009.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B-Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2007: the Army National Guard of the United States, 350,000; the Army Reserve, 200,000; the Navy Reserve, 71,300; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 107,000; the Air Force Reserve, 74,900; and the Coast Guard Reserve, 10,000.

The Senate amendment contained an identical provision (sec. 411).

The conference agreement includes this provision.

The conferees recommend end strength levels for the Selected Reserve for fiscal year 2007 as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee rec- ommendation	FY 2007 request	FY 2006 authorized
Army National Guard	350,000	350,000	350,000	0	0
Army Reserve	205,000	200,000	200,000	0	-5,000
Navy Reserve	73,100	71,300	71,300	0	-1,800
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	106,800	107,000	107,000	0	+200
Air Force Reserve	74,000	74,900	74,900	0	+900
DoD Total	848,500	842,800	842,800	0	-5,700
Coast Guard Reserve	10,000	10,000	10,000	0	0

Should Army National Guard end strength fall below the authorized number, the conferees direct that the unused additional funds may only be used for Army National Guard priorities, and only after the Department of Defense complies with the normal budget process that includes submitting prior notification and a detailed justification to Congress.

Although agreeing to reduce Army Reserve end strength for fiscal year 2007 to 200,000, as requested in the President's budget, the conferees are concerned that this end strength authorization is not adequate to sustain the combat support and combat service support structure that the Army Reserve will be required to provide to the Army's future modular force.

Notwithstanding this end strength reduction, the conferees note that the Secretary of Defense is authorized under section 115 of title 10, United States Code, to vary, by not more than 2 percent, the end strength authorized for a fiscal year for the Selected Reserve of any of the reserve components and would

expect such authority to be granted to increase the Army Reserve end strength during fiscal year 2007, if required.

Furthermore, the conferees urge the Secretary of the Army to maintain an Army Reserve end strength of 205,000 as a recruiting goal and that the President's budget for fiscal years 2008-2013 request an Army Reserve end strength of 205,000, and provide a corresponding increase in Army full-time support personnel, if the Army Reserve can recruit to that level.

End strengths for Reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize the following end strengths for Reserves on active duty in support of the reserve components as of September 30, 2007: the Army National Guard of the United States, 28,165; the Army Reserve, 15,416, the Navy Reserve, 12,564; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 13,291; and the Air Force Reserve, 2,707.

The Senate amendment contained a similar provision (sec. 412) that would authorize end strengths of 27,441 for the Army National Guard of the United States, 13,206 for the Air National Guard of the United States, and identical end strengths for the other services.

The Senate recedes with an amendment that would authorize end strengths of 27,441 for the Army National Guard of the United States.

The conferees recommend end strength levels for Reserves on active duty in support of the reserves as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army National Guard	27,396	27,441	27,441	0	45
Army Reserve	15,270	15,416	15,416	0	146
Naval Reserve	13,392	12,564	12,564	0	-828
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	13,123	13,206	13,291	85	168
Air Force Reserve	2,290	2,707	2,707	0	417
DoD Total	73,732	73,595	73,680	85	-52

In addition to the budget request, the end strengths recommended by the conferees would include an additional 85 Reserves on active duty in support of the Air National Guard for the purpose set out in the House report accompanying H.R. 5122 (H. Rept. 109-452) of the National Defense Authorization Act for Fiscal Year 2007.

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2007: the Army National Guard of the United States, 27,615; the Army Reserve, 7,912; the Air National Guard of the United States, 23,255; and the Air Force Reserve, 10,124.

The Senate amendment contained a similar provision (sec. 413) that would authorize an end strength for military technicians (dual status) for the Army National Guard of the United States of 26,050, and identical end strengths for the other reserve components.

The House recedes.

The conferees recommend end strength levels for military technicians (dual status) as set forth in the following table:

Service	FY 2006 authorized	FY 2007		Change from	
		Request	Conferee recommendation	FY 2007 request	FY 2006 authorized
Army National Guard	25,563	26,050	26,050	0	487
Army Reserve	7,649	7,912	7,912	0	263
Air National Guard	22,971	23,255	23,255	0	284
Air Force Reserve	9,852	10,124	10,124	0	272
DoD Total	66,035	67,341	67,341	0	1,306

Fiscal year 2007 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would establish the maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2007.

The Senate amendment contained an identical provision (sec. 414).

The conference agreement includes this provision.

Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2007 to provide operational support.

The Senate amendment contained an identical provision (sec. 415).

The conference agreement includes this provision.

Subtitle C-Authorization of Appropriations

Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize a total of \$109,820.5 million to be appropriated to the Department of Defense in fiscal year 2007 for military personnel.

The Senate amendment contained a similar provision (sec. 421) that would authorize a total of \$111,928.5 million.

The Senate recedes with an amendment that would authorize \$110,098.6 million to be appropriated to the Department of Defense in fiscal year 2007 for military personnel.

The conferees agree to the following changes from the budget request related to the military personnel accounts:

[In millions]

Additional special pay for dental officers.....	\$	4.0
Incentives for High-Demand, Low-Density Assignments.....		5.0
Commissioned Officers as Students at Medical Schools....		1.0
Educational Loan Repayment for Health Professionals.....		4.0
Health Professions Scholarships.....		91.0
Recruitment Bonus for Critical Health Care Specialties..		19.0
Unobligated balances, Army.....	-	31.4
Unobligated balances, Navy.....	-	85.0
Unobligated balances, Marine Corps.....	-	88.1
Unobligated balances, Air Force.....	-	248.3
Unobligated balances, Army Reserve.....	-	66.5
Unobligated balances, Navy Reserve.....	-	17.3
Unobligated balances, Marine Corps Reserve.....	-	15.4
Unobligated balances, Air Force Reserve.....	-	25.8
Unobligated balances, Army National Guard.....	-	84.5
Unobligated balances, Air National Guard.....	-	89.9
Reserves cost avoidance, Army Reserve.....	-	20.9
Reserves cost avoidance, Air Force Reserve.....	-	0.8
Reserves cost avoidance, Air National Guard.....	-	28.3
Total	-	678.1

The conferees note that in addition to the amounts shown above, \$8,107.0 million was made available in title XV of this Act for the additional costs of military personnel involved in ongoing operations in Iraq and Afghanistan.

Armed Forces Retirement Home (sec. 422)

The House bill contained a provision (sec. 422) that would authorize \$54.8 million to be appropriated for fiscal year 2007 from the Armed Forces Retirement Home Trust Fund for operation of the Armed Forces Retirement Home.

The Senate amendment contained an identical provision (sec. 422).

The conference agreement includes this provision.

TITLE V-MILITARY PERSONNEL POLICY

Item of Special Interest

Department of Defense oversight of recruiter misconduct

The conferees are concerned that military recruiter misconduct, and particularly misconduct involving criminal or otherwise improper sexual contact with recruit candidates, irreparably harms the young people involved, erodes the moral and ethical standards that are the hallmark of the U.S. Armed Forces, and damages public support for military operations and recruiting by undermining the trust and high esteem that the American people place in their military forces. The conferees believe that recruiter misconduct must not be tolerated and that the Secretary of Defense, the Secretaries of the military departments, and the uniformed leaders of the Armed Forces must take decisive action to ensure that policies and procedures effectively prevent and, when required, respond to incidents of misconduct.

The conferees direct the Secretary of Defense to review the programs designed to prevent recruiter misconduct and, when misconduct does occur, the policies and procedures needed to standardize identification and reporting throughout the Department of Defense. The conferees direct that the review also include an assessment of the "No One Alone Policy" established by the State of Indiana National Guard to limit unsupervised contact between recruiters and recruit candidates of the opposite gender to determine if the policy is suitable for Department-wide implementation. The conferees direct the Secretary of Defense to submit the results of the review, including findings, conclusions, and recommendations, by March 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives.

Legislative Provisions Adopted

Subtitle A-Officer Personnel Policy

Part I-Officer Personnel Policy Generally

Military status of officers serving in certain intelligence community positions (sec. 501)

The House bill contained a provision (sec. 505) that would clarify the status of flag and general officers assigned to certain positions in the Office of the Director of National Intelligence and the Central Intelligence Agency. The provision would protect the officers and organizations concerned from perceptions of organizational conflicts of interest or inappropriate influence.

The Senate amendment contained a similar provision (sec 501).

The Senate recesses with a technical amendment.

Extension of age for mandatory retirement for active-duty general and flag officers (sec. 502)

The Senate amendment contained a provision (sec. 503) that would amend section 1251 of title 10, United States Code, to increase the age for mandatory retirement for general and flag officers from 62 to 64. The provision would authorize the Secretary of Defense to defer retirement of officers serving in grades above major general and rear admiral to age 66 and the President to defer retirement for such officers until age 68. The provision would also eliminate the numerical limit on the number of deferments of retirement that may be in effect at any one time.

The House bill contained no similar provision.

The House recesses with a clarifying amendment that would amend section 1251 and add a new section 1253 to chapter 63 of title 10, United States Code.

Increased mandatory retirement ages for reserve officers (sec. 503)

The Senate amendment contained a provision (sec. 508) that would increase the mandatory retirement age for reserve component officers in the grade of O-8 from 62 to 64 years; for officers in the grade of O-7 from 60 to 62 years; and for officers in grades below O-7 from 60 to 62 years. The provision would also increase the mandatory retirement age of officers holding certain offices, such as the Chief of the National Guard Bureau, Chiefs of Reserve of the services, Directors of the Army and Air National Guard, and the adjutants general of the States, from 64 to 66 years.

The House bill contained no similar provision.

The House recesses.

Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army (sec. 504)

The House bill contained a provision (sec. 502) that would amend section 8081 of title 10, United States Code, to require that the officer serving as the Assistant Surgeon General for Dental Services in the Air Force be appointed in the grade of major general.

The Senate amendment contained no similar provision.

The Senate recesses.

Management of chief warrant officers (sec. 505)

The House bill contained a provision (sec. 503) that would amend section 580 of title 10, United States Code, to eliminate the requirement for a mandatory continuation board in the case of chief warrant officers, W-4, who have twice failed to be selected for promotion and allow service secretaries in their discretion to retain such chief warrant officers on active duty. The provision would also modify section 1305 of title 10, United States Code, to increase the years of service from 24 to 30 that a warrant officer may serve on active duty before mandatory retirement.

The Senate amendment contained a similar provision (sec. 507).

The Senate recesses with an amendment that would specify that chief warrant officers retained on active duty after twice failing to be selected for promotion to the grade of W-5 would continue to be eligible for promotion while remaining on active duty.

Extension of temporary reduction of time-in-grade requirement for eligibility for promotion for certain active-duty list officers in grades of first lieutenant and lieutenant (junior grade) (sec. 506)

The House bill contained a provision (sec. 504) that would amend section 619(a) of title 10, United States Code, to make permanent the authority to promote officers in the grade of first lieutenant or lieutenant (junior grade) who satisfy a time-in-grade requirement of at least 18 months.

The Senate amendment contained a provision (sec. 502) that would extend the existing authority for promotion for these officers from October 1, 2005, through October 1, 2008.

The House recesses.

Grade and exclusion from active-duty general and flag officer distribution and strength limitations of officer serving as Attending Physician to the Congress (sec. 507)

The Senate amendment contained a provision (sec. 506) that would add section 722 to chapter 41 and amend section 12210 of title 10, United States Code, to provide that an active-duty or

reserve general or flag officer, while serving as the Attending Physician to the Congress, would hold the grade of major general or rear admiral and be excluded from the numerical and distribution requirements of sections 525 and 526 of title 10, United States Code.

The House bill contained no similar provision.

The House recesses.

Modification of qualifications for leadership of the Naval Postgraduate School (sec. 508)

The Senate amendment contained a provision (sec. 509) that would authorize a retired officer of the Navy or Marine Corps in the grade of captain or colonel or above, respectively, to be selected by the Secretary of the Navy to serve as President of the Naval Postgraduate School so long as they meet the same qualifications required of active-duty officers, including holding a doctorate or master's degree in a field of study relevant to the mission and function of the Naval Postgraduate School.

The House bill contained no similar provision.

The House recesses with an amendment that would authorize a civilian, including a retired officer of the Navy or Marine Corps not below the grade of captain or colonel, respectively, to be selected by the Secretary as the best qualified from among candidates for the position in accordance with specified criteria, through a process to be determined by the Secretary, and taking into consideration other factors the Secretary considers essential. Before making a selection the Secretary would be required to consult with the Board of Advisors for the Naval Postgraduate School, consider any recommendation of the leadership and faculty of the Naval Postgraduate School, and consider the recommendations of the Chief of Naval Operations and the Commandant of the Marine Corps. The amendment would further require that an individual selected as President hold a doctorate degree if the individual permanently selected as Provost and Academic Dean does not.

Part II-Officer Promotion Policy

Revisions to authorities relating to authorized delays of officer promotions (sec. 511)

The Senate amendment contained a provision (sec. 515) that would amend sections 624 and 14311 of title 10, United States Code, relating to promotion procedures. The provision would specify that a promotion list that requires Senate confirmation shall be treated as being established for purposes of chapter 38 of title 10 on the date the list is received by the Senate for consideration; and would require the Secretary of Defense, not

later than March 1, 2008, to prescribe regulations controlling delays in appointment following Senate confirmation under sections 624 and 14311. The provision would also clarify that delays in appointment to higher grade are warranted by the need to review substantiated and potentially adverse information that may be material to the decision on whether or not to appoint based on a determination that an officer has not fulfilled the requirements for exemplary conduct for commanding officers and those in positions of authority.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that a promotion list that requires Senate confirmation shall be treated as being established upon approval of a report of a selection board by the President.

Consideration of adverse information by selection boards in recommendations on officers to be promoted (sec. 512)

The Senate amendment contained a provision (sec. 516) that would amend sections 616(c) and 14108(b) of title 10, United States Code, to require that a promotion selection board may not recommend an officer for promotion unless a majority of the members of the board, after consideration by all the board members of any adverse information about the officer that is provided to the board under section 615 of title 10, United States Code, finds that the officer is among those best qualified for promotion to meet the needs of the armed force concerned consistent with the requirement of exemplary conduct set forth in sections 3583, 5947, and 8583 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Expanded authority for removal from reports of selection boards of officers recommended for promotion to grades below general and flag grades (sec. 513)

The Senate amendment contained a provision (sec. 517) that would amend sections 618(d) and 14111(b) of title 10, United States Code, to authorize the Secretary of Defense and the Deputy Secretary of Defense, in addition to the President, to remove the name of an officer from the report of a selection board with respect to officers being recommended for promotion to grades below brigadier general and rear admiral (lower half).

The House bill contained no similar provision.

The House recedes with a technical amendment.

Special selection board authorities (sec. 514)

The Senate amendment contained a provision (sec. 519) that would amend sections 628 and 14502 of title 10, United States

Code, to limit the availability of special selection boards only to officers under consideration for promotion who are in or above the primary promotion zones. The provision would also limit the requirement to convene special selection boards only to those cases in which material error may have occurred. The provision would further clarify that errors in the conduct of active and reserve selection boards must be determined by the service secretaries to be material to the outcome of the board's determination for relief to be afforded.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Removal from promotion list of officers not promoted within 18 months of approval of list by the President (sec. 515)

The Senate amendment contained a provision (sec. 520) that would amend sections 629 and 14310 of title 10, United States Code, to clarify the conditions under which officers whose nominations require the advice and consent of the Senate for promotion or appointment and who have not received the advice and consent of the Senate would be removed from promotion lists.

The House bill contained no similar provision.

The House recesses with an amendment that would establish a promotion eligibility period for officers beginning on the date of approval by the President of a promotion list for officers on that list and ending 18 months later. This period could be extended by the President for an additional 12 months. The amendment would require that an officer's name be removed from the promotion list as of the end of the period of promotion eligibility unless the Senate has given its advice and consent to the appointment of that officer. The provision would apply to any promotion list approved by the President after January 1, 2007.

Part III-Joint Officer Management Requirements

Modification and enhancement of general authorities on management of officers who are joint qualified (sec. 516)

The Senate amendment contained a provision (sec. 526) that would amend section 661 of title 10, United States Code, to restructure the system for designation and management of officers who are joint qualified. The provision would implement the recommendation made by the Department of Defense in its strategic plan to link joint officer development to overall missions and goals of the Department of Defense, as required by section 531 of the Ronald W. Reagan National Defense Authorization Act of Fiscal Year 2005 (Public Law 108-375).

The House bill contained no similar provision.

The House recesses with an amendment that would permit the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, to designate as joint qualified those officers who successfully complete a full tour of duty in a joint assignment as well as those officers who demonstrate mastery of knowledge, skills, and abilities in joint matters as a result of their assignments and experience as determined under such regulations and policy as the Secretary may prescribe. The amendment would make this provision effective on October 1, 2007, and require the Secretary, not later than March 31, 2007, to submit a plan for its implementation. The amendment would support modifications in joint officer management that would rely on a capabilities-based system in which experience, education, and performance are evaluated in an officer's progression to higher levels of qualification.

Modification of promotion policy objectives for joint officers (sec. 517)

The Senate amendment contained a provision (sec. 527) that would amend section 662(a) of title 10, United States Code, to repeal the requirement for a separate promotion policy objective for officers who have the joint specialty or who are designated as joint qualified. The provision would require the Secretary of Defense to ensure that officers who are serving in or have served in joint duty assignments, including those officers who previously have been designated as joint specialty officers and are determined to be joint qualified under the changes to section 661 of title 10, United States Code, included in this Act, are expected, as a group, to be promoted to the next higher grade at a rate not less than the rate for all officers of the same armed force in the same grade and competitive category.

The House bill contained no similar provision.

The House recesses.

Applicability of joint duty assignment requirements limited to graduates of National Defense University schools (sec. 518)

The Senate amendment contained a provision (sec. 528) that would amend section 663 of title 10, United States Code, to specify that joint professional military education (JPME) schools for purposes of this section are limited to schools within the National Defense University. The provision would limit the effect of the requirement that more than 50 percent of officers completing the second phase of JPME must be assigned to joint duty assignments as those officers' next duty assignments following graduation.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Modification of certain definitions relating to jointness (sec. 519)

The Senate amendment contained a provision (sec. 529) that would amend section 668 of title 10, United States Code, to revise the definition of the term "joint matters." The provision would also modify the definition of "joint duty assignments" to broaden the assignments that may be considered and recognize the value of certain assignments within the services and to add a definition to section 668 of the term "critical occupational specialty."

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the definition of the term joint matters to mean matters related to the achievement of unified action by multiple military forces in operations conducted across domains such as land, sea, or air, in space, or in the information environment. The amendment would specify that the definition of joint duty does not include duty as a student or trainee for joint training and education. Under the definition of critical occupational specialty, the amendment would require, at a minimum, that the Secretary of Defense designate as critical occupational specialties any military occupational specialties within combat arms (or the equivalent) that the Secretary determines are experiencing severe shortages of trained officers.

Subtitle B-Reserve Component Matters

Part I-Reserve Component Management

Recognition of former Representative G.V. 'Sonny' Montgomery for his 30 years of service in the House of Representatives (sec. 521)

The conferees agree to include a provision that would recognize former Representative G.V. 'Sonny' Montgomery (D-MS) for his 30 years of service in the House of Representatives, particularly his service as Chairman of the Committee on Veterans' Affairs and his contributions to the National Guard and Reserves.

Revisions to reserve call-up authority (sec. 522)

The House bill contained a provision (sec. 511) that would extend from 270 days to 365 days the period for which members of the Selected Reserve and Individual Ready Reserve may be involuntarily called to active duty to support operational missions other than during war or national emergency and would authorize recall of such reserve component members to provide

assistance during a serious natural or manmade disaster, accident, or catastrophe.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would extend from 270 days to 365 days the maximum period for which such members of the reserve components may be involuntarily called to active duty.

Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001 (sec. 523)

The House bill contained a provision (sec. 512) that would authorize military retirement credit for certain members of the Army National Guard or the Air National Guard who served in a full-time state active duty status in specified counties in New Jersey in support of the federal declaration of emergency following the terrorist attacks on the United States of September 11, 2001.

The Senate amendment contained no similar provision.

The Senate recesses.

Part II-Authorities Relating to Guard and Reserve Duty

Title 10 definition of Active Guard and Reserve duty (sec. 524)

The House bill contained a provision (sec. 541) that would establish a new definition of "Active Guard and Reserve" in section 101 of title 10, United States Code, and would also clarify the definition of "Active Guard and Reserve duty" in the same section.

The Senate amendment contained a similar provision (sec. 531).

The Senate recesses.

Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel (sec. 525)

The House bill contained a provision (sec. 542) that would authorize reserve component personnel performing Active Guard and Reserve duty, as well as military technicians (dual status), to perform additional duties to support operations or missions assigned to, or performed by, the reserve components and to instruct or train active-duty members of the Armed Forces, foreign military forces, and Department of Defense civilian employees and contractors. The provision would authorize the performance of the specified additional duties to the extent that such duties do not interfere with the primary duties of personnel on Active Guard and Reserve duty, and military technicians (dual

status), of organizing, administering, recruiting, instructing, or training the reserve components. The provision would also limit the instructional or training duty only to that conducted in the United States, its possessions, and the Commonwealth of Puerto Rico. The provision would further authorize personnel performing National Guard duty under section 502(f) of title 32, United States Code, to support operations or missions undertaken by the member's unit at the request of the President or the Secretary of Defense, and to support training operations and training missions assigned in whole or in part to the National Guard by the Secretary concerned.

The Senate amendment contained a similar provision (sec. 531).

The Senate recesses with a clarifying amendment.

Governor's authority to order members to Active Guard and Reserve duty (sec. 526)

The House bill contained a provision (sec. 543) that would authorize the governor of a State, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or the commanding general of the District of Columbia National Guard to order members of the National Guard to perform Active Guard and Reserve duty under title 32, United States Code, to support operations or missions at the request of the President or the Secretary of Defense, or to support training operations and training missions assigned in whole or in part by the Secretary concerned to the National Guard.

The Senate amendment contained a similar provision (sec. 531).

The Senate recesses with a clarifying amendment.

Expansion of operations of civil support teams (sec. 527)

The House bill contained a provision (sec. 545) that would expand the types of emergencies for which members of the reserve components who are assigned to weapons of mass destruction civil support teams (WMD-CSTs) could be deployed to include the intentional or unintentional release of nuclear, biological, radiological, toxic or poisonous chemical materials; or natural or manmade disasters that could result in the catastrophic loss of life or property.

The Senate amendment contained a similar provision (sec. 532).

The Senate recesses.

The conferees note that WMD-CSTs are a limited resource, and as such, their employment, other than for training and preparation, under the expanded authorities recommended by this section should consider the following: 1) whether the resources of local governments and other State resources may be or are

overwhelmed by the scope and scale of the actual disaster; or 2) whether other State, local, and first-responder technical equipment and capabilities will be or are inadequate to address the potential threat.

Modification of authorities relating to the Commission on the National Guard and Reserves (sec. 528)

The House bill contained a provision (sec. 594(a)) that would amend section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to extend the deadline by 6 months for submission of a final report by the Commission on the National Guard and Reserves.

The Senate amendment contained a similar provision (sec. 533) that would extend the commission's deadline for submission of a final report from 12 to 18 months after its first meeting. The provision would also authorize the chairman of the commission to exercise the same waiver authority regarding eligibility by annuitants for pay as would be available to the Director of the Office of Personnel Management under sections 8344(i)(1) and 8468(f)(1) of title 5, United States Code.

The House recedes with an amendment that would require submission of the final report of the commission not later than January 31, 2008.

Additional matters to be reviewed by Commission on the National Guard and Reserves (sec. 529)

The House bill contained a provision (sec. 594(b)) that would direct the Commission on the National Guard and Reserves to study and report to Congress by March 1, 2007, on the advisability and feasibility of implementing the provisions contained in the National Defense Enhancement and National Guard Empowerment Act of 2006 (H.R. 5200); whether the Chief of the National Guard Bureau should serve in the grade of general in the performance of the current duties of that office; and whether the Department of Defense processes for defining the equipment and funding necessary for the National Guard to perform its responsibilities are adequate.

The Senate amendment contained provisions (secs. 931- 933) that would make the National Guard Bureau a joint activity of the Department; make the Chief of the National Guard Bureau the principal advisor to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff on National Guard matters; elevate the grade of the Chief of the National Guard Bureau to general; require the Chief of the National Guard Bureau to identify gaps between Federal and State capabilities to prepare for and respond to emergencies and make recommendations to the Secretary of Defense on the provision of military assistance to civil authorities; and require that the position of Deputy Commander,

U.S. Northern Command, be filled by a National Guard officer eligible for promotion to the grade of lieutenant general.

The Senate recesses with an amendment that would add additional matters to be referred to the commission, including a review on the advisability and feasibility of authorizing National Guard officers to serve in both Federal status under title 10, United States Code, and State status under title 32, United States Code, as a means of achieving unity of command of units that are composed of both active-duty members and National Guard personnel. The commission would be required to submit a report on the results of the review by March 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives.

The conferees note the importance of the National Guard to the national defense and the need for effective coordination of National Guard matters between the Chief of the National Guard Bureau and the Secretary of Defense, Chairman of the Joint Chiefs of Staff, the Secretary of the Army, and the Secretary of the Air Force.

The conferees, therefore, direct the commission to evaluate the proposals referred to it by this section taking into consideration the following:

The impact that making the National Guard Bureau a joint activity of the Department, and authorizing the Secretary of Defense to develop the charter of the National Guard Bureau, would have on integration of the Army National Guard and Air National Guard into the Army and Air Force, respectively.

Whether authorizing the Chief of the National Guard Bureau to be the principal advisor to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff on matters relating to the National Guard would have the effect of establishing the National Guard as a separate service; and if so, the implications of that effect.

Whether authorizing the Chief of the National Guard Bureau to be a member of the Joint Chiefs of Staff is consistent with the statutory responsibilities of the service chiefs and the role of the service chiefs to provide military advice to the President, the National Security Council, and the Secretary of Defense.

How elevating the grade of the Chief of the National Guard Bureau to general would impact relationships with and the authorized grades of the other Chiefs of the reserve components, the Director of the Army National Guard, and the Director of the Air National Guard.

Whether requiring the Chief of the National Guard Bureau to identify gaps between Federal and State capabilities to prepare for and respond to emergencies and to make recommendations to the Secretary of Defense on National Guard programs for military assistance to civil authorities is an appropriate role for the Chief of the National Guard Bureau, whether the Chief of the

National Guard Bureau is qualified to make such an assessment, and whether this authority impinges on the authority of Federal and State civilian officials.

Whether the scope and complexities of the duties and responsibilities of the position of Deputy Commander, U.S. Northern Command, require that they be carried out by two officers, each in the grade of O-9, one of whom would be a National Guard officer eligible for promotion to that grade.

Subtitle C-Education and Training

Part I-Service Academies

Expansion of service academy exchange programs with foreign military academies (sec. 531)

The House bill contained a provision (sec. 524) that would expand from 24 to 100 the number of cadets and midshipmen at the U.S. Military Academy, Air Force Academy, and Naval Academy, respectively, who may participate in exchange programs with foreign military academies. The provision would also increase from \$120,000 to \$1.0 million the amount of appropriated funds that each service academy could expend during any fiscal year in support of the exchange program. The provision would further authorize the service academies to expend additional funds as may be available to the academy from a source other than appropriated funds to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees do not intend that the additional funding from other than appropriated sources be used to fund exchange students in excess of the number set by this provision.

Revision and clarification of requirements with respect to surveys and reports concerning sexual harassment and sexual violence at the service academies (sec. 532)

The Senate amendment contained a provision (sec. 567) that would change the frequency of the service academy sexual assault survey and report to Congress from an annual to a biennial requirement, extend the period for the surveys and reports from 2008 to 2010, clarify that the subject of the required policy and report is sexual harassment and sexual violence, and clarify that the policy and survey are directed at cadets and midshipmen.

The House bill contained no similar provision.

The House recedes with an amendment that would codify in title 10, United States Code, the requirement for each Secretary

of the military department to prescribe a policy on sexual harassment and sexual violence applicable to cadets or midshipmen and other personnel of each service academy. The amendment would require an annual assessment to determine the effectiveness of the policies, training, and procedures of the academy, and an annual report to the Committees on Armed Services of the Senate and the House of Representatives. The amendment would also require that the annual assessment be conducted by a survey of academy personnel to include cadets and midshipmen, and other academy personnel from the faculty and administration selected for such participation, if any, with respect to academy program years that begin in an odd-numbered calendar year. In any year in which a survey is not required, the Secretary concerned would be required to provide focus groups for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at that academy.

Department of Defense policy on service academy and ROTC graduates seeking to participate in professional sports before completion of their active-duty service obligations (sec. 533)

The Senate amendment contained a provision (sec. 568) that would require the Secretary of Defense to prescribe a policy, not later than July 1, 2007, on whether to authorize service academy and Reserve Officers' Training Corps graduates to participate in professional sports before completion of their active-duty service obligation, and if so, on the active-duty service obligations of such personnel. The provision would require the Secretary of each military department to prescribe regulations, or modify current regulations, to implement the policy of the Secretary of Defense by no later than December 1, 2007.

The House bill contained no similar provision.
The House recesses.

Part II-Scholarship and Financial Assistance Programs

Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty (sec. 535)

The House bill contained a provision (sec. 521) that would authorize the Secretary of the Army to modify agreements entered into by cadets in the Reserve Officers' Training Corps who participate in the Guaranteed Reserve Forces Duty Scholarship Program so that a cadet or former cadet could receive assistance under the Health Professions Scholarship Program and serve on active duty.

The Senate amendment contained no similar provision.

The Senate recesses.

*Detail of commissioned officers as students at medical schools
(sec. 536)*

The Senate amendment contained a provision (sec. 561) that would authorize the Secretary of a military department to detail up to 25 commissioned officers each year as students at accredited medical schools or schools of osteopathy. To be eligible, an officer must agree to service on active duty for 2 years for each year of medical training.

The House bill contained no similar provision.

The House recesses with an amendment that would allow an officer to serve their full service active duty obligation, or to complete a portion of their obligation in the Selected Reserve. The amendment would require that officers assigned to the Selected Reserve serve 3 years in the Selected Reserve for each year of medical training received prior to separation from active duty.

*Increase in maximum amount of repayment under education loan
repayment for officers in specified health professions (sec. 537)*

The Senate amendment contained a provision (sec. 563) that would authorize an increase from \$22,000 to \$60,000 for each year of obligated service the amount the Secretary of a military department may repay for educational loans for a fully qualified health professional to meet identified skill shortages.

The House bill contained no similar provision.

The House recesses with a technical amendment.

The conferees are concerned that shortfalls in recruitment and retention of medical, dental, and nurse corps personnel could undermine future medical readiness. The conferees believe it is critical that the Tenth Quadrennial Review of Military Compensation include a careful examination of compensation issues pertaining to the uniformed medical personnel of the Department of Defense.

*Health Professions Scholarship and Financial Assistance Program
for Active Service (sec. 538)*

The Senate amendment contained a provision (sec. 564) that would authorize an increase in the maximum amounts for stipends and grants under the Health Professions Scholarship Program and the Financial Assistance Program for Active Service. The amendment also contained a provision (sec. 565) that would require the Secretary of Defense to report to the congressional defense committees on the success or failure of the military departments in achieving recruiting goals under these programs during fiscal years 2000 through 2006.

The House bill contained no similar provisions.

The House recedes with an amendment that would authorize the Secretary to determine a monthly amount to be paid as a stipend in the Health Professions Scholarship Program.

The conference agreement reflects the merger of the two Senate provisions, as amended.

Part III-Junior ROTC Program

Junior Reserve Officers' Training Corps instructor qualifications (sec. 539)

The Senate amendment contained a provision (sec. 570) that would establish instructor qualifications for a retired officer or noncommissioned officer to be employed as an instructor in the Junior Reserve Officers' Training Corps. The provision would require that senior military instructors be retired officers who have a professional military qualification; a baccalaureate degree; completion of secondary education teaching certification requirements; and award of an advanced certification in core content areas. Non-senior military instructors would be retired noncommissioned officers who serve as instructional leaders and teach independently of, but share program responsibilities with, senior military instructors. The provision would also require that non-senior military instructors have a professional military qualification; an associates degree within 5 years of employment; completion of secondary education teaching certification requirements; and award of an advanced certification in core content areas.

The House bill contained no similar provision.

The House recedes.

Expansion of members eligible to be employed to provide Junior Reserve Officers' Training Corps instruction (sec. 540)

The House bill contained a provision (sec. 522) that would authorize employment of reserve and National Guard officers and noncommissioned officers who would be eligible for retired pay at age 60 as Junior Reserve Officers' Training Corps instructors and allow the Secretaries of the military departments to determine the amount to reimburse the educational institution for the salary of such instructors.

The Senate amendment contained a similar provision (sec. 562).

The House recedes with a clarifying amendment.

The conferees agree that the Department of Defense would be authorized to pay an institution hiring a reserve or National Guard member who would be eligible for retired pay at age 60 an amount equal to one-half of the amount paid to the member by the institution for any period, up to a maximum of one-half the

difference between the retired or retainer pay for an active-duty officer or noncommissioned officer of the same grade and years of service for that period and the active-duty pay and allowances which the member would have received for that period if on active duty.

Expansion of Junior Reserve Officers' Training Corps program (sec. 541)

The Senate amendment contained a provision (sec. 315) that would direct the Secretaries of the military departments to increase the number of Junior Reserve Officers' Training Corps units.

The House bill contained no similar provision.
The House recesses.

Review of legal status of Junior ROTC program (sec. 542)

The House bill contained a provision (sec. 525) that would require the Secretary of Defense to review the 1976 legal opinion that determined that Junior Reserve Officers' Training Corps (JROTC) instructors may be transported to a non-host school only to teach students previously enrolled in the JROTC unit at the host school, and only when it is impractical to require them to take courses at the host school. The purpose of the review would be to determine whether changes in the law since 1976 and local school redistricting would now allow for instructors from a host school to travel to and instruct JROTC students at another nearby school. The provision would also allow a host school that is currently providing for the assignment of JROTC instructors to another school with 70 or more students the authority to continue such support until 180 days following the submission of the report on the results of the review by the Secretary of Defense.

The Senate amendment contained an identical provision (sec. 569).

The conference agreement includes this provision.

Part IV-Other Education and Training Programs

Expanded eligibility for enlisted members for instruction at Naval Postgraduate School (sec. 543)

The Senate amendment contained a provision (sec. 566) that would authorize all enlisted members of the Armed Forces to participate in certificate programs and courses required for the performance of their duties offered by the Naval Postgraduate School, and authorize eligible enlisted members of the Armed Forces to receive graduate-level instruction at the Naval Postgraduate School in programs leading to the award of a

master's degree in technical, analytical, and engineering curricula.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the plans and rationale of the Navy to provide enlisted members of the Navy with opportunities to pursue graduate degree programs either through Navy schools or through civilian postgraduate institutions paid for by the Navy in return for an additional service obligation. The amendment would also require the Secretary of the Navy and the Secretary of the Air Force to submit a joint report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 30, 2007, on the manner by which each Secretary intends to use the Naval Postgraduate School and the Air Force Institute of Technology during fiscal years 2008 through 2013 to meet the overall requirements of the Navy, Marine Corps, and Air Force for enlisted members with graduate degrees.

The conferees expect that the Under Secretary of Defense for Personnel and Readiness will exercise a significant role in overseeing the preparation of the joint report of the Secretary of the Navy and the Secretary of the Air Force on use of the Naval Postgraduate School and the Air Force Institute of Technology to meet the overall requirements of the services for enlisted members with graduate degrees.

Subtitle D-General Service Authorities

Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT) (sec. 546)

The House bill contained a provision (sec. 531) that would require the Secretary of Defense to administer a test program conducted by the Secretaries of the military departments to determine the utility of commercially-available test preparation guides and education programs to assist recruit candidates in achieving improved scores on military recruit qualification tests. The Secretary would be required to identify 2,000 recruit candidates to receive test preparation assistance and 2,000 recruit candidates to participate in a control group to allow comparisons of test performance and subsequent duty performance in training and unit settings following active-duty entry. The test would identify participants over a 1-year period from the start of the test and assess duty performance for each participant for 18 months following entry on active duty.

The Senate amendment contained no similar provision.

The Senate recesses.

Clarification of nondisclosure requirements applicable to certain selection board proceedings (sec. 547)

The House bill contained a provision (sec. 532) that would clarify the nondisclosure requirements applicable to deliberations of military selection boards. The provision would specify that discussions and deliberations of selection boards, including any written or documentary records thereof, are immune from legal process; may not be admitted as evidence; and may not be used for any purpose in any action or suit, or judicial or administrative proceedings without the consent of the Secretary of the military department.

The Senate amendment contained a similar provision (sec. 518).

The Senate recesses with a technical amendment.

Report on extent of provision of timely notice of long-term deployments (sec. 548)

The House bill contained a provision (sec. 533) that would require the Secretary of Defense to report, not later than March 1, 2007, on the number of members of the Armed Forces who, since September 11, 2001, have not received at least 30-days notice prior to a deployment that was scheduled to last 180 days or more.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the reporting period to begin on January 1, 2005, and end on the date of the enactment of this Act.

Subtitle E-Military Justice Matters

Applicability of Uniform Code of Military Justice to members of the Armed Forces ordered to duty overseas in inactive duty for training status (sec. 551)

The Senate amendment contained a provision (sec. 551) that would require the service secretaries, no later than March 1, 2007, to prescribe regulations, or amend current regulations, consistent with article 2 of the Uniform Code of Military Justice (UCMJ) to provide that military personnel who are ordered to perform inactive duty for training at overseas locations shall be subject to jurisdiction under the UCMJ throughout the period that the orders are in effect.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Clarification of application of Uniform Code of Military Justice during a time of war (sec. 552)

The Senate amendment contained a provision (sec. 552) that would clarify that Uniform Code of Military Justice jurisdiction over persons serving with or accompanying an armed force in the field applies both in time of declared war and in a contingency operation.

The House bill contained no similar provision.

The House recesses.

Subtitle F-Decorations and Awards

Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients (sec. 555)

The House bill contained a provision (sec. 551) that would amend sections 3755, 6257, and 8755 of title 10, United States Code, and section 505 of title 14, United States Code, to authorize the President to present a Medal of Honor Flag to all living recipients of the Medal of Honor. The provision would authorize presentation of a Medal of Honor Flag to the primary next of kin of a deceased Medal of Honor recipient.

The Senate amendment contained a similar provision (sec. 584) that would require the Secretary of Defense to prescribe regulations regarding the designation of the primary living next of kin.

The House recesses with a clarifying amendment.

Review of eligibility of prisoners of war for award of the Purple Heart (sec. 556)

The House bill contained a provision (sec. 553) that would require the Secretary of Defense to award the Purple Heart posthumously to a member of the Armed Forces who died while in captivity as a prisoner of war or died due to injury or illness incurred while in captivity as a prisoner of war.

The Senate amendment contained a provision (sec. 589) that would require the President, not later than March 1, 2007, to report on the advisability of modifying the criteria for the award of the Purple Heart in the case of prisoners of war who die in captivity under unknown circumstances or as a result of conditions and treatment which currently do not qualify the decedent for the award of the Purple Heart. The provision would also require the President in making his determination to take into consideration various specified factors as well as the views of the Secretary and the Joint Chiefs of Staff.

The House recesses with an amendment that would add additional circumstances to be considered by the President in making his determination regarding the posthumous award of the Purple Heart to former prisoners of war.

In view of the history and significance of the Purple Heart, and the fact that it is awarded in the name of the President as Commander in Chief to members of the Armed Forces, the conferees consider it essential that the President conduct a comprehensive review of the merits of the proposals for expansion of eligibility for the award and provide a recommendation to the Congress before legislative changes are made to the criteria for the Purple Heart.

Report on Department of Defense process for awarding decorations (sec. 557)

The House bill contained a provision (sec. 555) that would require the Secretary of Defense to review the policy, procedures, and processes of the military departments for awarding decorations to members of the Armed Forces and to submit a report on the findings and recommendations no later than 90 days after the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recesses with a clarifying amendment that would establish August 1, 2007, as the due date for the required report.

Subtitle G-Matters Relating to Casualties

Authority for retention after separation from service of assistive technology and devices provided while on active duty (sec. 561)

The House bill contained a provision (sec. 562) that would authorize the Secretary of Defense to provide assistive technology, devices, and services to a member of the armed forces who has sustained a debilitating illness or injury while serving in support of a contingency operation, and also authorize the member to continue to utilize such services after separation from active duty.

The Senate amendment contained a similar provision (sec. 647).

The House recesses with a clarifying amendment.

Transportation of remains of casualties dying in a theater of combat operations (sec. 562)

The House bill contained a provision (sec. 563) that would prescribe conditions for the transportation by air of the remains

of members of the Armed Forces who die in a combat theater of operations and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware. The provision would require the Secretary concerned to transport remains under these circumstances by military aircraft, or military-contracted aircraft, unless otherwise directed by the decedent's next of kin. The provision would also require that remains be escorted during transportation at all times by at least one service member in an appropriate grade. The provision would further require that an honor guard escort comprised of a sufficient number of military members to transfer the casket containing the remains from the aircraft or other means of transportation to a hearse for local transportation be provided.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the Secretary of Defense to prescribe regulations for the administration of this provision. The amendment would also require that transportation of one or more sets of military remains by military aircraft or military-contracted aircraft be the aircraft's primary mission and clarify the composition and role of the honor guard escort. The effective date for this provision would be not later than January 1, 2007.

Annual budget display of funds for POW/MIA activities of Department of Defense (sec. 563)

The House bill contained a provision (sec. 564) that would require the Secretary of Defense to submit to Congress a consolidated budget justification display that includes prior year and future year funding for specified organizations supporting the POW/MIA activities of the Department of Defense as part of the Department's justification material that supports the President's annual budget request.

The Senate amendment contained no similar provision.

The Senate recesses with a clarifying amendment.

The conferees are concerned that shortfalls in the funding of POW/MIA activities within the Department have resulted in the loss of opportunities to conduct planned field missions to locate and identify missing U.S. service members. The conferees expect that the Department will ensure that POW/MIA recovery efforts will receive the highest level of support within the Department and that the budget for POW/MIA activities will be adequately funded in order to preclude the loss of opportunities to conduct planned recovery and research missions.

Military Severely Injured Center (sec. 564)

The Senate amendment contained a provision (sec. 586) that would require the Secretary of Defense to establish a center to augment and support programs operated by the military departments

for services to severely wounded or injured service members and their families. The provision would also require establishment of a central database for the purpose of tracking such members.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the role of the center in support of programs operated by the military departments which are responsible for individual case management, and ensure transparency of the central database.

Comprehensive review on procedures of the Department of Defense on mortuary affairs (sec. 565)

The Senate amendment contained a provision (sec. 590(a)-(b)) that would require the Secretary of Defense to include additional matters in the report of the Department of Defense's ongoing comprehensive review of procedures relating to mortuary affairs. The additional elements reported on would address capabilities and standards employed in combat theaters that could preserve the remains of deceased personnel and expedite the return of remains to the United States in a nondecomposed state.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Additional elements of policy on casualty assistance to survivors of military decedents (sec. 566)

The Senate amendment contained a provision (sec. 590(c)) that would amend section 562(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to require the Secretary of Defense to include an additional element in the Department of Defense's policy relating to casualty assistance to survivors of military decedents. The provision would require that the new policy address the process by which the Department, upon request, briefs survivors of military decedents on the cause of, and any investigation into, the death of such military decedents and on the disposition and transportation of their remains.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Requirement for deploying military medical personnel to be trained in preservation of remains under combat or combat-related conditions (sec. 567)

The House bill contained a provision (sec. 722) that would require the Secretary of Defense to develop a program requiring each military department to include pre-deployment training of health care professionals in the preservation of remains.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would establish an effective date for the required training of 90 days after the date of the enactment of this Act.

Subtitle H-Impact Aid and Defense Dependents Education System

Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe (sec. 571)

The House bill contained a provision (sec. 572) that would authorize the Secretary of Defense to enroll on a space-required, tuition-free basis a limited number of dependents of foreign military members who are assigned to the Supreme Headquarters Allied Powers, Europe, in the Defense Dependents' Education System in Mons, Belgium.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary to offer such enrollment only through the 2010-2011 school year. The amendment would require a report to Congress evaluating alternatives for a long-term plan for the education of dependents of U. S. military personnel assigned to the Supreme Headquarters Allied Powers, Europe.

Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 572)

The House bill contained a provision (sec. 571) that would authorize \$50.0 million for assistance to local educational agencies that have military dependent students comprising at least 20 percent of the students in average daily attendance. The provision would also authorize \$15.0 million for assistance to local educational agencies that experience a significant increase or decrease in attendance of military dependent students due to military force structure changes, the relocation of military forces, and base closures and realignments.

The Senate amendment contained a provision (sec. 571) that would authorize \$30.0 million for assistance to local educational agencies with significant concentrations of military school-aged children, and \$10.0 million for special assistance to local educational agencies that experience an increase or decrease in students due to military force structure changes, relocation of military units, or base closures and realignments. The Senate amendment would also provide temporary authority for the Secretary of Defense, working with the Secretary of Education, to utilize funds appropriated for Operation and Maintenance, Defense-wide for the purpose of sharing expertise and experience

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of the Department of Defense Education Activity with local education agencies to assist those agencies as military students make the transition to civilian school systems as a result of base closure and realignment, global rebasing, and force restructuring.

The Senate recesses with an amendment that would authorize \$35.0 million and \$10.0 million, respectively, for assistance to local educational agencies with significant military school-aged children.

Elsewhere in this report, the conferees agree to authorize the sharing of expertise and experience of the Department of Defense Education Activity with local educational agencies that are experiencing a change in the number of military students due to base closure and realignment, global rebasing, and force restructuring; until September 30, 2011.

Impact aid for children with severe disabilities (sec. 573)

The Senate amendment contained a provision (sec. 572) that would authorize \$5.0 million in Operation and Maintenance, Defense-wide, for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

The House bill contained no similar provision.
The House recesses.

Plan and authority to assist local educational agencies experiencing growth in enrollment due to force structure changes, relocation of military units, or base closures and realignments (sec. 574)

The Senate amendment contained a provision (sec. 573) that would require the Secretary of Defense to prepare a plan to provide assistance to local educational agencies that will experience a growth in enrollment of military and Department of Defense civilian school-aged children as a result of force structure changes, the relocation of military units, and the closure or realignment of a military installation. The provision would require submission of a report on the plan to Congress by January 1, 2007, and annual updates to the plan.

The House bill contained no similar amendment.

The House recesses with an amendment that would require annual updates to the plan after March 1, 2008 be submitted to Congress along with the President's budget request. The amendment would also authorize the Secretary of Defense to share expertise and experience of the Department of Defense Education Activity with affected local educational agencies for the purpose

of assisting those agencies with the transition of military dependent school-aged children through September 30, 2011.

Pilot program on parent education to promote early childhood education for dependent children affected by military deployment or relocation of military units (sec. 575)

The Senate amendment contained a provision (sec. 574) that would require the Secretary of Defense to carry out a pilot program to enhance educational support for parents of pre-school aged children, who are affected by deployments or the relocation of military units.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the requirement to conduct the pilot program would be subject to the appropriation of funds.

Subtitle I-Armed Forces Retirement Home

Report on leadership and management of the Armed Forces Retirement Home (sec. 578)

The Senate amendment contained a provision (sec. 668) that would require the redesignation of the Chief Operating Officer of the Armed Forces Retirement Home as Chief Executive Officer. The provision would require the Director of each facility of the home to be a member of the Armed Forces, and the Deputy Director to be a civilian with experience as a continuing care retirement community professional. The amendment would also clarify that the senior representative of one of the chief personnel officers of the Armed Forces serving as a member of the Local Board of Trustees for each facility be a military officer serving on active duty in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half).

The House bill contained no similar provision.

The House recedes with an amendment that would require a report by the Secretary of Defense evaluating the effect of a change in the title of the Chief Operating Officer and qualifications of the Director and Deputy Director of each facility, as well as an assessment of whether or not there is a need for a greater role by members of the Armed Forces on active duty in the overall direction, operation, and management of the home.

The conferees note that the requirement for service on the Local Board of Trustees by a military officer in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half), is addressed elsewhere in this report.

The conferees are aware that the Comptroller General has not completed the assessment of the regulatory oversight and

monitoring of health and nursing home services required by section 909 of the National Defense Authorization Act for 2006 (Public Law 109-163). The conferees intend that the study required by that section will help inform future legislative and policy changes regarding oversight and monitoring of health and nursing home services at the home.

Report on Local Boards of Trustees of the Armed Forces Retirement Home (sec. 579)

The Senate amendment contained a provision (sec. 1064) that would require a report on the composition and activities of the Local Boards of Trustees of the Armed Forces Retirement Home.

The House bill contained no similar provision.

The House recedes with an amendment that would require an additional report element on the feasibility and effect of including as a member of each local board a member of the Armed Forces who is serving on active duty in the grade of brigadier general, or in the case of the Navy, rear admiral (lower half).

The conferees are concerned that failure to use the Local Boards of Trustees, as required by law in section 416 of title 24, United States Code, is a significant management issue at the Armed Forces Retirement Home. The conferees are also concerned that additional oversight and training is needed on the handling of personnel matters involving assigned military personnel. The conferees direct that these matters be included in the report required by this section.

Subtitle J-Reports

Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets (sec. 581)

The House bill contained a provision (sec. 591) that would require the Secretary of Defense to submit a report, not later than 90 days after the date of the enactment of this Act, on personnel requirements and shortfalls for airborne assets identified as low-density, high-demand airborne assets based on combatant commander requirements to conduct and sustain operations for the global war on terrorism.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the report to be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than 120 days after the date of the enactment of this Act, and to include estimated manpower costs of personnel needed to address shortfalls.

Report on feasibility of establishment of Military Entrance Processing Command station on Guam (sec. 582)

The House bill contained a provision (sec. 584) that would require the Secretary of Defense to submit a report by June 1, 2007, on the feasibility and cost effectiveness of establishing a Military Entrance Processing Command station on Guam for new recruits who are drawn from the western Pacific region.

The Senate amendment contained no similar provision.
The Senate recesses.

Inclusion in annual Department of Defense report on sexual assaults of information on results of disciplinary actions (sec. 583)

The House bill contained a provision (sec. 595) that would amend section 577 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to require additional detail in the Department of Defense annual report on sexual assaults on the results of disciplinary action taken in substantiated cases.

The Senate amendment contained no similar provision.
The Senate recesses with a clarifying amendment.

Report on provision of electronic copy of military records on discharge or release of members from the Armed Forces (sec. 584)

The Senate amendment contained a provision (sec. 588) that would require the Secretary of Defense, not later than 120 days after the date of the enactment of this Act, to submit a report on the feasibility and advisability of providing an electronic copy of military records (including all military service, medical, and other military records) to members of the Armed Forces on their discharge or release from the Armed Forces.

The House bill contained no similar provision.
The House recesses.

Report on omission of social security account numbers from military identification cards (sec. 585)

The Senate amendment contained a provision (sec. 591) that would require the Secretary of Defense to submit a report, not later than 180 days after the date of the enactment of this Act, assessing the feasibility of using military identification cards, which do not contain, display, or exhibit social security account numbers.

The House bill contained no similar provision.
The House recesses with a technical amendment.

Report on maintenance and protection of data held by the Secretary of Defense as part of the Department of Defense Joint Advertising, Market Research and Studies (JAMRS) program (sec. 586)

The Senate amendment contained a provision (sec. 1417) that would require the Secretary of Defense to submit a report on how the JAMRS program maintains and protects data, including social security numbers, and prevents unauthorized access or inadvertent disclosure of data that could lead to identity theft.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Comptroller General report on military conscientious objectors (sec. 587)

The House bill contained a provision (sec. 593) that would require the Comptroller General to submit to Congress, not later than 180 days after the date of the enactment of this Act, a report concerning members of the Armed Forces who have claimed the status as a military conscientious objector between January 1, 1989, and December 31, 2006.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish September 1, 2007, as the due date for the report, limit the period reported on from September 11, 2001, to December 31, 2006, and clarify the elements of the report required.

Subtitle K-Other Matters

Modification in Department of Defense contributions to Military Retirement Fund (sec. 591)

The House bill contained a provision (sec. 581) that would reduce the Department of Defense's accrual contributions to the Military Retirement Fund by requiring the Department to contribute at the lower, part-time rate for reserve component soldiers who are mobilized or on active duty for special work.

The Senate amendment contained a similar provision (sec. 641(a) and (c)). The provision would also make this section effective on October 1, 2007.

The Senate recedes with an amendment that would make this section effective on October 1, 2007.

Revision in government contributions to Medicare-Eligible Retiree Health Care Fund (sec. 592)

The House bill contained a provision (sec. 589) that would amend sections 1111, 1115, and 1116 of title 10, United States Code, to change the formula by which the government makes annual

contributions to the Medicare-Eligible Retiree Health Care Fund. The provision would reduce the annual government contribution to the fund by changing the formula for calculating that contribution by: (1) excluding the cadets and midshipmen at the service academies; (2) excluding members of the reserve components who are not counted against active component end strength under section 115(i) of title 10, United States Code; and (3) basing the calculation on Selected Reserve member strength, not the end strength of the larger Ready Reserve. The provision would also prohibit any funds authorized or appropriated to the Department of Defense from being used to make any payment to the Medicare-Eligible Retiree Health Care Fund.

The Senate amendment contained a similar provision (sec. 641(b)-(c)).

The Senate recedes with an amendment that would omit changes to section 1116 regarding payments into the Medicare-Eligible Retiree Health Care Fund. The amendment would also modify section 1111(a) of title 10, United States Code, to clarify that the fund shall be used to finance the liabilities of the uniformed services under retiree health care programs for medicare-eligible beneficiaries.

Dental Corps of the Navy Bureau of Medicine and Surgery (sec. 593)

The House bill contained a provision (sec. 582) that would eliminate the requirement for a separate dental division within the Navy Bureau of Medicine and Surgery, and establish a Dental Corps, which would be integrated within the Navy Bureau of Medicine and Surgery.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that Navy dental functions be under the direction of the Chief of the Dental Corps.

Permanent authority for presentation of recognition items for recruitment and retention purposes (sec. 594)

The House bill contained a provision (sec. 583) that would make permanent the authority in section 2261 of title 10, United States Code, to expend appropriated funds to procure recognition items of nominal or modest value for recruitment or retention purposes.

The Senate amendment contained a similar provision (sec. 585) that would authorize the presentation of recognition items during any period of war or national emergency declared by the President or Congress.

The Senate recedes.

Persons authorized to administer enlistment and appointment oaths (sec. 595)

The House bill contained a provision (sec. 585) that would amend sections 502 and 1031 of title 10, United States Code, to allow the Secretary of Defense to designate who is authorized to administer an enlistment or appointment oath and expand the number of people eligible to administer such oaths when the situation dictates.

The Senate amendment contained a similar provision (sec. 581).

The Senate recesses.

Military voting matters (sec. 596)

The House bill contained a provision (sec. 586) that would repeal section 1566(d) of title 10, United States Code, which requires the Department of Defense Inspector General to periodically conduct unannounced assessments of the compliance of Department installations with the requirements of the Uniformed and Overseas Citizens Absentee Voting Act, set forth in section 1973ff of title 42, United States Code.

The Senate amendment contained a similar provision (sec. 583) that would require the Secretary of Defense to continue the Interim Voting Assistance System (IVAS) ballot request program for the general election and all elections through December 31, 2006, and require reports from the Secretary on the implementation of IVAS in 2006 and on the Department's plans for expanding the use of electronic voting technology in the future. The provision would also require the Comptroller General to submit a report to Congress by March 1, 2007, on the programs and activities undertaken by the Department to facilitate voter registration, transmittal of ballots to absentee voters, and voting using electronic means.

The House recesses with a technical amendment.

Physical evaluation boards (sec. 597)

The House bill contained a provision (sec. 587) that would add a new section to title 10, United States Code, that would require: (1) the service secretaries to ensure that documents announcing decisions of physical evaluation boards (PEB) convey the findings and conclusions of the board in an orderly and itemized fashion with specific attention to each issue presented by the member being evaluated; (2) the Secretary of Defense to prescribe regulations establishing requirements and training standards for PEB liaison officers and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years; and (3) the Secretary of Defense to publish regulations establishing standards and

guidelines concerning PEB assignment and training of staff, operating procedures, and consistency and timeliness of board decisions, and to assess the compliance of the Secretaries of the military departments with those regulations at least once every 3 years.

The Senate amendment contained no similar provision.

The Senate recesses with a clarifying amendment.

The conferees are concerned about the increasing caseloads being handled within the disability evaluation systems and adverse effects on processing times and decisionmaking that may stem from this increased caseload. The conferees urge the services to determine whether the manning and resources devoted to this function are sufficient and recommend that the service Inspectors General make the performance of the disability evaluation system an item of special interest.

Military ID cards for retiree dependents who are permanently disabled (sec. 598)

The Senate amendment contained a provision (sec. 582) that would require the Secretaries of the military departments to issue a permanent military ID card to a permanently disabled dependent of a military retiree.

The House bill contained no similar provision.

The House recesses.

United States Marine Band and United States Marine Drum and Bugle Corps (sec. 599)

The Senate amendment contained a provision (sec. 903) that would amend section 6222 of title 10, United States Code, to authorize the Secretary of the Navy to prescribe regulations for the appointment and promotion of members of the Marine Band and the Marine Drum and Bugle Corps. The provision would authorize the President to appoint members of the Marine Band and Marine Drum and Bugle Corps to the grades of captain and below and to delegate that authority to the Secretary of Defense. Additionally, the provision would authorize the President to appoint officers in the Marine Band and the Marine Drum and Bugle Corps in the grades of major and above by and with the advice and consent of the Senate.

The House bill contained no similar provision.

The House recesses.

Legislative Provisions Not Adopted

Authorized strength of Navy Reserve flag officers

The House bill contained a provision (sec. 501) that would amend section 12004 of title 10, United States Code, to retain

the authorized strength of Navy Reserve flag officers at 48 but eliminate existing limitations on their distribution and allocation.

The Senate amendment contained no similar provision.
The House recesses.

Modification of authorities on senior members of the Judge Advocate General's Corps

The Senate amendment contained a provision (sec. 504) that would raise the statutory grades of the Judge Advocates General of the Army, Navy, and Air Force to lieutenant general or vice admiral, as appropriate. These three officers would be in addition to the numbers that would otherwise be permitted for their armed forces for officers serving on active duty in grades above major general or rear admiral, as the case may be. The provision would also change the title of the Assistant Judge Advocate General of the Army to "Deputy Judge Advocate General," as is presently the case for the corresponding officers in the Navy and Air Force.

The House bill contained no similar provision.
The Senate recesses.

Requirement for significant joint experience for officers appointed as Surgeon General of the Army, Navy, and Air Force

The Senate amendment contained a provision (sec. 505) that would add a new section 3036a and amend sections 3036, 5137, and 8036 of title 10, United States Code, to require that officers recommended for appointment as the Surgeon General of the Army, Navy, and Air Force must have significant joint experience as determined by the Chairman of the Joint Chiefs of Staff.

The House bill contained no similar provision.
The Senate recesses.

Report on private-sector promotion and constructive termination of members of the reserve components called or ordered to active service

The House bill contained a provision (sec. 513) that would require the Secretary of Defense to report on post-mobilization private-sector employment impacts on members of the reserve components.

The Senate amendment contained no similar provision.
The House recesses.

The conferees agree that the issue of whether or not members of the reserve components, called or ordered to active duty, receive promotions in due course upon their return from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, or experience constructive termination by their

employers as a result of such deployment, would be reviewed by a Department of Defense working group established by this Act to review transition to civilian employment of members of the National Guard and reserve returning from deployment.

Report on joint officer promotion boards

The Senate amendment contained a provision (sec. 521) that would require the Secretary of Defense to submit a report on the desirability and feasibility of conducting joint officer promotion selection boards.

The House bill contained no similar provision.

The Senate recesses.

Authority for United States Military Academy and United States Air Force Academy permanent military professors to assume command positions while on periods of sabbatical

The House bill contained a provision (sec. 523) that would authorize the Secretary of the Army and the Secretary of the Air Force to assign military officers who are permanent professors at the United States Military Academy and the United States Air Force Academy, respectively, to command positions while such professors are serving on a sabbatical tour of duty in an Army or Air Force unit outside the academic department of the academy to which they are assigned.

The Senate amendment contained no similar provision.

The House recesses.

Special operations fellowships

The House bill contained a provision (sec. 526) that would authorize the Secretary of Defense to prescribe regulations under which the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict may award to an eligible person a fellowship leading to a doctoral or masters degree in a discipline determined by the Assistant Secretary.

The Senate amendment contained no similar provision.

The House recesses.

Condition on appointment of commissioned officers to position of Director of National Intelligence or Director of the Central Intelligence Agency

The Senate amendment contained a provision (sec. 530) that would amend chapters 32 and 63 of title 10, United States Code, to add new sections. In chapter 32, the provision would require that a commissioned officer, as a condition of appointment to the position of Director of National Intelligence or Director of the Central Intelligence Agency, acknowledge that upon termination of

an assignment to either position the officer will retire. In chapter 63, the provision would require the Secretaries of military departments to retire an officer upon termination of an assignment in either position.

The House bill contained no similar provision.

The Senate recesses.

Pilot program on reintegration of members of the National Guard into civilian life after deployment

The Senate amendment contained a provision (sec. 534) that would require the Secretary of the Army to carry out a pilot program to assess the feasibility and advisability of a voluntary program to facilitate the reintegration of members of the National Guard into civilian life upon return from an overseas deployment.

The House bill contained no similar provision.

The Senate recesses.

The conferees believe that with the heavy reliance on the men and women of the National Guard and Reserve in support of Operation Enduring Freedom and Operation Iraqi Freedom it is essential that the Department of Defense take action to improve the flexibility and adequacy of military transition assistance programs (TAP) for their benefit. TAP for reservists should facilitate the reintegration of members of the National Guard and Reserve into civilian life as soon as possible after their return from an overseas deployment. TAP for reservists should also make such programs voluntary where appropriate and respect the desire of many Guardsmen and reservists to "stand down" from their military duties for appropriate periods. Therefore, the conferees urge the Department to implement and support a reintegration pilot program in a State that has a National Guard brigade returning from an overseas deployment. In the Senate Report accompanying H.R. 5631 (S. Rept. 09-292) of the Department of Defense Appropriations Bill, 2007, the conferees note that the Senate supported funding of \$6.7 million for a reintegration initiative in connection with overseas deployment. If such a pilot program is implemented, the conferees direct the Secretary of Defense to submit a report of evaluation within 90 days of its conclusion, including a recommendation regarding the feasibility of reintegration programs for members of the National Guard and Reserve.

Report on using six-month deployments for Operation Enduring Freedom and Operation Iraqi Freedom

The House bill contained a provision (sec. 534) that would express the sense of Congress that the Secretary of the Army should continue to evaluate and consider the potential benefits

and impacts of 6-month overseas deployments for soldiers in connection with Operation Enduring Freedom and Operation Iraqi Freedom. The provision would require the Secretary of the Army to submit a report on any plans, benefits, and drawbacks regarding shorter deployments and the results of any surveys of soldiers and their dependents regarding proposals to reduce the length of operational deployments

The Senate amendment contained no similar provision.
The House recesses.

National Guard officers authority to command

The House bill contained a provision (sec. 544) that would permit, with presidential authorization and consent of the Governor concerned, any National Guard officer to retain a State commission in the National Guard while serving on active duty. The provision would further allow such authorization and consent to be obtained in advance in order to establish succession to command.

The Senate amendment contained no similar provision.
The House recesses.

The conferees recommend that the Commission on the National Guard and Reserve review the advisability and feasibility of further expanding the authority of National Guard officers to serve in both Federal status under title 10, United States Code, and State status under title 32, United States Code, as a means of achieving unity of command of units that are composed of both active-duty members and National Guard personnel. Elsewhere in this report, the conferees agree to add this issue to the matters referred to the commission for review on a priority basis.

Cold War Victory Medal

The House bill contained a provision (sec. 552) that would require the service secretaries to issue a service medal to be known as the Cold War Victory Medal to eligible members and former members of the Armed Forces who performed active duty or inactive duty training between September 2, 1945, and December 26, 1991.

The Senate amendment contained no similar provision.
The House recesses.

Advancement on the retired list of certain decorated retired Navy and Marine Corps officers

The House bill contained a provision (sec. 554) that would require the Secretary of the Navy, upon receipt of a qualifying application, to advance to the next higher grade on the retired list officers who had been specifically commended for performance of duty in combat during World War II. The provision, which

would have restored in part a retirement benefit that ended in 1959, would have no effect on compensation or benefits.

The Senate amendment contained no similar provision.

The House recesses.

Criteria for removal of member from temporary disability retired list

The House bill contained a provision (sec. 561) that would amend section 1210(e) of title 10, United States Code, to direct that a member with less than a 30 percent disability rating may not be removed from the temporary disability retired list (TDRL) and separated prior to the expiration of the maximum TDRL period allowed by law unless the disability is of a permanent nature and stable.

The Senate amendment contained no similar provision.

The House recesses.

The conferees are concerned that the absence of a standard relating to the permanent and stable nature of a disability rated at less than 30 percent under section 1210(e) of title 10 may lead to inequitable results for members with less than 20 years of active-duty service. The conferees direct the Secretary of Defense to submit a report no later than May 1, 2007, describing the manner in which section 1210(e) is implemented in the military departments and explaining how military members with disabilities rated at less than 30 percent who are placed on the TDRL are administered. The report should include discussion of what the impact would be of a change in law requiring that such a disability be of a permanent and stable nature. The report should include recommendations for legislative changes that would ensure that members with substantial active-duty service are treated equitably.

Modification of time limit for use of entitlement to educational assistance for reserve component members supporting contingency operations and other operations

The Senate amendment contained a provision (sec. 570A) that would extend the time a member of the Selected Reserve is authorized to use the educational benefit earned for service while recalled to active duty in support of a war or national emergency for a period of 10 years from the date of separation from the Selected Reserve.

The House bill contained no similar provision.

The Senate recesses.

Postal benefits program for members of the Armed Forces

The House bill contained a provision (sec. 575) that would

require the Secretary of Defense, in consultation with the United States Postal Service, to provide a program of postal benefits to military members who are serving in Iraq or Afghanistan, or who are hospitalized at a military medical facility as a result of disease or injury incurred while serving in Iraq or Afghanistan. The postal benefit would be provided using coupons or other forms of evidence indicating a mailing privilege to be used to mail letters, sound and video recordings, printed materials, or ground parcels not exceeding 15 pounds in weight at no cost.

The Senate amendment contained no similar provision.

The House recesses.

Funding

The House bill contained a provision (sec. 576) that would require the Secretary of Defense to fund the operation of the postal benefit program from contingent emergency reserve funds or emergency supplemental appropriations.

The Senate amendment contained no similar provision.

The House recesses.

Duration

The House bill contained a provision (sec. 577) that would require new postal benefits to apply with respect to mail sent during the 1-year period beginning on the date on which the regulations administering the postal benefit are issued by the Secretary of Defense.

The Senate amendment contained no similar provision.

The House recesses.

Sense of Senate on notice to Congress of recognition of members of the Armed Forces for extraordinary acts of bravery, heroism, and achievement

The Senate amendment contained a provision (sec. 587) that would express the sense of the Senate that the Secretary of Defense or the service secretaries should notify the Committees on Armed Services of the Senate and the House of Representatives and applicable senators and representatives when a member of the Armed Forces receives a medal or is otherwise commended or recognized for an act of extraordinary heroism, bravery, achievement, or other distinction.

The House bill contained no similar provision.

The Senate recesses.

Department of Labor Transitional Assistance Program

The House bill contained a provision (sec. 588) that would

amend section 1144 of title 10, United States Code, to require participation by certain members of reserve components in the transition assistance program (TAP) provided by the Secretary of Labor, and encourage participation by certain members who had previously participated in such programs. The provision would also require the service secretaries to update the content of transition materials used by the National Veterans Training Institute of the Department of Labor on a continuing basis.

The Senate amendment contained no similar provision.

The House recesses.

The conferees expect the Secretary of Defense, the Secretaries of the military Departments, and the Secretary of Labor to take steps to ensure maximum participation by all eligible service members, and particularly members of the National Guard and Reserve, in pre-separation counseling and TAP. Military leaders should encourage and assist separating service members to develop personal transition plans prior to separation. TAP presentations programs should be scheduled during duty time to ensure all separating service members, including Guard and Reserve members, have full access and opportunity to attend.

The conferees are encouraged by the new approach to the TAP for members of the Guard and Reserve and their families described in the Report to Congress on Transition Assistance and Disabled Transition Assistance Programs of May 4, 2006. The combination of a transition assistance orientation, a new web-based transition assistance portal, and an around-the-clock call center will address the full spectrum of needs and concerns of demobilizing Guard and Reserve personnel by providing the assistance whenever needed without unnecessarily delaying the members' return to their homes following deployments. The conferees encourage the expedited implementation of this new approach.

Military chaplains

The House bill contained a provision (sec. 590) that would amend sections 3547, 4337, 6031, 8547, and 9337 of title 10, United States Code, to prescribe that military chaplains shall have the prerogative to pray according to the dictates of their conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.

The Senate amendment contained no similar provision.

The House recesses.

The conferees direct the Secretary of the Air Force to rescind the policy and revised interim guidelines concerning the exercise of religion in the Air Force issued on February 9, 2006, and direct the Secretary of the Air Force to reinstate the policy that was set forth in the Air Force Directive 52-1 dated July 1, 1999. The conferees further direct the Secretary of the Navy to

rescind the Secretary of the Navy Instruction 1730.7C dated February 21, 2006, titled "Religious Ministry within the Department of the Navy," and direct the Secretary of the Navy to reinstate the policy that was set forth in the Secretary of the Navy Instruction 1730.7B dated October 12, 2000.

Entrepreneurial service members empowerment task force

The House bill contained a provision (sec. 592) that would require the Secretary of Defense, in coordination with the Administrator of the Small Business Administration, to establish a task force that would improve programs designed to address the economic concerns and business challenges of military member entrepreneurs and coordination of programs by Federal agencies.

The Senate amendment contained no similar provision.

The House recesses.

Funeral ceremonies for veterans

The Senate amendment contained a provision (sec. 592) that would amend section 1491 of title 10, United States Code, to authorize the service secretaries, under regulations and procedures prescribed by the Secretary of Defense, to support the conduct of funeral honors that are provided solely by members of veterans organizations for deceased veterans. The provision would also amend section 4683 of title 10, United States Code, to authorize the use at funeral ceremonies of M-1 rifles by designees of veterans organizations who are at least 18 years of age, are the spouses, sons, daughters, nephews, nieces, or other family relations of members or former members of the Armed Forces, and have successfully completed a formal firearm training program or a hunting safety program.

The House bill contained no similar provision.

The Senate recesses.

The conferees acknowledge and are deeply grateful for the voluntary contribution of time, resources, and expertise by veterans organizations and their members who provide funeral honors for deceased veterans, particularly in rural and remote areas far from military installations. Without their assistance, the rendering of appropriate funeral honors when requested by survivors to those who have served in the Armed Forces would not be possible. The conferees believe that greater effort is needed by the Department of Defense to identify appropriate means to support veterans organization partners in fulfilling this commitment. The conferees also believe that reasonable steps should be taken to support members of veterans organizations who render funeral honors by loaning M-1 rifles under the authority of section 4683. The conferees direct the Secretary of the Army to submit a report to the Committees on Armed Services of the Senate and the House of Representatives within 90 days of the

date of the enactment of this Act on current policies and practices of the Army relating to limits or prohibitions being enforced by the Army on the use of M-1 rifles by members of veterans organizations who are relatives or family members of veterans but not veterans themselves.

TITLE VI-COMPENSATION AND OTHER PERSONNEL BENEFITS

Legislative Provisions Adopted

Subtitle A-Pay and Allowances

Fiscal year 2007 increase in military basic pay and reform of basic pay rates (sec. 601)

The House bill contained provisions (secs. 601-602) that would increase the rate of basic pay for all military members by 2.7 percent effective on January 1, 2007, and, for certain mid-career personnel, increase the rate of pay by higher percentages effective April 1, 2007.

The Senate amendment contained a provision (sec. 601) that would authorize a pay raise for members of the uniformed services of 2.2 percent effective on January 1, 2007; target pay raises for warrant officers and enlisted members serving in the E-5 to E-7 grades that would be effective on April 1, 2007; and extend the basic pay table to 40 years, providing longevity step increases for the highest officer, warrant officer, and enlisted grades.

The House recedes with a technical amendment.

Increase in maximum rate of basic pay for general and flag officer grades to conform to increase in pay cap for Senior Executive Service personnel (sec. 602)

The House bill contained a provision (sec. 603) that would amend section 203(a)(2) of title 37, United States Code, to provide that the rates of basic pay for officers in pay grades O-7 through O-10 may not exceed the monthly equivalent of the rate of pay for level II, vice III, of the Executive Schedule.

The Senate amendment contained a similar provision (sec. 602).

The House recedes with a technical amendment.

One-year extension of prohibition against requiring certain injured members to pay for meals provided by military treatment facilities (sec. 603)

The Senate amendment contained a provision (sec. 604) that would amend section 402(h)(3) of title 37, United States Code, to extend for an additional year the prohibition on requiring members who are undergoing medical recuperation or therapy, or are otherwise in the status of continuous care, including outpatient care, at a military treatment facility for injuries, illnesses, or diseases incurred or aggravated while serving on active duty in support of Operation Iraqi Freedom or Operation Enduring Freedom, or in any other operation designated by the Secretary of Defense as a combat operation or in an area designated by the Secretary as a combat zone. The provision would also require the Secretary to submit a report to the congressional defense committees by February 1, 2007, on the administration of section 402(h)(3), including an assessment of the implementation of the prohibition by the services and recommendations regarding whether this authority should be made permanent.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations (sec. 604)

The House bill contained a provision (sec. 604) that would amend section 403(g) of title 37, United States Code, to authorize service secretaries to pay a second monthly basic allowance for housing in lieu of per diem to reserve component members without dependents mobilized in support of a contingency operation.

The Senate amendment contained a similar provision (sec. 605).

The Senate recesses with an amendment that would make the provision effective on or after October 1, 2006.

Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members (sec. 605)

The House bill contained a provision (sec. 605) that would amend section 403(l) of title 37, United States Code, to provide that a member of the uniformed services, who is a spouse of a deceased member who died while serving on active duty, may continue to be paid the basic allowance for housing.

The Senate amendment contained a similar provision (sec. 606).

The Senate recesses.

Payment of full premium for coverage under Servicemembers' Group Life Insurance program during service in Operation Enduring Freedom or Operation Iraqi Freedom (sec. 606)

The House bill contained a provision (sec. 607) that would amend section 437 of title 37, United States Code, to increase from \$150,000 to \$400,000 the amount of coverage under the Servicemembers' Group Life Insurance that the services would be required to fund for all members of the Armed Forces serving in Operation Enduring Freedom or Operation Iraqi Freedom.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

Clarification of effective date of prohibition on compensation for correspondence courses (sec. 607)

The House bill contained a provision (sec. 606) that would amend section 206(d) of title 37, United States Code, to clarify that the prohibition on compensation for work or study in connection with correspondence courses, including the prohibition as it relates to a member of the National Guard while not in federal service, applies to any such work or study performed on or after September 7, 1962, and to any claim for compensation based on such work or study arising after that date.

The Senate amendment contained a similar provision (sec. 603).

The Senate recesses.

The conferees direct the Secretary of Defense to review the policy regarding compensation of members of the reserve components (which include officers and enlisted personnel of the National Guard) for completing correspondence and distance learning courses. The review should include an audit of military professional education and other career development and military skills courses that are required for continued military service and advancement in the reserve component. For those courses that do not afford reserve component members practical options for attending in residence, an assessment should be completed of the feasibility and need for compensation as an incentive to complete correspondence and distance learning courses. The Secretary should report on the results of this review, including any recommendations for legislative changes, by July 31, 2007, to the Committees on Armed Services of the Senate and the House of Representatives.

Extension of pilot program on contributions to Thrift Savings Plan for initial enlistees in the Army (sec. 608)

The Senate amendment contained a provision (sec. 619) that would extend the pilot program on contributions to the Thrift Savings Plan for initial enlistees in the Army, as required by

section 606 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), until December 31, 2008. The provision would also extend the due date for the report on the pilot program to February 1, 2008.

The House bill contained no similar provision.

The House recesses.

Subtitle B-Bonuses and Special and Incentive Pays

Extension of certain bonus and special pay authorities for reserve forces (sec. 611)

The House bill contained a provision (sec. 611) that would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus; the Selected Reserve affiliation or enlistment bonus; the special pay for enlisted members assigned to certain high priority units; the Ready Reserve enlistment bonus for persons without prior service; the Ready Reserve enlistment and reenlistment bonus for persons with prior service; and the Selected Reserve enlistment bonus for persons with prior service.

The Senate amendment contained a similar provision (sec. 611).

The House recesses.

Extension of certain bonus and special pay authorities for health care professionals (sec. 612)

The House bill contained a provision (sec. 612) that would extend the authority for the nurse officer candidate accession program, the accession bonus for registered nurses, the incentive special pay for nurse anesthetists, the special pay for Selected Reserve health professionals in critically short wartime specialties, the accession bonus for dental officers, and the accession bonus for pharmacy officers until December 31, 2007. Additionally, the provision would extend the authority to repay the educational loans for certain health professionals who serve in the Selected Reserve to January 1, 2008.

The Senate amendment contained a similar provision (sec. 612).

The House recesses.

Extension of special pay and bonus authorities for nuclear officers (sec. 613)

The House bill contained a provision (sec. 613) that would extend for 1 year the authority to pay the special pay for nuclear-qualified officers extending their period of active

service; the nuclear career accession bonus; and the nuclear career annual incentive bonus.

The Senate amendment contained an identical provision (sec. 613).

The conference agreement includes this provision.

Extension of authorities relating to payment of other bonuses and special pays (sec. 614)

The House bill contained a provision (sec. 614) that would extend for 1 year the authority to pay the aviation officer retention bonus; assignment incentive pay; the reenlistment bonus for active members; the enlistment bonus; the retention bonus for members qualified in critical military skills or assigned to high priority units; the accession bonus for new officers in critical skills; the incentive bonus for conversion to military occupational specialty to ease personnel shortage; and the incentive bonus for transfer between the armed forces.

The Senate amendment contained a similar provision (sec. 614). The provision would extend through December 31, 2009, the authority to pay the incentive bonus for transfer between the armed forces.

The House recesses.

Expansion of eligibility of dental officers for additional special pay (sec. 615)

The House bill contained a provision (sec. 615) that would authorize additional special pay for dental officers while they are undergoing dental internship or residency training.

The Senate amendment contained no similar provision.

The Senate recesses.

Increase in maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties (sec. 616)

The House bill contained a provision (sec. 616) that would increase the maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties from \$10,000 to \$25,000.

The Senate amendment contained a similar amendment (sec. 615).

The House recesses with a clarifying amendment.

Expansion and enhancement of accession bonus authorities for certain officers in health care specialties (sec. 617)

The House bill contained a provision (sec. 621) that would authorize the Secretary of Defense to establish a 2-year pilot

program to offer additional financial incentives for up to five critical medical specialties.

The Senate amendment contained a provision (sec. 616) that would authorize an increase in the maximum amount authorized for an accession bonus for fully qualified dental officers from \$30,000 to \$200,000, and an accession bonus of up to \$400,000 for fully qualified medical officers and dental specialist officers in critically short wartime specialties.

The House recedes with a technical amendment.

Authority to provide lump sum payment of nuclear officer incentive pay (sec. 618)

The House bill contained a provision (sec. 617) that would authorize nuclear officer incentive pay to be paid as a lump sum or in variable amounts in addition to payment in equal annual installments.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in maximum amount of nuclear career accession bonus (sec. 619)

The House bill contained a provision (sec. 618) that would increase the maximum amount of the nuclear career accession bonus from \$20,000 to \$30,000.

The Senate amendment contained a similar provision (sec. 617).

The House recedes with a clarifying amendment.

Increase in maximum amount of incentive bonus for transfer between Armed Forces (sec. 620)

The House bill contained a provision (sec. 619) that would amend section 327(d)(1) of title 37, United States Code, to increase the maximum authorized amount of the incentive bonus for transfer between armed forces from \$2,500 to \$10,000.

The Senate amendment contained a similar provision (sec. 618(d)).

The Senate recedes with a technical amendment.

Additional authorities and incentives to encourage retired members and reserve component members to volunteer to serve on active duty in high-demand, low-density assignments (sec. 621)

The House bill contained a provision (sec. 623) that would add a new section 329 to title 37, United States Code. The provision would authorize the Secretary of Defense to pay a bonus of up to \$50,000 to encourage retired members, reservists, and former members discharged from the military to return to active

duty to fill manpower requirements in units tasked to provide high-demand, low-density military capabilities or to fill other specialties, as designated by the Secretary as critical to meet wartime or peacetime requirements. This section would also authorize the Secretary to develop additional incentives to encourage personnel with critical, high-demand, low-density skills to return to active duty. The authority would expire on December 31, 2010. The provision would also amend section 688a of title 10, United States Code, to authorize the Secretary concerned to order to active duty a retired member who agrees to serve on active duty in an assignment intended to alleviate a high-demand, low-density military capability.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would specify that members appointed under the authority of section 329 of title 37, United States Code, are not eligible for promotion.

Accession bonus for members of the Armed Forces appointed as commissioned officers after completing officer candidate school (sec. 622)

The Senate amendment contained a provision (sec. 620) that would amend title 37, United States Code, to add a new section 330 that would authorize an accession bonus not to exceed \$8,000 for persons who complete officer candidate school (OCS), accept a commission or appointment as an officer of the armed forces, and serve on active duty in accordance with the terms of their agreement. The provision would also authorize the Secretary of the Army to pay an accession bonus not to exceed \$8,000 to a person who, during the period beginning on April 1, 2005, and ending on April 6, 2006, executed an agreement to enlist for the purpose of attending OCS and received a bonus under section 309 of title 37, United States Code, and who completed the terms of the agreement required for payment of the bonus.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Modification of certain authorities applicable to the targeted shaping of the Armed Forces (sec. 623)

The House bill contained a provision (sec. 622) that would expand the temporary program of voluntary separation incentives (VSI) and benefits authorized by section 643 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to remove the bar prohibiting participation of enlisted personnel and officers with between 12 and 20 years of service. The provision would also amend section 1175 of title 10, United States Code, to extend the expiration date of the authority from December 31, 2008, to December 31, 2009.

The Senate amendment contained a similar provision (sec. 618) that would increase the maximum authorized amount of the VSI to an amount not greater than four times the full amount of separation pay for a member of the same pay grade and years of service who is involuntarily separated under section 1174 of title 10, United States Code, and extend the authority to use the provision through December 31, 2012. The provision would amend sections 638 and 638a of title 10, United States Code, to relax limitations on use of selective early retirements and discharges through December 31, 2012.

The House recedes with an amendment that would delete provisions relating to the expanded use of selective early retirement boards under sections 638 and 638a.

Enhancement of bonus to encourage certain persons to refer other persons for enlistment in the Army (sec. 624)

The House bill contained a provision (sec. 620) that would amend section 645(a) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to clarify that military retirees, to include members of a reserve component under 60 years of age who, but for age, would be eligible for retired pay, are eligible to be paid the referral bonus.

The Senate amendment contained a similar provision (sec. 621). The provision would increase the maximum amount of the bonus not to exceed \$2,000; provide that civilian employees of the Department of the Army are also eligible to receive the referral bonus; and specify that a referral bonus paid to a retiree is in addition to any compensation to which such a member is entitled under titles 10, 37, or 38 United States Code, or under any other provision of law.

The House recedes with an amendment that would make administrators or instructors in the Junior Reserve Officers' Training Corps program or retired members of the Army employed as administrators or instructors in the program ineligible for the bonus.

Subtitle C-Travel and Transportation Allowances

Travel and transportation allowances for transportation of family members incident to illness or injury of members (sec. 631)

The House bill contained a provision (sec. 633) that would amend section 411h of title 37, United States Code, to authorize the payment of travel and transportation allowances to a person related to a seriously injured or ill member covered under section 411h, who is also a member of the Armed Forces.

The Senate amendment contained no similar provision.
The Senate recesses.

Subtitle D-Retired Pay and Survivor Benefits

Retired pay of general and flag officers to be based on rates of basic pay provided by law (sec. 641)

The Senate amendment contained a provision (sec. 650) that would add a new section 1407a to title 10, United States Code, that would control the calculation of the retired pay of a flag or general officer whose rate of pay while on active duty was subject to a reduction under section 203(a)(2) of title 37. The provision would provide that such a determination would be made using the rates of basic pay in effect as provided by law rather than rates reduced under section 203(a)(2). The effective date for this provision would be October 1, 2006.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Inapplicability of retired pay multiplier maximum percentage to service of members of the Armed Forces in excess of 30 years (sec. 642)

The Senate amendment contained a provision (sec. 651) that would amend sections 1409 and 12739 of title 10, United States Code, to provide that in the case of a member who retires after December 31, 2006, with more than 30 years of creditable service, the percentage to be used to calculate retired pay would increase based on the years of active-duty or reserve service in excess of 30 years pursuant to a prescribed formula. The Secretary of Defense would be authorized to establish conditions under which this higher rate of retired pay would be afforded for purposes of this provision.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Military Survivor Benefit Plan beneficiaries under insurable interest coverage (sec. 643)

The House bill contained a provision (sec. 641) that would amend section 1448(b)(1) of title 10, United States Code, to allow military retirees who participate in the Survivor Benefit Plan and elect the insurable interest coverage to select a new insurable interest if their designated beneficiary dies.

The Senate amendment contained no similar provision.

The Senate recesses.

Modification of eligibility for commencement of authority for optional annuities for dependents under the Survivor Benefit Plan (sec. 644)

The House bill contained a provision (sec. 645) that would express the sense of Congress that eligibility for a surviving child annuity in lieu of a surviving spouse annuity under the Survivor Benefit Plan (SBP) for a child of a member of the Armed Forces who dies while on active duty should be extended so as to cover children of members who die after October 7, 2001, rather than only children of members dying after November 23, 2003.

The Senate amendment contained a provision (sec. 652) that would amend section 1448(d)(2)(B) of title 10, United States Code, to effect the foregoing change to SBP elections based on service member deaths after October 7, 2001.

The House recesses.

Study of training costs, manning, operations tempo, and other factors that affect retention of members of the Armed Forces with special operations designations (sec. 645)

The House bill contained a provision (sec. 644) that would require the Secretary of Defense to submit a report, not later than 90 days after the date of the enactment of this Act, on retention of members of the Armed Forces who have a special operations forces designation.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would delete certain matters to be reported on, and require that the report be submitted no later than August 1, 2007.

Subtitle E-Commissary and Nonappropriated Fund Instrumentality Benefits

Treatment of price surcharges of certain merchandise sold at commissary stores (sec. 661)

The House bill contained a provision (sec. 651) that would clarify that revenues for products that are sold in commissary stores as special exceptions to the standard surcharge shall be applied to the surcharge fund as if it were a uniform surcharge product.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

Limitations on lease of non-excess Department of Defense property for protection of morale, welfare, and recreation activities and revenue (sec. 662)

The House bill contained a provision (sec. 652) that would prohibit the Secretary of Defense from entering into a lease for enhanced use of non-excess Department of Defense property, which includes the establishment or operation of an ancillary support facility if that facility would be in direct competition with military exchanges, commissaries, and morale, welfare, and recreation activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a lessee to provide military exchanges, commissaries, and morale, welfare, and recreation activities the right to establish and operate a community support facility or provide community support services that are determined to be in direct competition with facilities or activities of those entities, or to seek equitable compensation for Department morale, welfare, and recreation programs in lieu of operation of such a facility or service. The amendment would allow these entities 90 days within which to exercise the right to establish or operate such community support facilities or services, and require notification to Congress regarding all leases for enhanced use that include such facilities or services. The amendment would also require the Secretary to prescribe uniform procedures and criteria for the evaluation of proposals for enhanced use leases involving the operation of community support facilities or services by either a lessee or a military exchange, commissary, or morale, welfare, and recreation entity. The conferees note that the term "lodging support services" as used in the provision was intended to include coin operated machines, lobby store for personal items and snacks, restaurants/snack bars, and other similar support services.

The conferees direct the Secretary to ensure that the notifications required in subsection (d)(6) of the amendment are carried out in the same manner as approval or disapproval is obtained from the Committees on Armed Services of the Senate and the House of Representatives for non-appropriated fund military construction projects.

Report on cost effectiveness of purchasing commercial insurance for commissary and exchange facilities and facilities of other morale, welfare, and recreation programs and nonappropriated fund instrumentalities (sec. 663)

The House bill contained a provision (sec. 654) that would require the Secretary of Defense to submit a report to Congress evaluating the cost effectiveness of the Defense Commissary Agency and certain nonappropriated fund activities purchasing commercial insurance to protect financial interests in facilities operated by morale, welfare, and recreation activities, military exchange stores, and commissary stores against loss or damage.

The Senate amendment contained no similar provision.

The Senate recesses.

Study and report regarding access of disabled persons to morale, welfare, and recreation facilities and activities (sec. 664)

The House bill contained a provision (sec. 662) that would require the Secretary of Defense to conduct a pilot project at a significant number of military golf courses for the purpose of developing a strategy to make golfs carts that are accessible for disabled persons available at all military golf courses.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the Secretary to conduct a study of the current capability of Department of Defense morale, welfare, and recreation facilities and nonappropriated fund activities to provide access and accommodation to disabled persons, with specific attention to the applicability of section 504 of the Rehabilitation Act of 1973 (Public Law 93-112). The amendment would require the study to include plans to make available additional golf carts at military golf courses that are accessible for disabled persons authorized to use such courses. The amendment would require the Secretary to report to Congress on the results of the study not later than 180 days after the date of the enactment of this Act.

Subtitle F-Other Matters

Limitations on terms of consumer credit extended to servicemembers and dependents (sec. 670)

The Senate amendment contained a provision (sec. 666) that would amend title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) (SCRA) to add a new section 208 that would regulate the terms of consumer credit extended by creditors to servicemembers and servicemembers' dependents. The provision would: (1) prohibit creditors from imposing an annual percentage rate greater than 36 percent for consumer credit loans; (2) require prescribed mandatory loan disclosures, including a clear description of payment obligations; (3) prohibit creditors from automatically renewing, repaying, refinancing, or consolidating a loan without executing new loan documentation and loan disclosures; and (4) preempt any State or Federal law or regulation to the extent that such law or regulation is inconsistent with this provision. The provision would provide penalties, including fines as provided in title 18, United States Code, or imprisonment for not more than 1 year.

The House bill contained no similar provision.

The House recesses with an amendment that would amend title 10, rather than the SCRA, to add a new section 987 that would establish additional protections for servicemembers and their

dependents who are extended credit. The amendment would prohibit creditors from charging servicemembers and their dependents annual percentage rates of interest for loans higher than the legal limits for residents of the State. The amendment would prohibit violation or waiver of any State consumer lending protections that protect residents of the State on the basis of nonresident or military status. The amendment would set forth specific limitations on lending practices by creditors who extend credit to covered members and their dependents, including mandatory waiver of a borrower's right to legal recourse using a check or other means of access to a deposit, savings, or other financial account maintained by the borrower; or using the title of a vehicle as security for an obligation. The amendment would direct the Secretary of Defense, in consultation with other Federal regulatory agencies, including the Federal Trade Commission, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, the National Credit Union Administration, and the Treasury Department, to prescribe regulations to carry out this provision.

Enhancement of authority to waive claims for overpayment of pay and allowances and travel and transportation allowances (sec. 671)

The Senate amendment contained a provision (sec. 665) that would amend section 2774 of title 10, United States Code, to specify that a claim of the United States against a person arising out of an erroneous payment of a bonus, special pay, or incentive pay, in addition to erroneous payment of pay or allowances, may be waived. The provision would also increase the dollar limit for waivers from \$1,500 to \$10,000 and extend the period in which a waiver may be granted from 3 years to 5 years. The provision would require that any modifications to standards under section 2774 controlling waivers of claims necessitated by this provision be completed not later than March 1, 2007.

The House bill contained no similar provision.

The House recedes with an amendment that would delete the requirement for modifications to applicable standards and the provision relating to bonuses, special pays, and incentive pays as unnecessary.

Exception for notice to consumer reporting agencies regarding debts or erroneous payments pending a decision to waive, remit, or cancel (sec. 672)

The Senate amendment contained a provision (sec. 664) that would amend section 2780 of title 10, United States Code, to prohibit disclosure of information to consumer reporting agencies concerning indebtedness of a member that is delinquent by more

than 3 months while a decision regarding waiver, remission, or cancellation is pending.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Expansion and enhancement of authority to remit or cancel indebtedness of members and former members of the Armed Forces incurred on active duty (sec. 673)

The House bill contained a provision (sec. 663) that would amend sections 4837, 6161, and 9837 of title 10, United States Code, to extend the termination date of the temporary expanded authority to remit or cancel indebtedness of military members included in section 683 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) from December 31, 2007, to December 31, 2009. The provision would also increase the period of time from 1 year to 5 years following honorable discharge or separation during which the service secretaries may exercise the expanded authority to remit and cancel indebtedness.

The Senate amendment contained a similar provision (sec. 663) that would extend the applicability of the remission or cancellation authority to retired members. The provision would also authorize the Secretary of Defense to determine the limits on the time for exercise of the authority to remit or cancel indebtedness by regulation.

The House recesses with an amendment that would authorize service secretaries to remit or cancel indebtedness of persons incurred while they served on active duty in the armed forces. The amendment would eliminate limits on the allowable period of exercise of their authority retroactive to October 7, 2001, and make the authority to remit or cancel indebtedness permanent.

The conferees believe that the Secretary of Defense must take more forceful steps to ensure that policies and procedures used by the Defense Finance and Accounting Service and the services relating to the collection of indebtedness incurred by members are cost-effective and equitable. Collection practices must take into account fully the problems created by existing manual pay systems, sources of errors causing overpayments, and the harmful effects on morale of belated, computer-generated efforts to recoup pay from members, particularly those who have served under combat conditions, whose overpayments occurred through no fault of the member.

Phased recovery of overpayments of pay made to members of the uniformed services (sec. 674)

The House bill contained a provision (sec. 664) that would amend section 1007 of title 37, United States Code, to provide that the amount deducted from the pay of a member to recover an overpayment may not exceed 20 percent per month of the member's

pay when the overpayment occurred through no fault of the member. Additionally, no deduction would be authorized from the pay of a member who has been wounded or injured in the line of duty or who incurred an illness in a combat operation or combat zone until the 90-day period beginning on the date on which the member is notified of the overpayment has expired.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize waiver of the conditions limiting collection of overpayments if the member requests or consents to collection of the overpayment at an accelerated rate or at an earlier date.

Joint family support assistance program (sec. 675)

The Senate amendment contained a provision (sec. 667) that would require the Secretary of Defense to establish a joint family support program in at least six regions in the United States. The program would provide financial and other assistance to families of members of the Armed Forces, including sponsorship of volunteers and coordination of family assistance activities of the Department of Defense as well as other public and private entities. The provision would also authorize \$5.0 million in Operation and Maintenance, Defense-wide to provide financial, material, or other support to nonprofit entities to facilitate assistance by those entities to geographically isolated family members of the Armed Forces. The authority for both programs would expire 3 years after the initial obligation of funds.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the number of joint family support assistance regional sites to six, and clarify that the program is not intended to operate in lieu of existing family support centers, but rather to augment the activities of the Department of Defense and the military departments family support centers. The amendment would also delete the authorization for grants to nonprofit entities.

The conference outcome is reflected in the tables in this report.

Special working group on transition to civilian employment of National Guard and Reserve members returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom (sec. 676)

The Senate amendment contained a provision (sec. 682) that would require the Secretary of Defense to establish a working group to identify and assess the needs of members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom in the transition to civilian employment. The working group would be required to report its recommendations to Congress within 1 year on the provision of assistance to employers and employment assistance

organizations, and ways to improve collaboration between the public and private sector in order to ensure the successful transition of members into civilian employment.

The House bill contained no similar provision.

The House recedes with an amendment that would require the working group to assess the extent to which members of the National Guard and Reserve receive promotions, or experience termination of employment, upon their return from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.

Audit of pay accounts of members of the Army evacuated from a combat zone for inpatient care (sec. 677)

The Senate amendment contained a provision (sec. 661) that would require the Secretary of the Army to conduct an audit of the pay accounts of each member of the Army wounded or injured in a combat zone who was evacuated from a theater of operations for inpatient care during the period beginning on May 1, 2005, and ending on April 30, 2006. The provision would also require the Secretary of the Army to submit a report to the congressional defense committees, no later than 120 days after the date of enactment of this Act, on the results of the audit. The provision would also require the Secretary of Defense to establish within the Department of Defense a call assistance center for resolution of military pay problems.

The House bill contained no similar provision.

The House recedes with an amendment that would delete the requirement for establishment of a call assistance center in view of the availability of other means for members and their dependents to obtain assistance in resolving pay problems.

Report on eligibility and provision of assignment incentive pay (sec. 678)

The House bill contained a provision (sec. 624) that would express the sense of Congress that the Secretary of the Army should correct a pay inequity in the provision of assignment incentive pay under section 307a of title 37, United States Code, to certain members of the Army National Guard and the Army Reserve serving on active duty in Afghanistan and Iraq. The provision would require a report by the Secretary of the Army, not later than 30 days after the date of enactment of this Act, specifying the number of members adversely affected by the disparate treatment of members who previously served under a call or order to active duty under section 12304 of title 10, United State Code, in determining eligibility for assignment incentive pay, and setting forth proposed remedies or courses of action.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delete the sense of Congress provision and extend the due date of the required Secretary of the Army report by 30 days.

Sense of Congress calling for payment to World War II veterans who survived Bataan Death March (sec. 679)

The House bill contained a provision (sec. 665) that would express the sense of Congress that there should be paid to Bataan Death March survivors or, if deceased, to their surviving spouses, an amount equaling \$4 for each day of captivity during World War II, compounded annually at a 3 percent annual rate of interest.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that an appropriate amount of compensation should be paid to Bataan Death March survivors or, if deceased, to their surviving spouses in recognition of their captivity.

Legislative Provisions Not Adopted

Authority to pay costs associated with delivery of motor vehicle to storage location selected by member and subsequent removal of vehicle

The House bill contained a provision (sec. 631) that would amend section 2634 of title 10, United States Code, to authorize payment to military members for the costs of delivery and removal of privately-owned vehicles from storage locations chosen by the member.

The Senate amendment contained no similar provision.

The House recedes.

Transportation of additional motor vehicle of members on change of permanent station to or from nonforeign areas outside the continental United States

The House bill contained a provision (sec. 632) that would amend section 2634 of title 10, United States Code, to authorize certain military members to ship two privately-owned vehicles during permanent change of station moves to nonforeign duty locations located outside the continental United States. Nonforeign duty locations would include Alaska, Hawaii, Puerto Rico, Guam, and other territories and possessions.

The Senate amendment contained no similar provision.

The House recedes.

Retroactive payment of additional death gratuity for certain members not previously covered

The House bill contained a provision (sec. 642) that would amend section 1478(d)(2) of title 10, United States Code, to retroactively extend the applicability of the enhanced death gratuity to survivors of military decedents who died on active duty between May 12, 2005, and August 31, 2005.

The Senate amendment contained no similar provision.

The House recesses.

The conferees note that this legislative change was previously enacted as section 1210 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

Repeal of requirement of reduction of Survivor Benefit Plan survivor annuities by dependency and indemnity compensation

The Senate amendment contained a provision (sec. 642) that would amend sections 1450 and 1451 of title 10, United States Code, to repeal the requirement for reduction of annuities received under the Survivor Benefit Plan by the amount of dependency and indemnity compensation paid to certain beneficiaries under section 1311(a) of title 38, United States Code.

The House bill contained no similar provision.

The Senate recesses.

Effective date of paid-up coverage under Survivor Benefit Plan

The Senate amendment contained a provision (sec. 643) that would amend section 1452(j) of title 10, United States Code, to change the effective date for paid-up coverage under the Survivor Benefit Plan from October 1, 2008, to October 1, 2006.

The House bill contained no similar provision.

The Senate recesses.

Equity in computation of disability retired pay for reserve component members wounded in action

The House bill contained a provision (sec. 643) that would modify section 1208(b) of title 10, United States Code, to authorize calculation of the retired pay of a member of a reserve component using the member's total years of service in lieu of active-duty years of service when the member's retirement is based upon a disability that was incurred under circumstances that resulted in the award of the Purple Heart.

The Senate amendment contained no similar provision.

The House recesses.

The conferees believe that a review should be conducted of the disability retirement benefits provided to members of the Reserve and National Guard, particularly with respect to combat-related disabilities adversely affecting the future earning

potential of military members. The conferees are concerned that, particularly in the case of disabilities resulting in retirement for physical disability, which were incurred as a result of combat or combat-related training, the military compensation system must equitably treat all active and reserve component members. The conferees direct the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than February 1, 2007, comparing the compensation of reserve and active-duty members and the feasibility of modifying existing laws controlling the calculation of disability retirement benefits to ensure equal treatment of active and reserve personnel under various circumstances, including combat operations.

Expansion of conditions for direct payment of divisible retired pay

The Senate amendment included a provision (sec. 644) that would amend section 1408(d) of title 10, United States Code, to provide that direct payments of divisible retired pay by the Defense Finance and Accounting Service (DFAS) may be made in all cases in accordance with the terms of a court decree. The provision would not affect the eligibility of former spouses of military members for a portion of retired pay and would only enable DFAS to provide direct payment.

The House bill contained no similar provision.

The Senate recesses.

Authority for cost of living adjustments of retired pay treated as divisible property

The Senate amendment contained a provision (sec. 645) that would amend section 1408 of title 10, United States Code, to authorize payment of cost of living adjustments in connection with awards of retired pay stated in dollar amounts.

The House bill contained no similar provision.

The Senate recesses.

Notice and copy to members of court orders on payment of retired pay

The Senate amendment contained a provision (sec. 646) that would amend section 1408 of title 10, United States Code, to allow a member to waive notice of an application for payment of retired pay and eliminate the requirement that a copy of the court order be sent to the member in every case.

The House bill contained no similar provision.

The Senate recesses.

Renaming of death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation

The Senate amendment contained a provision (sec. 648) that would amend sections 1474 through 1480 and 1489 of title 10, United States Code, to change the term death gratuity to fallen hero compensation.

The House bill contained no similar provision.

The Senate recesses.

Effective date of termination of phase-in of concurrent receipt for veterans with service-connected disabilities rated as total by virtue of unemployability

The Senate amendment contained a provision (sec. 649) that would amend section 1414(a)(1) of title 10, United States Code, to provide that qualified retirees receiving veterans' disability compensation at the rate payable for a 100 percent disability by reason of a determination of individual unemployability would only be subject to phased-in implementation of authorization to receive both military retired pay and veterans' disability compensation for the period beginning on January 1, 2004, and ending on December 31, 2004, vice September 30, 2009.

The House bill contained no similar provision.

The Senate recesses.

Commencement of receipt of non-regular service retired pay by members of the Ready Reserve on active Federal status or active duty for significant periods

The Senate amendment contained a provision (sec. 653) that would amend section 12731 of title 10, United States Code, to provide that members of the Ready Reserve who have served on active duty or performed active service after September 11, 2001, would be eligible to have their age for receipt of retired pay reduced by 3 months for each aggregate of 90 days of active duty or active service performed in any fiscal year. Qualifying service for purposes of this provision would be service on active duty pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, or under section 12301(d) of that title. Qualifying active service would be under a call to active service authorized by the President or Secretary of Defense under section 502(f) of title 32 for purposes of responding to a national emergency declared by the President or supported by Federal funds.

The House bill contained no similar provision.

The Senate recesses.

Use of nonappropriated funds to supplement or replace appropriated funds for construction of facilities of exchange

stores system or other nonappropriated fund instrumentalities, military lodging facilities, and community facilities

The House bill contained a provision (sec. 653) that would authorize the Secretary of Defense to allocate nonappropriated funds to augment or replace appropriated funding of construction of military exchanges and lodging, as well as morale, welfare, and recreation and community facilities, after providing notice to Congress.

The Senate amendment contained no similar provision. The House recedes.

The conferees acknowledge the use of nonappropriated funds by the Department of Defense for construction of certain child care, lodging and other facilities, yet believe that such use should be limited to extraordinary circumstances when appropriated funds are not available, and only following notification to Congress.

The conferees direct the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives by February 1, 2007, a report which covers the following:

- (1) the history of the Department's use of nonappropriated funds, during the period of October 1, 1995, through September 30, 2006, for construction of:
 - (a) facilities of the exchange stores system and other revenue-generating facilities operated by nonappropriated fund instrumentalities of the Department for the morale, welfare, and recreation of members of the Armed Forces;
 - (b) facilities of other nonappropriated fund instrumentalities of the Department for the morale, welfare, and recreation of members of the Armed Forces;
 - (c) military lodging facilities used to provide temporary lodging to authorized members of the Armed Forces, including temporary duty lodging, permanent change of station lodging, recreational lodging, and military treatment facility lodging; and
 - (d) community facilities intended to supplement mission activities, such as military museums and service academy extra-curricular activities, or to facilitate private organizations or enterprises, such as financial services, memorials, and thrift shop facilities, on military installations;
- (2) the justification and rationale for

utilization of nonappropriated funds for any construction project identified above; and (3) recommendations for changes in legislation, if any, and specific criteria that would clarify any instance in which nonappropriated funds would be appropriately allocated to a project that directly supports military requirements and would otherwise be funded using authorized appropriations.

Pilot program on Troops to Nurse Teachers

The Senate amendment contained a provision (sec. 662) that would require the Secretary of Defense, in coordination with the Secretary of Health and Human Services and the Secretary of Education, to conduct a pilot program to assess the feasibility and potential benefits of a program to provide scholarships and assist certain nurse corps officers in achieving necessary qualifications to become nurse educators and help alleviate the national shortage of nurse educators and registered nurses.

The House bill contained no similar provision.

The Senate recesses.

Short title

The Senate amendment contained a provision (sec. 681) that would establish a short title, the "Heroes at Home Act of 2006."

The House bill contained no similar provision.

The Senate recesses.

Office for employers and employment assistance organizations

The Senate amendment contained a provision (sec. 683) that would require the Secretary of Defense to designate an office within the Department to assist employers and employment-related organizations in facilitating the transition of National Guard and Reserve members returning from Operation Iraqi Freedom and Operation Enduring Freedom to civilian employment.

The House bill contained no similar provision.

The Senate recesses.

Grants on assistance in community-based settings for members of the National Guard and reserve and their families after deployment in Operation Iraqi Freedom and Operation Enduring Freedom

The Senate amendment contained a provision (sec. 685) that would authorize the Secretary of Defense to award grants to community-based organizations for the provision of assistance to members of the National Guard and Reserve who serve in Operation Iraqi Freedom and Operation Enduring Freedom, and their families,

following return from deployment. The grants would support services to improve the reuniting of families, and education and awareness of health and mental health needs, including post traumatic stress disorder and traumatic brain injury.

The House bill contained no similar provision.

The Senate recesses.

TITLE VII-HEALTH CARE PROVISIONS

Legislative Provisions Adopted

Subtitle A-TRICARE Program Improvements

TRICARE coverage for forensic examination following sexual assault or domestic violence (sec. 701)

The House bill contained a provision (sec. 701) that would authorize coverage under TRICARE for forensic examinations following a sexual assault or domestic violence.

The Senate amendment contained an identical provision (sec. 704).

The conference agreement includes this provision.

Authorization of anesthesia and other costs for dental care for children and certain other patients (sec. 702)

The House bill contained a provision (sec. 702) that would authorize coverage under TRICARE for anesthesia and institutional costs for dental treatment for beneficiaries with developmental, mental or physical disabilities, and children under the age of five.

The Senate amendment contained a similar provision (sec. 703).

The Senate recesses.

Improvements to descriptions of cancer screening for women (sec. 703)

The House bill contained a provision (sec. 703) that would modify the terminology in section 1074d of title 10, United States Code, which authorizes certain screening tests for breast and cervical cancers.

The Senate amendment contained a similar provision (sec. 701).

The House recesses with a technical amendment.

Prohibition on increases in certain health care costs for members of the uniformed services (sec. 704)

The House bill contained a provision (sec. 704) that would prohibit the Secretary of Defense from increasing any premiums, deductibles, copayment, or other charges under Department of Defense contracts for medical care for retirees, dependents, and survivors between April 1, 2006, and December 31, 2007. The provision would prohibit any increase during the same period of time in civilian inpatient hospital charges, as well as in enrollment premiums for each of the 3 tiers of health care coverage under the TRICARE program for members of the Selected Reserve.

The Senate amendment contained similar provisions (secs. 705-706). Section 705 would prohibit any increase in TRICARE Prime enrollment fees during fiscal year 2007. Section 706 would limit any increase in the amount of premiums for the TRICARE program for members of the Selected Reserve to 2.2 percent in fiscal year 2007.

The Senate recedes with an amendment that would prohibit an increase in such fees, copayments, and premiums between April 2, 2006, and September 30, 2007.

Demonstration project on coverage of selected over-the-counter drugs under the pharmacy benefits program (sec. 705)

The House bill contained a provision (sec. 706) that would require the Secretary of Defense to conduct a demonstration project to allow certain over-the-counter drugs to be included on the uniform formulary of the Department of Defense pharmacy program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that the evaluation of the demonstration project address the cost and benefits of providing over-the-counter drugs under the Department of Defense pharmacy program, the clinical effectiveness of providing such drugs, and customer satisfaction with the demonstration project.

The conferees expect that in any instance in which an over-the-counter medication is dispensed, as part of the demonstration project required by this section, notification will be provided to the patient in a manner similar to that required by current policy when a generic agent is substituted for a brand name product.

Expanded eligibility of Selected Reserve members under TRICARE program (sec. 706)

The House bill contained a provision (sec. 709) that would expand eligibility for coverage under the TRICARE program to all members of the Selected Reserve and their families while in a non-active duty status based on payment of an amount equal to 28 percent of a monthly premium established by the Secretary of

Defense. The provision would take effect not later than October 1, 2007. It would not apply to members who are eligible for health insurance under chapter 89 of title V, United States Code. The provision would repeal the three-tiered cost sharing program for members of the Selected Reserve established in section 702 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

The Senate amendment contained a provision (sec. 708) that would enhance the existing tiered benefit structure for all members of the Selected Reserve by adding members employed by businesses with 20 or fewer employees to those eligible for coverage based on payment of 50 percent of a monthly premium established by the Secretary. The Senate amendment would also reduce from 85 percent to 75 percent the portion of a monthly premium paid by members who, though eligible for employer-provided insurance, chose primary coverage under TRICARE.

The Senate recesses.

Relationship between the TRICARE program and employer-sponsored group health care plans (sec. 707)

The House bill contained a provision (sec. 710) that would extend to TRICARE the same rule that applies to the Medicare program making it unlawful for an employer or other entity to offer any financial or other incentive for a retired TRICARE beneficiary not to enroll under an employer-provided group health plan. The provision would also authorize the Secretary of Defense to discontinue a relationship with a Department of Defense contractor for repeated violations of this provision. The provision would take effect on January 1, 2008.

The Senate amendment contained a similar provision (sec. 722).

The Senate recesses with an amendment that would clarify that TRICARE eligible employees have the opportunity to elect to participate in an employer group health plan in the same manner as other similarly situated employees, and that the provision would not be construed to effect, modify, or terminate the eligibility of a TRICARE eligible employee or spouse for their earned military health care entitlement authorized under chapter 55, title 10, United States Code. The amendment would also delete the authority for the Secretary to terminate Department contractor relationships based on repeated violations of this provision because the Federal Acquisition Regulation already specifies the circumstances under which repeated violations of law may be a basis for suspension or debarment of a Department contractor.

The conferees are aware of concerns that have been expressed regarding the treatment of cafeteria plans authorized under section 125 of the Internal Revenue Code and non-TRICARE exclusive employer-provided health care incentives under this

provision. The conferees direct the Secretary to report, not later than April 1, 2007, to the Committees on Armed Services of the Senate and the House of Representatives on the treatment of cafeteria plans and non-TRICARE exclusive employer-provided health care incentives under the Department's implementation of this provision. This report shall assess the treatment of such plans under the Medicare Secondary Payer statute and regulations and such incentives, and include any recommendations the Secretary finds appropriate to ensure fair treatment of all TRICARE beneficiaries under this provision.

Temporary prohibition on increase in copayments under retail pharmacy system of pharmacy benefits program (sec. 708)

The Senate amendment contained a provision (sec. 707) that would prohibit any increase in the cost sharing requirements for pharmaceuticals available through the Department of Defense retail pharmacy program during fiscal year 2007.

The House bill contained no similar provision.

The House recesses with an amendment that would direct the Secretary of Defense to transfer \$186.0 million from the unobligated balances of the National Defense Stockpile Transaction Fund to the Department of Defense Medicare-Eligible Retiree Health Care Fund.

Subtitle B-Studies and Reports

Department of Defense task force on the future of military health care (sec. 711)

The House bill contained a provision (sec. 711) that would require the Secretary of Defense to establish a task force to conduct a comprehensive assessment of the future of military health care. The task force would be required to develop recommendations on actions that the Department of Defense would have to take to improve and sustain the military health care system, and to develop a plan based on those recommendations.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would modify the required expertise for membership on the task force to include health care information technology and women's health. The amendment would also add the senior medical advisor to the Chairman of the Joint Chiefs of Staff and the Director of Defense Procurement and Acquisition Policy as members. The amendment would require the task force to examine the costs and benefits of a universal enrollment system for all TRICARE users. The amendment would eliminate the requirement for the task force to develop a plan based on its recommendations, and require submission of an interim report to Congress by May 31, 2007.

Study relating to chiropractic health care services (sec. 712)

The House bill contained a provision (sec. 712) that would require the Secretary of Defense to study the cost, feasibility, and potential benefit of providing chiropractic care services for active-duty members and their families, members of the Selected Reserve and their families, and retirees and their families. The provision would also require the Secretary to develop a plan for providing chiropractic services to all members of the uniformed services, as required by the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to conduct a study on providing chiropractic care to all members and former members of the Armed Forces and their families, and to submit the study to Congress by March 31, 2008.

The conferees expect the study required in this section to consider any relevant findings of the Navy medical research chiropractic treatment outcomes study required by the Senate Report accompanying S. 2766 (S. Rept. 109-254) of the National Defense Authorization Act for Fiscal Year 2007.

Comptroller General audits of Department of Defense health care costs and cost-saving measures (sec. 713)

The House bill contained a provision (sec. 713) that would require the Comptroller General to conduct a study, in conjunction with the Congressional Budget Office, of the projected savings to the Defense Health Program included in the President's Budget Request for fiscal year 2007. The study would include an evaluation of the rationale for calculations made by the Department of Defense for health care costs borne by beneficiaries in 1995 and 2005, as well as the rationale for savings projections, a review of the annual rates of medical inflation in the Department and other health care programs, and an assessment of the rationale for proposed beneficiary cost share increases.

The Senate amendment contained a similar provision (sec. 744) that would require an audit of the costs of administration of the TRICARE program and the program for members of the Selected Reserve known as TRICARE Reserve Select.

The House recedes with an amendment that would require that the audit be conducted in cooperation with the Director of the Congressional Budget Office, and that the Comptroller General's findings be provided to the congressional defense committees not later than June 1, 2007.

Transfer of custody of the Air Force Health Study assets to Medical Follow-up Agency (sec. 714)

The House bill contained a provision (sec. 714) that would require the Secretary of the Air Force to notify and contact participants of the Air Force Health Study (commonly known as the Ranch Hand Study) to obtain written consent to transfer the individual's data and biological specimens to the Institute of Medicine of the National Academy of Sciences for maintenance and further study.

The Senate amendment contained a similar provision (sec 762).

The Senate recesses.

Study on allowing dependents of activated members of reserve components to retain civilian health care coverage (sec. 715)

The House bill contained a provision (sec. 715) that would require the Secretary of Defense to conduct a study on the feasibility of allowing family members of reservists who are mobilized to continue health care coverage under a civilian health care program.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would limit the study to members of the reserve components mobilized in support of a contingency operation.

Study of health effects of exposure to depleted uranium (sec. 716)

The House bill contained a provision (sec. 716) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of the Department of Health and Human Services, to conduct a study on the health effects of exposure to depleted uranium on exposed soldiers and on the children of exposed soldiers.

The Senate amendment contained a similar provision (sec. 746).

The House recesses.

Report and plan on services to military dependent children with autism (sec. 717)

The Senate amendment contained a provision (sec. 734) that would require the Secretary of Defense to promulgate regulations on requirements for the education, training, and supervision of individuals providing special education services to certain military dependent children that are in addition to any other requirements applicable to Board Certified Behavior Analysts or Board Certified Associate Behavior Analysts. The provision would also require the Secretary to establish metrics to identify and measure the availability and distribution of individuals of various expertise in Applied Behavioral Analysis.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to develop a plan to provide services to military dependent children with autism, pursuant to the authority for extended health care services in section 1079(d) and (e) of title 10, United States Code, and to provide that plan within 30 days of its completion to the Committees on Armed Services of the Senate and the House of Representatives. The amendment would require that procedures be established to ensure that such services are in addition to other publicly provided services for military dependent children with autism.

Comptroller General study on Department of Defense pharmacy benefits program (sec. 718)

The Senate amendment contained a provision (sec. 743) that would require a study by the Comptroller General on the Department of Defense pharmacy benefits program.

The House bill contained no similar provision.

The House recedes with an amendment that would delete the requirement that the Pharmacy and Therapeutics Committee and Beneficiary Advisory Panel, required by section 1074g of title 10, United States Code, review the results of the report and make certain recommendations to the Secretary of Defense.

Review of Department of Defense medical quality improvement program (sec. 719)

The Senate amendment contained a provision (sec. 745) that would require the Secretary of Defense to contract for an independent review of the Department's medical quality improvement program, and to compare the Department's program to other public and private health care systems and organizations.

The House bill contained no similar provision.

The House recedes with an amendment that would include an additional requirement for the Secretary to report to Congress within 180 days of enactment of this Act on actions taken in response to the recommendations of the July 2001 report of the Department of Defense Healthcare Quality Initiatives Review Panel.

Report on distribution of hemostatic agents for use in the field (sec. 720)

The Senate amendment contained a provision (sec. 1414) that would authorize \$15.0 million in Operation and Maintenance, Army and \$5.0 million in Operation and Maintenance, Marine Corps for hemostatic agents, including blood-clotting bandages. The provision would also express a sense of Congress that every member of the Armed Forces deployed in a combat zone should carry

life saving resources. The provision would also require the Secretary of Defense to submit a report regarding the distribution of hemostatic agents to members of the Armed Forces serving in Iraq and Afghanistan.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the required report, delete the authorization for funding, and delete the sense of Congress.

The conference outcome is reflected in the tables of this report in Operation and Maintenance, Army and Operation and Maintenance, Marine Corps.

Longitudinal study on traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom and Operation Enduring Freedom (sec. 721)

The Senate amendment contained a provision (sec. 686) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to conduct a longitudinal study on the effects of traumatic brain injury incurred by members of the Armed Forces serving in Operation Iraqi Freedom and Operation Enduring Freedom. The study would address the long-term physical and mental affects of such injuries, the resulting health care needs, and availability of long-term care services.

The House bill contained no similar provision.

The House recedes with an amendment that would include in the study an analysis of the effects on families of those who have suffered traumatic brain injury.

Subtitle C-Planning, Programming, and Management

Standardization of claims processing under TRICARE program and Medicare program (sec. 731)

The Senate amendment contained a provision (sec. 725) that would require that by October 1, 2007, certain TRICARE claims processing requirements be identical to Medicare claims processing requirements. The provision would also authorize modification to the processes for collection of health care payments from third parties, and require an annual report to Congress justifying any instance in which the Department of Defense continues to have a unique claims processing requirement.

The House bill contained no similar provision.

The House recedes with an amendment that would require that identical claims processing requirements go into effect with the beginning of the next option period for managed care support contracts. The amendment would also require a report to Congress on the policies and directives concerning collection of health

care payments owed from third parties, an estimate of the outstanding amounts, and a plan of action to streamline and accelerate the collections or recoupments of those funds.

Requirements for support of military treatment facilities by civilian contractors under TRICARE (sec. 732)

The Senate amendment contained a provision (sec. 726) that would require each TRICARE Regional Director to develop an annual comprehensive plan for support of military treatment facilities in the region provided by contracted civilian health care and administrative personnel. The provision would require approval by the TRICARE Regional Director of each contract within the region, and require consistent standards of quality within the region. The provision would also require removal of financial disincentives for military treatment facilities and civilian contractors to initiate and sustain cost-effective health care staffing support agreements.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the requirement that the Regional Director approve each support contract within the region, and require the Secretary of Defense to establish additional quality and performance standards for health staffing support contractors.

Standards and tracking of access to health care services for wounded, injured, or ill servicemembers returning to the United States from a combat zone (sec. 733)

The Senate amendment contained a provision (sec. 727) that would require the Secretary of Defense to prescribe uniform standards for access to health care services for wounded or injured servicemembers. The provision would require that needed health care services be met through whatever means possible, including through referral to civilian health care providers if necessary, and that the Secretary establish mechanisms for tracking the performance of the military health care system in meeting those health care access standards.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to report to Congress on uniform standards for the access of wounded, injured, or ill members of the armed forces to health care services in the United States following return from a combat zone. The House amendment would also clarify that the tracking system required by this section be a uniform tracking mechanism.

The conferees continue to learn of instances in which returning members of the armed forces have been delayed in receiving needed health, mental health, and rehabilitative services, both in military hospitals and in medical holdover

status. The conferees believe that a wounded, injured, or ill soldier, airman, sailor, or marine deserve the highest priority for care. Should sufficient resources in the military hospital system not be available, civilian resources must be made available without delay.

Disease and chronic care management (sec. 734)

The Senate amendment contained a provision (sec. 728) that would require the Secretary of Defense to establish and implement throughout the military health care system a comprehensive program on disease and chronic care management. The program would include the most common chronic diseases experienced by military beneficiaries and their families, and would meet nationally recognized accreditation standards. The Secretary would be required to ensure continuous and adequate funding of the disease and chronic care management program, and eliminate, to the extent practicable, any financial disincentives to sustained investment by military hospitals and health care services contractors in disease management.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to design and develop a fully integrated program on disease and chronic care management, and to require the Secretary, in coordination with the military departments, to develop an implementation plan by February 1, 2008.

Additional elements of assessment of Department of Defense task force on mental health relating to mental health of members who were deployed in Operation Iraqi Freedom and Operation Enduring Freedom (sec. 735)

The Senate amendment contained a provision (sec. 684) that would add to the mandate of the Department of Defense Task Force on Mental Health a requirement to assess the mental health needs of members of the National Guard and Reserve who are deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom. The assessment would include identification of mental health conditions and disorders, including Post Traumatic Stress Disorder, and recommendations on improving mental health services to members of the National Guard and Reserve who undergo multiple deployments. The Senate amendment also contained a provision (sec. 730) that would require the Secretary of Defense to expand the Mental Health Self-Assessment Program to ensure the continuous availability of the program to members and former members of the Armed Forces, as well as to the dependent children of members who have been deployed or mobilized.

The House bill contained no similar provisions.

The House recedes with an amendment that would merge these provisions under this section. The amendment would require the

Task Force on Mental Health to undertake an assessment of the mental health needs of all members, active and reserve, who were deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom. The amendment would also require an assessment by the Task Force of the current Mental Health Self-Assessment Program within the Department of Defense.

The conferees urge the Task Force members to take cognizance of the existing requirements in section 723 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) for examination of the long-term follow-up and access to care for mental health needs of members of the Reserve components as they discharge their responsibilities under that section to examine matters relating to the mental health of members of the Armed Forces.

Additional authorized option periods for extension of current contracts under TRICARE (sec. 736)

The Senate amendment contained a provision (sec. 731) that would authorize the Secretary of Defense to extend TRICARE managed care support contracts for up to 2 years. The provision would authorize the Secretary to act only after review by Congress of the minimum performance standards required in order to be eligible for an extension, including cost and beneficiary satisfaction, as well as the justification for any extension. The provision would also require the Secretary to report to Congress on future contracting mechanisms under consideration for TRICARE support, including an assessment of a contract for a single term of 5 years, with a single optional period of extension of an additional 5 years, if performance by the contractor is rated "excellent."

The House bill contained no similar provision.

The House recesses with an amendment that would require a cost-benefit analysis to be conducted as part of the justification for such extension.

Military vaccination matters (sec. 737)

The Senate amendment contained a provision (sec. 732) that would add a requirement to the Comptroller General study on Department of Defense Vaccine Healthcare Centers required by the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to examine the feasibility of placing the centers under the direct control of the Under Secretary of Defense for Personnel and Readiness. The provision would also require the Secretary of Defense to maintain a center of excellence on medical needs resulting from mandatory military vaccinations, and would limit the ability of the Secretary of Defense to downsize or otherwise restructure the Vaccine Healthcare Centers.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the Secretary of Defense from downsizing or restructuring the Vaccine Healthcare Centers during fiscal year 2007, and require that funding for the centers be provided by each military department.

Enhanced mental health screening services for members of the Armed Forces (sec. 738)

The Senate amendment contained a provision (sec. 733) that would establish new requirements for each predeployment mental health assessment of a member of the Armed Forces relating to the presence and treatment of a mental health condition or disorder, including any use of psychotropic medications. The provision would also prescribe procedures for referral for follow-up evaluation if needed, and would require the Secretary of Defense to establish minimum mental health standards for deployment to a combat operation or contingency operation.

The House bill contained no similar provision.

The House recedes with an amendment that would require additional elements for predeployment and postdeployment medical examinations, including an assessment of traumatic brain injury. The amendment would establish criteria for referral for follow-up care, and would require the Secretary to develop guidelines concerning the deployability and treatment of members of the Armed Forces diagnosed with a severe mental illness or post traumatic stress disorder. The amendment would expand requirements for the quality assurance program for medical tracking for members deployed overseas to include the following new elements:

- (1) the types and training of healthcare providers conducting postdeployment health assessments;
- (2) the effectiveness of tracking mechanisms in ensuring that the members who receive referrals for further evaluation for mental health care receive those services; and
- (3) programs to monitor the mental health of members who have a mental health condition following deployment.

Subtitle D-Other Matters

Pilot projects on early diagnosis and treatment of post traumatic stress disorder and other mental health conditions (sec. 741)

The Senate amendment contained a provision (sec. 741) that would require the Secretary of Defense to conduct a minimum of three pilot projects during fiscal year 2007 to evaluate the efficacy of approaches to improving the capability of the military and civilian health care systems to provide early diagnosis and treatment of post traumatic stress disorder and other mental health conditions.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the requirements for the three pilots, as follows:

- (1) one of the pilot projects would be designed to evaluate effective diagnostic and treatment approaches by primary care providers in the military health care system;
- (2) one of the projects would be focused on members of the National Guard or reserves located more than 40 miles from a military medical facility; and
- (3) one of the projects would be designed to provide outreach to family members on post traumatic stress disorder and other mental health conditions.

Requirement to certify and report on conversion of military medical and dental positions to civilian medical and dental positions (sec. 742)

The Senate amendment contained a provision (sec. 761) that would extend for fiscal year 2007 and future years a requirement in section 744 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) for the Secretary of Defense to certify that conversion of military medical positions to civilian or contractor positions does not increase the cost, or erode access to or the quality of military health care.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the requirements for the report to Congress to accompany the certification. The additional requirements include:

- (1) the number and grade of positions planned for conversion;
- (2) an analysis by affected area of the impact of the conversion on the direct care and purchased care systems;
- (3) the extent to which planned conversions would affect recruiting and retention of military medical and dental personnel;
- (4) a comparison of the full costs for the military medical and dental positions planned for conversion with the full costs for civilian positions;
- (5) documentation that the converted positions are in excess of military medical and dental readiness requirements; and
- (6) identification of each position scheduled to be converted in the subsequent fiscal year.

The amendment would also include several additional requirements with respect to the conversion of medical and dental provisions in fiscal years 2006 through 2008.

Three-year extension of joint incentives program on sharing of health care resources by the Department of Defense and Department of Veterans Affairs (sec. 743)

The Senate amendment contained a provision (sec. 923) that would extend the authorization for the Department of Defense and Department of Veterans Affairs joint incentives program for the sharing of health care resources until September 30, 2010.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Training curricula for family caregivers on care and assistance for members and former members of the Armed Forces with traumatic brain injury (sec. 744)

The Senate amendment contained a provision (sec. 687) that would require the Secretary of Defense to establish, in consultation with the Secretary of Veterans Affairs, a Traumatic Brain Injury Family Caregiver Panel. The purpose of the panel would be to develop training curricula to be used in training family members who provide care to members and former members of the Armed Forces with traumatic brain injury incurred in Operation Iraqi Freedom and Operation Enduring Freedom.

The House bill contained no similar provision.

The House recedes with an amendment that would require that the panel also include family members of members of the Armed Forces with traumatic brain injury.

The conferees intend the Department of Defense to utilize for this purpose up to \$1.0 million of the funds allocated for its participation in the Department of Defense and Department of Veterans Joint Incentives Program, authorized elsewhere in this report.

Recognition of Representative Lane Evans upon his retirement from the House of Representatives (sec. 745)

The conferees agree to include a provision that would recognize Representative Lane Evans (D-IL) on the occasion of his retirement from the House of Representatives.

Legislative Provisions Not Adopted

Services of mental health counselors

The House bill contained a provision (sec. 705) that would allow mental health counselors to be reimbursed for services provided to TRICARE beneficiaries without prior physician referral or supervision. The provision would also allow mental health counselors to enter into personal services contracts with the Department of Defense, and would require that such counselors meet

licensure or certification requirements for a health care professional as required by law.

The Senate amendment contained no similar provision.

The House recesses.

Requirement to reimburse certain travel expenses of certain beneficiaries covered by TRICARE for Life

The House bill contained a provision (sec. 707) that would require the Secretary of Defense to reimburse expenses incurred by a TRICARE for Life beneficiary for travel to a military treatment facility for up to three follow-up medical appointments if adequate treatment cannot be obtained within 100 miles of the residence of the beneficiary.

The Senate amendment contained no similar provision.

The House recesses.

Inflation adjustment of differential payments to children's hospitals participating in TRICARE program

The House bill contained a provision (sec. 708) that would require the Secretary of Defense to establish an annual inflationary adjustment for the TRICARE children's hospital differential payment rate beginning in fiscal year 2007.

The Senate amendment contained no similar provision.

The House recesses.

The conferees are disappointed that the Comptroller General study required by section 734 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) has not been completed. The conferees intend that the study required by that section will inform future legislative and policy changes regarding appropriate adjustment of differential payments to children's hospitals participating in the TRICARE program.

Costs of incentive payments to employees for TRICARE enrollment made unallowable for contractors

The House bill contained a provision (sec. 721) that would establish as unallowable the contract costs that result when Department of Defense contractors provide a financial incentive for a TRICARE-eligible employee to use TRICARE in lieu of their employer-provided health care coverage.

The Senate amendment contained no similar provision.

The House recesses.

Treatment of TRICARE retail pharmacy network under Federal procurement of pharmaceuticals

The Senate amendment contained a provision (sec. 721) that would clarify that the TRICARE retail pharmacy network is covered

by the Federal pricing limits applicable to covered drugs under section 8126 of title 38, United States Code.

The House bill contained no similar amendment.

The Senate recesses.

The conferees concluded that there is no need for additional legislation at this time because prescriptions dispensed by the Department of Defense Retail Pharmacy Program qualify for discounted drug prices under section 8126.

Enrollment in the TRICARE program

The Senate amendment contained a provision (sec. 723) that would require the Secretary of Defense to establish a system of enrollment for all beneficiaries who obtain health care services from the military health care system. The provision would authorize the collection of a one-time administrative fee as a condition for certain beneficiaries to receive services under the Standard option of TRICARE. The provision would also require the Secretary to conduct outreach to all beneficiaries and provide health risk assessments.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that the authority for a health care enrollment system for military health care users is codified in section 1099, title 10, United States Code. The conferees recognize that beneficiary enrollment is a common feature of public and private health insurance and entitlement programs and may be necessary to ensure the most efficient delivery of health care services. Therefore, the conferees direct the Secretary to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by February 1, 2007 on the advantages and disadvantages of an enrollment requirement for the TRICARE Standard option. The conferees further direct the Secretary to submit the required report for consideration by the Department of Defense Task Force on the Future of Military Health Care, which is authorized elsewhere in this report. The conferees note that an examination by the Task Force of the requirement for universal enrollment is also required elsewhere in this report.

Incentive payments for the provision of services under the TRICARE program in medically underserved areas

The Senate amendment contained a provision (sec. 724) that would require the Secretary of Defense to provide incentive payments for physicians who provide services to TRICARE eligible beneficiaries in medically underserved areas designated by the Secretary of Health and Human Services as primary care or specialist care scarcity locations.

The House bill contained no similar provision.

The Senate recesses.

Post deployment health assessments for members of the Armed Forces returning from deployment in support of a contingency operation

The Senate amendment contained a provision (sec. 729) that would require that a health assessment, including traumatic brain injury, be conducted on each member of the Armed Forces returning from deployment by a qualified health care provider. The provision would also require the Secretary of Defense to establish criteria for assessments of mental health and traumatic brain injury, including criteria for referrals for further evaluation.

The House bill contained no similar provision.

The Senate recesses.

The conference agreement reflects the inclusion of certain aspects of this provision in the requirement for enhanced mental health screening and services for members of the Armed Forces, authorized elsewhere in this report.

TRICARE pharmacy program cost-share requirements

The House bill contained a provision (sec. 731) that would limit the amount of beneficiary cost sharing for generic and formulary agents in the TRICARE national mail-order pharmacy program to no more than the cost sharing for those agents in military hospitals and clinics. The provision would also establish cost-sharing requirements for the TRICARE retail pharmacy program as follows: \$6.00 for generic agents; \$16.00 for formulary agents; and \$22.00 for nonformulary agents.

The Senate amendment contained a provision (sec. 702) that would require beneficiaries to use the TRICARE national mail-order program for refill of most long-term maintenance medications, unless waived by the Secretary of Defense based on clinical need, and eliminate cost sharing for most drugs obtained from the TRICARE national mail-order program.

The conference agreement does not include these provisions.

The conferees expect the Assistant Secretary of Defense (Health Affairs) to manage the TRICARE pharmacy benefit in accordance with existing authorities in section 1074g of title 10, United States Code, in a manner using a full menu of clinical quality and utilization management tools to lower drug costs and improve quality, including the TRICARE national mail-order program, consistent with state-of-the-art pharmacy benefit management practices.

The conferees expect that the Department of Defense will proceed, under current authority, to eliminate co-payments for generic drugs dispensed through the TRICARE national mail-order program, as a minimum; and, in addition, expect the Assistant Secretary to move toward providing a broad range of incentives to increase the use of the TRICARE national mail-order program. In developing measures to implement pharmacy incentives, the

Assistant Secretary shall consult broadly and fully with constituent and beneficiary groups and other interested parties.

Annual reports on certain medical malpractice cases

The Senate amendment contained a provision (sec. 742) that would require each Secretary of a military department to report annually to the Secretary of Defense on certain cases involving allegations of medical malpractice for military beneficiaries. The provision would also require the Secretary of Defense to provide annual reports to the congressional defense committees.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that a report and an independent review of medical quality improvement in the military health care system is required elsewhere in this report.

TITLE VIII-ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Legislative Provisions Adopted

Subtitle A-Provisions Relating to Major Defense Acquisition Programs

Requirements management certification training program (sec. 801)

The House bill contained a provision (sec. 801) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Defense Acquisition University, to develop a training program to certify civilian and military personnel with responsibility for developing requirements for major defense acquisition programs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Under Secretary to establish the competency requirements for personnel undergoing requirements management training, and require that all personnel with responsibility for developing such requirements receive certification training by September 30, 2008.

The conferees believe that the training program established in accordance with this provision should address:

(1) the interrelationship between the requirements, budget, and acquisition processes;

(2) the importance of developing requirements that facilitate joint operations;

(3) the need to ensure that requirements are developed early in a program and the adverse effect of introducing new

requirements after the commencement of system development and demonstration;

(4) the linkage between requirements and capability shortfalls identified by combatant commanders;

(5) the need for sound analysis of alternatives, realistic technical assessments based on technology readiness levels, and consultation with production engineers on the cost, schedule, and technical feasibility of requirements;

(6) the need for engineering feasibility assessments that weigh the technology readiness, integration, cost, and schedule impacts of proposed changes to requirements;

(7) the importance of developing requirements that are technologically mature, feasible, and achievable; and

(8) the importance of stable requirements to provide the baseline for successful program execution.

Additional requirements relating to technical data rights (sec. 802)

The House bill contained a provision (sec. 802) that would require the acquisition of full data rights necessary to support competition for contracts for sustainment of each major weapon system that is developed with federal or private funds. The provision would also require that any contract for a major system include options for acquiring, at any point during the life cycle of the system, major elements of technical data not acquired at the time of the initial contract award.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to require program managers to assess long-term technical data needs and establish corresponding acquisition strategies to ensure availability of technical data rights for major weapon system life cycle sustainment. The amendment would also modify title 10 of the United States Code to distinguish between commercial items and major weapon systems, subsystems, and components of major weapon systems (regardless of whether they may be characterized as commercial or non-commercial). In the case of a challenge made to a claim that the latter group of systems or components was developed exclusively at private expense, the burden of proof would be on the contractor or subcontractor.

Study and report on revisions to Selected Acquisition Report requirements (sec. 803)

The House bill contained a provision (sec. 803) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in coordination with the service acquisition executives of each military department, to conduct a

study on revisions to requirements related to Selected Acquisition Reports, as set forth in section 2432 of title 10, United States Code.

The Senate provision contained no similar provision.
The Senate recedes with a clarifying amendment.

Biannual updates on implementation of acquisition reform in the Department of Defense (sec. 804)

The House bill contained a provision (sec. 804) that would require the Secretary of Defense to submit quarterly reports to the Committees on Armed Services of the Senate and the House of Representatives on the implementation of plans to reform the defense acquisition system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the reporting requirement to a biannual submission and make other clarifying changes.

Additional certification requirements for major defense acquisition programs before proceeding to Milestone B (sec. 805)

The House bill contained a provision (sec. 806) that would require certification that market research has been conducted prior to technology development to reduce duplication of existing technology and products.

The Senate amendment contained a similar provision (sec. 801). The provision would require a certification that a program meets validated requirements consistent with the National Military Strategy and contains estimates and funding to execute the product development and production plan under the program.

The Senate recedes with a clarifying amendment that would amend section 2366a of title 10, United States Code, to require the Secretary of Defense to include additional certifications before a major defense acquisition program receives Milestone B approval or Key Decision Point B approval in the case of a space program.

Original baseline estimate for major defense acquisition programs (sec. 806)

The Senate amendment contained a provision (sec. 803) that would clarify the definition of the term "Original Baseline Estimate," and provide for periodic reporting of program acquisition unit costs and procurement unit costs above the significant cost growth thresholds identified in section 2433 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the definition of Original Baseline Estimate to mean the baseline

established before the program enters into system development and demonstration.

Lead system integrators (sec. 807)

The Senate amendment contained a provision (sec. 842) that would: (1) limit the participation of lead systems integrators (LSI) in the development or construction of any individual system or element of a system of systems; (2) direct the Secretary of Defense to update regulations on LSIs; and (3) direct the Secretary to include a specification of various types of contracts and fee structures, including award and incentive fees, that are appropriate for use by LSIs.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the participation of LSIs in the development or construction of any individual system or element of a system of systems.

Subtitle B-Acquisition Policy and Management

Time-certain development for Department of Defense information technology business systems (sec. 811)

The House bill contained a provision (sec. 813) that would require that a Department of Defense information technology business system be fielded within 5 years of the system entering the technology development phase of Milestone A approval. If such a program did not achieve initial operating capability within 5 years, the Department would be prohibited from obligating or expending any further funds on that program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would maintain the requirement of the Department to field information technology programs within 5 years of Milestone A approval. Failure to achieve initial operating capability within 5 years of Milestone A approval would result in the Department being subject to reporting requirements contained in section 816 of this Act.

Pilot program on time-certain development in acquisition of major weapon systems (sec. 812)

The Senate amendment contained a provision (sec. 811) that would authorize the Secretary of Defense to carry out a pilot program on the use of time-certain development in the acquisition of major weapon systems.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would place limitations on the number of major weapon systems included in the pilot program.

Establishment of Panel on Contracting Integrity (sec. 813)

The House bill contained a provision (sec. 814) that would establish a Panel on Contracting Integrity to review progress made by the Department of Defense to eliminate areas of vulnerability of the defense contracting system to waste, fraud, and abuse. The panel would be chaired by the Deputy Secretary of Defense. The panel would review the Government Accountability Office report relating to contracting vulnerabilities to waste, fraud, and abuse; and make recommendations on any changes to law, regulations, and policy determined necessary to eliminate such areas of vulnerability.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) assign a representative of the Under Secretary of Defense for Acquisition, Technology, and Logistics as the chair of the panel; (2) provide the Department with increased flexibility in determining the membership of the panel; (3) require submission of the first annual report to the congressional defense committees by December 31, 2007; and (4) terminate the panel on December 31, 2009.

The conferees agree that the panel's initial review should include an examination of the Department's administrative and disciplinary procedures for cases involving lapses in contracting integrity and include recommendations on any changes to such procedures the panel determines appropriate in the first annual report.

Linking of award and incentive fees to acquisition outcomes (sec. 814)

The Senate amendment contained a provision (sec. 843) that would require the Secretary of Defense to issue detailed implementation guidance, including definitions for performance outcomes, for appropriate use of award and incentive fee contracts. The provision would require performance measures to evaluate the effectiveness of award and incentive fees; mechanisms for sharing successful acquisition strategies; and an independent evaluation of the impact of award fee payment decisions on contractor performance.

The House bill contained a similar provision (sec. 815).

The House recedes with an amendment that would require development of standards to identify the appropriate level of decision-making official for approval of new award and incentive fee contracts and to ensure consistent application of guidance and definitions across the military departments and defense agencies.

Report on defense instruction relating to contractor personnel authorized to accompany Armed Forces (sec. 815)

The House bill contained a provision (sec. 816) that would

require: (1) a Department of Defense Inspector General report on overcharges discovered under Department contracts for work performed in Iraq and Afghanistan; (2) assignment of sufficient contracting officers to oversee and monitor Department contracts for work to be performed in Iraq and Afghanistan; and (3) implementation of a policy for conducting comprehensive background checks on foreign nationals hired by Department contractors and subcontractors operating outside the United States. The provision would also prohibit Department contractors and subcontractors operating outside of the United States from hiring personnel with violent felony convictions or who have committed acts determined to be inconsistent with the policy of the Department on human rights. The provision would further require the Secretary of Defense to report on implementation of Department of Defense Instruction Number 2030.14 entitled "Contractor Personnel Authorized to Accompany the United States Armed Forces," and application of the instruction to all new contracts, task orders, or contract extensions.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the Secretary to submit to Congress a report on the status of implementation of Department of Defense Instruction Number 2030.14 entitled "Contractor Personnel Authorized to Accompany the United States Armed Forces."

Major automated information system program (sec. 816)

The Senate amendment contained a provision (sec. 804) that would require that, as part of the annual budget justification materials, the Department of Defense provide to the congressional defense committees a report on major automated information systems (MAIS) programs. The report would include the estimate of developmental costs and total life-cycle costs (original and current), a schedule of major events (original and current), and a brief summary of key performance criteria. The provision would further require the Department to promptly notify the congressional defense committees when a program exceeds established cost, schedule, or performance criteria.

The House bill contained no similar provision.

The House recesses with an amendment that would provide an additional criterion for requiring a report when a MAIS fails to achieve initial operating capability within 5 years of Milestone A approval.

Internal controls for procurements on behalf of the Department of Defense by certain non-defense agencies (sec. 817)

The Senate amendment contained a provision (sec. 806) that would expand section 811 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to require the

Department of Defense Inspector General (IG), in consultation with the IG of the National Institutes of Health and the IG of the Department of Veterans Affairs, to determine whether the policies, procedures, and internal controls of the two respective agencies for purchases on behalf of the Department of Defense are adequate to ensure compliance with defense procurement requirements.

The House bill contained no similar provision.

The House recesses.

*Determination of contract type for development programs
(sec. 818)*

The Senate amendment contained a provision (sec. 807) that would require the Secretary of Defense to modify Department of Defense regulations regarding a preference for the use of fixed-price contracts in development programs.

The House bill contained no similar provision.

The House recesses with an amendment that would require the Secretary to modify Department regulations regarding the determination of contract type in development programs.

The conferees believe that the Department requires additional tools to address the continuing problem of cost and schedule growth in the Department's major acquisition programs. Congress enacted section 807 of the National Defense Authorization Act for Fiscal Year 1989 (Public Law 100-456) to prohibit the use of fixed-price development contracts because of the Department's aggressive use of fixed-price contracts, regardless of the level of program risk associated with the program, resulted in cost and schedule overruns.

The conferees believe that program risk should be reduced to the degree that the use of a fixed-price development contract for a major acquisition program may be appropriate. The conferees agree to repeal section 807 and would require the Secretary to modify Department regulations to require the Milestone Decision Authority for a major defense acquisition program to document the basis for the contract type selected at Milestone B approval (or Key Decision Point B approval in the case of a space program) that is consistent with the level of program risk for the program.

Three-year extension of requirement for reports on commercial price trend analyses of the Department of Defense (sec. 819)

The Senate amendment contained a provision (sec. 810) that would extend the requirement that the Secretary of Defense submit an annual report on price trend analyses through 2009.

The House bill contained no similar provision.

The House recesses.

*Government performance of critical acquisition functions
(sec. 820)*

The Senate amendment contained a provision (sec. 812) that would require the head of an agency to ensure that certain positions for each major defense acquisition program and each major automated information system program be performed by a properly qualified full-time Federal military or civilian employee.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to develop a plan of action for the implementation of a Department of Defense goal, within 5 years of the date of enactment of this Act, that ensures certain positions for each major defense acquisition program and each major automated information system program be performed by a properly qualified full-time Federal military or civilian employee.

Subtitle C-Amendments to General Contracting Authorities, Procedures, and Limitations

One-year extension of special temporary contract closeout authority (sec. 831)

The House bill contained a provision (sec. 821) that would extend by 1 year authority under section 804 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) to allow the Department of Defense to settle contracts entered into prior to October 1, 1996, under specified conditions.

The Senate amendment contained an identical provision (sec. 872).

The conference agreement includes this provision.

Limitation on contracts for the acquisition of certain services (sec. 832)

The House bill contained a provision (sec. 822) that would prohibit the Secretary of Defense from entering into a contract for covered services if the amount of the contract exceeds 75 percent of the estimated value of the asset required for the provision of services under the contract or exceeds \$150.0 million in payments over the life of the contract.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit the Secretary from entering into a service contract to acquire a military flight simulator unless doing so is necessary for national security purposes and a written economic analysis is provided to the congressional defense committees at least 30 days in advance. The required economic analysis would include a clear explanation for the need for the contract and an examination of at least two alternatives for fulfilling the contract requirement.

The conferees are aware that in some cases the military departments are using operations and maintenance funds for service contracts and activities traditionally associated with procurement and military construction. The conferees are concerned that such a contracting methodology reduces oversight, potentially increases life-cycle costs, requires aggressive contract management, and reduces the flexibility of the Department of Defense in allocating funds to meet future defense needs. Furthermore, the use of service contracts for military training may have readiness consequences.

The conferees are also aware that the Secretary of the Air Force entered into a service contract for the Initial Flight Screening program at Pueblo Memorial Airport, Pueblo, Colorado, without conducting a full economic analysis to determine the best alternative for meeting the Air Force flight screening requirement. Therefore, the conferees direct the Secretary of the Air Force to perform an economic analysis as described in this section and provide the congressional defense committees written certification, not later than 180 days after the date of the enactment of this Act, whether such analysis supports continuation of the service contract.

Use of Federal supply schedules by State and local governments for goods and services for recovery from natural disasters, terrorism, or nuclear, biological, chemical, or radiological attack (sec. 833)

The House bill contained a provision (sec. 823) that would provide the Administrator of General Services with the authority to allow State and local governments to use the General Services Administration Federal supply schedules for goods and services to facilitate recovery from natural disasters, terrorist attacks, or attacks involving nuclear, chemical, biological, or radiological weapons.

The Senate amendment contained no similar provision.

The Senate recedes.

Waivers to extend task order contracts for advisory and assistance services (sec. 834)

The House bill contained a provision (sec. 824) that would allow the head of an agency to issue a waiver to extend an Advisory and Assistance Services (AAS) contract up to 10 years through 5 one-year options provided that the contract meets a specific set of criteria.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit delegation of the waiver authority to the senior procurement executive of the agency, and modify the reporting requirements.

The modified reporting requirement would include separate examinations conducted for the Department of Defense and civilian agencies to review methods used to identify a contract as an AAS contract, the number of such contracts awarded during the proceeding 5 years, average expenditures and length of such contracts, and the number of such contracts recompleted and then awarded to the previous performer. The amendment would also require a General Accountability Office report on Federal Government rationale for the use and oversight of AAS contracts.

Subtitle D-United States Defense Industrial Base Provisions

Assessment and annual report of United States defense industrial base capabilities and acquisitions of articles, materials, and supplies manufactured outside the United States (sec. 841)

The Senate amendment contained a provision (sec. 1070A) that would require the Department of Defense to submit a report to Congress on the amount of the acquisitions of articles, materials, and supplies made by the Department in the preceding fiscal year from entities that manufacture articles, materials, or supplies outside of the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 812 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) to include the reporting requirements of section 1070A in the Senate amendment.

Protection of strategic materials critical to national security (sec. 842)

The House bill contained a provision (sec. 831) that would move statutory requirements for the procurement of specialty metals from domestic sources from the so-called "Berry amendment," currently codified in section 2533a of title 10, United States Code, to a separate section of title 10 and make certain changes to those requirements.

The Senate amendment contained a provision (sec. 822) that would revise the provisions of the Berry amendment regarding the procurement of specialty metals from domestic sources.

The Senate recedes with an amendment that would codify the specialty metals requirements in a new section 2533b of title 10, United States Code, and modify those requirements. The amendment would also authorize a one-time waiver of the domestic source requirement for specialty metals that were incorporated into items produced, manufactured, or assembled in the United States before the date of the enactment of this Act, under certain conditions.

Strategic Materials Protection Board (sec. 843)

The House bill contained a provision (sec. 832) that would establish a Strategic Materials Protection Board to determine the domestic supply of items designated as critical to national security, including adding items to the list of specialty metals protected under the so-called "Berry amendment," recodified elsewhere in this Act as section 2533b of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the new board to make recommendations regarding the list of specialty metals covered by the Berry amendment, but not to add or delete items from the list.

Subtitle E-Other Matters

Report on former Department of Defense officials employed by contractors of the Department of Defense (sec. 851)

The Senate amendment contained a provision (sec. 841) that would require contractors that receive defense contracts in excess of \$10.0 million, other than contracts for the procurement of commercial items, to report to the Department of Defense on an annual basis on certain former senior Department officials who receive compensation from the contractor.

The House bill contained no similar provision.

The House recedes with an amendment that would require the General Accountability Office to report to Congress by December 1, 2007, on the employment of former Department officials by major defense contractors during the most recent calendar year for which data is available. The objective of the report would be to determine the effectiveness of existing statutes and regulations governing the employment of former Department officials by defense contractors, including section 207 of title 18, United States Code and section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423). The report would provide information on Department contracts or programs for which former officials personally had program oversight responsibility or decision-making authority when they served in the Department; or Department contracts or programs which are the responsibility of the agency, office, or command with which the official served.

Report and regulations on excessive pass-through charges (sec. 852)

The Senate amendment contained a provision (sec. 844) that would require the Secretary of Defense to modify Department of Defense regulations to prohibit excessive pass-through charges on

contracts or subcontracts that are entered into, for or on the behalf of the Department.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Comptroller General to submit a report to the congressional defense committees, not later than 180 days after the date of the enactment of this Act, on pass-through charges on contracts or subcontracts (or task or delivery orders) that are entered into, for or on the behalf of the Department. The amendment would also require that the Secretary modify Department regulations, not later than May 1, 2007, to prohibit excessive pass-through charges on contracts or subcontracts that are entered into, for or on the behalf of the Department.

The conferees agree that an assessment of the impact of pass-through charges is required in order to understand the magnitude of the problem the Department may have with pass-through charges. However, the conferees also agree that the Department should not be paying excessive pass-through charges to those contractors or subcontractors that have little or no value added to a particular contract.

The conferees expect the Secretary to provide an interim report to the congressional defense committees on the progress made towards completing the regulations required by this section.

Program manager empowerment and accountability (sec. 853)

The Senate amendment contained provisions (secs. 861-863 and 865) that would address the role of program managers in defense acquisition programs.

The House bill contained no similar provision.

The House recedes with an amendment that would consolidate these provisions into a single provision and provide greater flexibility to the Secretary of Defense in implementing the new requirements.

Subsections (a) and (b) would require the Secretary to develop a comprehensive strategy for enhancing the role of Department of Defense program managers in carrying out defense acquisition programs. These subsections track the language of the Senate amendment without change.

Subsection (c) would require the Secretary to issue guidance on qualifications, resources, responsibilities, tenure, and accountability of program managers for the program development period before Milestone B approval (or Key Decision Point B approval in the case of a space program).

Subsection (d) would require the Secretary to revise the Department's guidance on qualifications, resources, responsibilities, tenure, and accountability of program managers for the program execution period from Milestone B approval (or Key Decision Point B approval in the case of a space program) until the delivery of the first production units for a program. The

guidance would address, at a minimum, the need for a performance agreement between a program manager and the milestone decision authority for the program; the authorities available to a program manager; and the tenure of a program manager.

The conferees agree with the assessment of the Government Accountability Office that the Department has consistently failed to give program managers the authority that they need to successfully execute acquisition programs and, as a result, is unable to hold them accountable.

The conferees believe that program managers for the development period before Milestone B should be responsible for: (1) bringing to maturity the technologies and manufacturing processes that will be needed to carry out the program; (2) ensuring continued focus during program development on meeting stated mission requirements and other requirements of the Department; (3) making trade-offs between program cost, schedule, and performance for the life-cycle of the program; (4) developing a business case for the program; and (5) ensuring that appropriate information is available to the milestone decision authority to make a decision on Milestone B approval, including the information necessary to make the certification required by section 2366a of title 10, United States Code.

The conferees believe that a program manager for the execution period from Milestone B to the delivery of production units should enter into performance agreements with the milestone decision authority for the program that: (1) establishes expected parameters for the cost, schedule, and performance of the program consistent with the business case for the program and the Milestone B decision; (2) provides the commitment of the milestone decision authority to provide the level of funding and resources required to meet such parameters; and (3) provides the assurance of the program manager that such parameters are achievable and that such program manager will be accountable for meeting such parameters.

The conferees also believe that program managers should be granted the autonomy to manage their programs without interference from outside officials. The conferees believe that the guidance should include: (1) the assurance that program requirements will not be modified in a way that would be inconsistent with the business case, the Milestone B decision, and any performance agreement entered without a written determination by a senior Department official that the modifications are necessary in the interest of the national defense; (2) program manager authority to make trade-offs between cost, schedule, and performance or to redirect funding within the program, provided that such tradeoffs or redirections of funds are consistent with the parameters established for the program and with applicable requirements of law; and (3) program manager authority to use program funds to recruit and hire such technical experts as may be required to carry out the program in a manner consistent with the requirements

of law and regulation, if necessary expertise is not otherwise provided by the Department.

The conferees also believe that (1) a program manager should be assigned to remain with a program, to the extent practicable, during the entire respective development or execution period; and (2) a program manager should be provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet their responsibilities. The conferees expect the guidance issued by the Secretary to reflect these principles, subject to such modifications and exceptions as the Secretary may deem necessary.

Subsection (e) would require reports by the Secretary and the Comptroller General on steps taken to carry out the requirements of this section.

Joint policies on requirements definition, contingency program management, and contingency contracting (sec. 854)

The Senate amendment contained a provision (sec. 864) that would require the Department of Defense to develop a plan for contingency program management during combat operations and post-conflict operations.

The House bill contained no similar provision.

The House recedes with an amendment that would incorporate the requirements for contingency program management under this section into a single provision with requirements for contingency contracting under section 817 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163). This section would also require the development of a joint policy to facilitate effective generation and definition of requirements and determination of appropriate corresponding organizational structures.

Clarification of authority to carry out certain prototype projects (sec. 855)

The Senate amendment contained a provision (sec. 871) that would amend section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160), as amended by section 823 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), to allow the director of a defense agency to make the written determination necessary to exercise other transaction authority on a prototype project that is expected to cost the Department of Defense in excess of \$20.0 million, but not more than \$100.0 million.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the authority to make the necessary determination to utilize other transactions for projects expected to cost between \$20.0 million and \$100.0 million would be granted to the Director of the Defense

Advanced Research Projects Agency and the Director of the Missile Defense Agency.

Contracting with employers of persons with disabilities (sec. 856)

The Senate amendment contained a provision (sec. 873) that would extend for 1 year the status quo for continuation and completion of existing contracts, including any options, awarded under the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.) and the Randolph-Sheppard Act (20 U.S.C. 107 et seq.) programs for the operation of military troop dining facilities, military mess halls, and other similar military dining facilities.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a permanent policy regarding the award of contracts and subcontracts for food services, mess attendant services, and other services supporting the operation of a military dining facility under the Javits-Wagner-O'Day and Randolph-Sheppard Acts. The amendment would require a review and report by the Government Accountability Office on operational procedures, competition, and determinations regarding fair and reasonable pricing for contracts awarded under both Acts. The amendment would also require a joint report from the Inspectors General of the Departments of Defense and Education on management procedures implemented under the two Acts.

Enhanced access for small business (sec. 857)

The House bill contained a provision (sec. 825) that would amend section 9(a) of the Contract Disputes Act of 1978 (41 U.S.C. 608) to provide expedited disposition of appeals by the Armed Services Board of Contract Appeals and the Civilian Board of Contract Appeals for small business disputes of \$150,000 or less.

The Senate amendment contained no similar provision.

The Senate recedes.

Procurement goal for Hispanic-serving institutions (sec. 858)

The House bill contained a provision (sec. 826) that would extend contract goals for small disadvantaged businesses and certain institutions of higher education to include Hispanic-serving institutions.

The Senate amendment contained no similar provision

The Senate recedes.

Legislative Provisions Not Adopted

Adjustment of original baseline estimates for major defense acquisition program experiencing cost growth resulting from damage caused by hurricanes Katrina, Rita, and Wilma

The Senate amendment contained a provision (sec. 805) that would allow the Department of Defense to adjust the original baseline estimate under section 2435(d) of title 10, United States Code, for a major defense program that is carried out primarily in the areas affected by hurricanes Katrina, Rita, and Wilma for the sole purpose of addressing cost growth that is directly attributable to damage caused by those hurricanes.

The House bill contained no similar provision.

The Senate recesses.

The conferees acknowledge that funds appropriated in division B of the Department of Defense Appropriations Act for Fiscal Year 2006 (Public Law 109-148) for shipbuilding programs affected by hurricanes Katrina, Rita, and Wilma will likely cause the programs to breach Nunn-McCurdy thresholds. The conferees expect the Department to submit an abbreviated Selected Acquisition Report under section 2435(d) if Nunn-McCurdy thresholds are breached solely because of costs due to increases caused by hurricanes Katrina, Rita, and Wilma.

Availability of funds for performance-based logistics contracts for weapons systems logistics support

The Senate amendment contained a provision (sec. 808) that would authorize the Secretary of Defense to use operation and maintenance (O&M) funds for performance-based logistics contracts to finance costs associated with the implementation of engineering changes that result in a reduction of government O&M costs.

The House bill contained no similar provision.

The Senate recesses.

Applicability of statutory executive compensation cap made prospective

The House bill contained a provision (sec. 811) that would amend section 808(e)(2) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) to clarify that the underlying provision is prospective from the date of enactment.

The Senate amendment contained no similar provision.

The House recesses.

Prohibition on procurement from beneficiaries of foreign subsidies

The House bill contained a provision (sec. 812) that would prohibit the Secretary of Defense from entering into a contract with a foreign person (including a joint venture, cooperative organization, partnership, or contracting team), who has received a subsidy from the government of a foreign country that is a member of the World Trade Organization, if the United States has requested a consultation with that foreign country on the basis

that the subsidy is prohibited under the Agreement on Subsidies and Countervailing Measures.

The Senate amendment contained no similar provision.
The House recedes.

Removal of hand and measuring tools from certain requirements

The Senate amendment contained a provision (sec. 821) that would remove hand and measuring tools from the requirement to buy certain articles from American sources.

The House bill contained no similar provision.
The Senate recedes.

Waiver authority for domestic source or content requirements

The Senate amendment contained a provision (sec. 823) that would provide the Secretary of Defense the authority to waive the application of statutory domestic source requirements and domestic content requirements under certain conditions.

The House bill contained no similar provision.
The Senate recedes.

Repeal of requirement for identification of essential military items and military system essential item breakout list

The Senate amendment contained a provision (sec. 824) that would repeal the requirement for identifying essential military items on a military system essential item breakout list.

The House bill contained no similar provision.
The Senate recedes.

Consistency with United States obligations under trade agreements

The Senate amendment contained a provision (sec. 825) that would require that no provision of this Act, or any amendment made by this Act, shall apply if the Secretary of Defense, in consultation with the Secretary of Commerce, the U.S. Trade Representative, and the Secretary of State, determines that the application of the provision would be inconsistent with international trade agreements of the United States.

The House bill contained no similar provision.
The Senate recedes.

Prohibition on defense contractors requiring licenses or fees for use of military likenesses and designations

The House bill contained a provision (sec. 827) that would require that any contract entered into by the Department of Defense include a provision prohibiting the contractor from requiring toy and hobby manufacturers, distributors, or merchants

to obtain licenses or pay fees for the use of military likenesses or designations on items provided under the contract.

The Senate amendment contained no similar provision.

The House recesses.

The conferees are aware that the use of military likenesses and designations in commerce involve issues of intellectual property and trademark law, constitutional takings, and the commercialization of defense technologies that are of great importance to the Department. The conferees are also aware that section 1004 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) authorized the Department to license trademarks, service marks, certification marks, and collective marks, and to operate a licensing program to raise funds for morale, welfare, and recreation activities.

The conferees believe that clarification of the system for determining ownership of military likenesses and designations could reduce confusion, particularly among manufacturers of toy models and hobby items, regarding appropriate policy and process for collection of license fees. The conferees encourage the Department to work with appropriate Federal departments and agencies to study the legal, financial, and administrative issues surrounding the registration of intellectual property rights in the likenesses and designations of military items, and to report back to Congress as soon as practicable on any recommendations for modifications to existing policies or statutes. The report should include a discussion of how the registration and licensing program authorized by section 1004 could be used to streamline the procedures under which toy and hobby manufacturers obtain licenses for military likenesses and designations.

Report on Department of Defense contracting with contractors or subcontractors employing members of the Selected Reserve

The Senate amendment contained a provision (sec. 845) that would require the Secretary of Defense to conduct a study on actual or potential contractors or subcontractors who employ members of the Selected Reserve. The study would address the extent to which Department of Defense contractors employ members of the Selected Reserve; potential disadvantages to such contractors in competing for Department contracts if their employees are mobilized; and recommendations for any appropriate action to provide such contractors with time or assistance in meeting contract deadlines. The provision would also repeal section 819 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), which provided authorization for the Secretary to use employment of Selected Reserve members by a contractor as an evaluation factor for award of contracts.

The House bill contained no similar provision.

The Senate recesses.

Pilot program on expanded use of Mentor-Protégé authority

The Senate amendment contained a provision (sec. 874) that would enable the Secretary of Defense to use the authorities of the Department of Defense Mentor-Protégé program to provide technical assistance to firms that develop new technologies related to force protection or countering the threat of improvised explosive devices under the Small Business Innovative Research program.

The House bill contained no similar provision.

The Senate recedes.

TITLE IX-DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Legislative Provisions Adopted

Subtitle A-Department of Defense Management

*Increase in authorized number of assistant secretaries of defense
(sec. 901)*

The conferees agree to include a provision requested by the Department of Defense that would amend section 138(a) of title 10, United States Code, to permit an increase in the number of assistant secretaries of defense (ASDs) from 9 to 10 in order to facilitate a reorganization of the Office of the Under Secretary of Defense for Policy (OUSD(P)).

The conferees support the stated purpose of the reorganization, which is to develop a balanced set of portfolios that would allow more effective interaction with both commanders of the unified combatant commands and other Federal departments and agencies. The conferees understand that the Secretary of Defense intends to begin implementation of the OUSD(P) reorganization on or about October 1, 2006. While the conferees agree that the Secretary of Defense should adjust the roles and responsibilities within the OUSD(P) to address more effectively the full range of current and emerging national security challenges, the conferees share some concerns about the proposed reorganization. Chief among these concerns are:

(1) the role of a global war on terrorism task force that reports directly to the Under Secretary of Defense for Policy, and the relationship between that task force and the ASD for "Special Operations and Low-Intensity Conflict and Interdependent Capabilities" (SOLIC/IC) and other ASDs;

(2) the placement of "Strategic Capabilities" under the ASD for SOLIC/IC. Nuclear and missile issues arguably require a different skill set and knowledge base and could

result in an overall dilution of the statutory mission of this ASD, which is to supervise special operations and low-intensity conflict activities. Moreover, moving "Strategic Capabilities" to a different ASD than the one responsible for chemical and biological weapons issues may complicate the effective coordination that occurs currently. It would mean that the Commander, U.S. Strategic Command, would need to seek guidance on combating weapons of mass destruction (WMD) policy from two different ASDs, creating the kind of seam that the reorganization is suppose to minimize;

(3) the placement of "Forces Transformation and Resources" under the ASD for SOLIC/IC. The conferees have similar concerns about the different skill set and knowledge base required for overseeing transformation, as well as the U.S. Transportation Command. Placing such responsibilities under the ASD for SOLIC/IC would further divert focus from the statutory mission of this ASD;

(4) the very large span of responsibilities for a Deputy ASD for "Counternarcotics, Counterproliferation, and Global Threats." The large number of significant issues that would reside in this organization could mean that insufficient personnel and resources are devoted to the critical and diverse issues assigned to this ASD, including the critical missions of cooperative threat reduction, counterproliferation, and combating WMD;

(5) the potential impact on counternarcotics (CN) program execution. While the conferees recognize that efficiencies can be gained by developing common approaches and funding to combat illicit drug production and trafficking, terrorism, and proliferation of WMD, the conferees note that the management of CN policy must remain consistent with congressional intent regarding the Department of Defense's counterdrug role and the effective use of its drug interdiction central transfer account. Separating CN policy oversight from the administration of the central transfer account would likely reduce the effectiveness and responsiveness of the CN policy office and its ability to facilitate accurate congressional oversight of the program;

(6) the unique placement of both functional and regional issue responsibilities under one ASD for Homeland Defense and Americas' Security Affairs. It also is unclear what the functional issues under this ASD would entail; and

(7) the role of the Deputy Assistant Secretary of Defense for "Building Partner Capacity Strategy." It is unclear how this portfolio would differ from that of a Deputy Assistant Secretary of Defense for "Security Cooperation Operations." This structure appears to presume that the Department will receive permanent authority to undertake

foreign military assistance missions, despite the fact that Congress has not provided such authority to the Department.

In light of these concerns, the conferees direct the Secretary of Defense to submit to the congressional defense committees, not later than February 1, 2007, a report on the OUSD(P) reorganization. This report shall provide a detailed description and explanation of the reorganization, including each of the concerns noted above. The conferees also expect that Department officials will consult frequently with the congressional defense committees about the assigned responsibilities of the ASDs, the assignment of personnel, and the plan for implementation.

Modifications to the Combatant Commander Initiative Fund (sec. 902)

The conferees agree to include a provision that would provide expanded authority under the Combatant Commanders Initiative Fund (CCIF) for geographic combatant commanders to provide urgent and unanticipated humanitarian relief and reconstruction assistance to countries in their respective areas of responsibility (AORs), particularly to countries where U.S. Armed Forces are engaged in a contingency operation. The conferees also agree to increase by \$5.0 million the amount authorized for the CCIF for fiscal year 2007 for this purpose.

The conferees believe it is important that the geographic combatant commanders have additional authority, resources, and flexibility in order to be able to respond to urgent and unanticipated humanitarian relief and reconstruction needs in their AORs, particularly in countries where U.S. forces are engaged in a contingency operation. The conferees urge the Department of Defense to request sufficient funds in the CCIF for this purpose in future years budget requests. The conferees urge the Department of Defense to develop guidance for the use of this authority to ensure that the authority can be used quickly and without bureaucratic delay in urgent situations. The conferees also urge that the guidance include procedures for coordinating with the relevant Department of State country team as a precondition for providing assistance to a foreign country under this authority.

The conferees note that this expanded CCIF authority is not intended for use in Afghanistan or Iraq so long as Commander's Emergency Response Program (CERP) authority is available for use in those countries.

Addition to membership of specified council (sec. 903)

The House bill contained a provision (sec. 903) that would amend section 179(a) of title 10, United States Code, to add the Commander, Strategic Command to the Nuclear Weapons Council.

The Senate amendment contained no similar provision.
The Senate recesses.

Consolidation and standardization of authorities relating to Department of Defense Regional Centers for Security Studies (sec. 904)

The House bill contained a provision (sec. 904) that would streamline the management of the Department of Defense Regional Centers for Security Studies by providing a uniform set of authorities for all of these Regional Centers. The provision would allow the Regional Centers to conduct research, as well as facilitate the communication and exchange of ideas between U.S. and foreign military officers, civilian governmental personnel, and non-governmental personnel. The provision would permit foreign governments and U.S. federal agencies to fund foreign participation in Center activities, and would provide the Secretary of Defense authority to waive reimbursement of costs of activities for military officers and civilian defense and security officials from developing countries. The provision would continue the requirement for the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report on the Regional Centers' status, objectives, budgets, international participation, and foreign gifts and donations.

The Senate amendment contained no similar provision.
The Senate recesses.

Oversight by Office of Under Secretary of Defense for Acquisition, Technology, and Logistics of exercise of acquisition authority by combatant commanders and heads of Defense Agencies (sec. 905)

The Senate amendment contained a provision (sec. 902) that would establish a senior acquisition executive for special operations within the staff of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.

The House bill contained no similar provision.

The House recesses with an amendment that would require the Secretary to, not later than 180 days after the date of the enactment of this Act, designate a senior acquisition official within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics to coordinate and oversee the exercise of acquisition authorities by any combatant commander and any head of a defense agency designated by the Secretary of Defense to exercise acquisition authority.

The conferees note that the designation of a senior acquisition official within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics under the expanded authorities recommended by this section is intended to enhance acquisition oversight and the effective stewardship of

resources and is not intended to impede the need to fulfill the urgent requirements of the commanders of combatant commands and the heads of defense agencies.

Standardization of statutory references to "national security system" within laws applicable to Department of Defense (sec. 906)

The House bill contained a provision (sec. 901) that would modify three sections of title 10 to ensure the definition of national security system is consistent with the current definition in the Federal Information Security Management Act of 2002 (Public Law 107-347) and with the definition of information technology in section 3542(b)(2) of title 44, United States Code.

The Senate amendment contained a similar provision (sec. 1071).

The Senate recesses.

Correction of reference to predecessor of Defense Information Systems Agency (sec. 907)

The House bill contained a provision (sec. 902) that would amend section 193 of title 10, United States Code, to reflect the current name of the Defense Information Systems Agency.

The Senate amendment contained an identical provision (sec. 1072).

The conference agreement includes this provision.

Subtitle B-Space Activities

Designation of successor organizations for the disestablished Interagency Global Positioning Executive Board (sec. 911)

The House bill contained a provision (sec. 911) that would amend the Commercial Space Transportation Competitiveness Act of 2000 (Public Law 106-405) to reflect the subsequent disestablishment of the Interagency Global Positioning Executive Board and its replacement by a new organizational structure created by national policy.

The Senate amendment contained a similar provision (sec. 1082).

The Senate recesses with a technical amendment that would replace the phrase "national security presidential directive" with "U.S. Space-based Position, Navigation, and Timing Policy."

Extension of authority for pilot program for provision of space surveillance network services to non-United States Government entities (sec. 912)

The House bill contained a provision (sec. 912) that would extend through September 30, 2009, a pilot program that is determining the feasibility and desirability of providing space surveillance data support to non-United States Government entities.

The Senate amendment contained an identical provision (sec. 912).

The conference agreement includes this provision.

Operationally responsive space (sec. 913)

The House bill contained a provision (sec. 913) that would establish an Operationally Responsive Space (ORS) program office and would require the Secretary of Defense to submit a report to the congressional defense committees setting forth a plan for acquisition of capabilities for operationally responsive space support to the military.

The Senate amendment contained a similar provision (sec. 911).

The House recedes with an amendment that would clarify the organization and acquisition activities of the program office.

The conferees make the following findings: (1) access to and use of space is critical for preserving and protecting the national security, commercial, and civil interests of the United States; (2) to the maximum extent possible, space capabilities should be integrated into the strategy, doctrine, operations, and contingency plans of the armed forces; (3) the combatant commanders should have access to responsive space capabilities that provide prompt, focused support in their theater of operations, including which capabilities should compliment other national and Department of Defense space assets while providing direct and flexible support to the warfighter on the battlefield and military operations other than war; and (4) the United States Space Transportation Policy of January 6, 2005, calls for the demonstration, before 2010, of an initial capability for operationally responsive access to and use of space to support the national security requirements of the United States.

Accordingly, the conferees believe it should be the policy of the United States to demonstrate, acquire, and deploy an effective ORS capability to support military users and operations from space. The conferees understand the term ORS to include the ability to launch -- and activate quickly -- militarily useful satellites when needed to provide surge capability, reconstitute damaged or incapacitated satellites, or provide timely availability of tailored or new capabilities to the military user. By lowering the cost of satellite development and associated launch costs, ORS capabilities can lead to long-term benefits by advancing technology, improving space acquisitions, enhancing the skills of the technical workforce, and broadening the space industrial base.

To this end, the conferees direct the Secretary of Defense to establish a program office within the Department of Defense to coordinate and execute the Department's ORS activities and to facilitate the development of low-cost, rapid reaction payloads, busses, space-lift, and launch control capabilities to fulfill joint military operational requirements for on-demand space support and reconstitution. This program office should be the focal point for activities and entities with the capacity to contribute to the development of ORS capabilities and, as such, shall include science and technology, acquisition, operations, and combatant command support elements. In addition to coordinating the Department's efforts, this program office should seek to coordinate with the intelligence community and other relevant non-Department of Defense entities that may have activities associated with the ORS mission, and utilize existing processes and infrastructure, where applicable. The Department of Defense Executive Agent for Space, or a designee appointed by the Secretary, shall serve as head of the program office. Such designee shall report directly to the Department of Defense Executive Agent for Space.

The conferees recognize the value of developing systems for operational experimentation, which include leveraging these systems for technology demonstrations, applying lessons learned to the acquisition of production systems, and providing militarily useful support in-theater

Central to the success of the ORS effort is controlling the cost of satellites and launch vehicles developed as operational experimentation systems as well as operationally fielded production systems. The conferees believe it should be a goal of the program office, to the maximum extent possible, to limit the cost of launch vehicles (to low earth orbit) to approximately \$20.0 million in constant dollars, and to limit the cost of an integrated satellite to approximately \$40.0 million in constant dollars.

The conferees direct the Secretary to create a separate program element for the activities of the ORS program office and to ensure that, to the extent applicable, relevant programs and activities for ORS are consolidated within this program element. This is not intended to preclude other agencies or organizations within the Department from budgeting for science and technology efforts related to the ORS mission. The conferees do recommend, however, that the acquisition of operational capabilities and operations support costs should be planned, programmed, and budgeted in the program element for the ORS program office.

Independent review and assessment of Department of Defense organization and management for national security in space (sec. 914)

The Senate amendment contained a provision (sec. 913) that would require the Secretary of Defense to select an entity outside the Department of Defense to conduct an independent review and assessment of the organization and management of the Department of Defense for national security in space.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to consult with the chairmen and ranking members of the Committees on Armed Services of the Senate and the House of Representatives in selecting the entity to conduct the review and assessment.

Subtitle C-Chemical Demilitarization Program

Sense of Congress on completion of destruction of United States chemical weapons stockpile (sec. 921)

The Senate amendment contained a provision (sec. 1087) that would express the sense of the Senate that: (1) the United States is committed to making every effort to safely dispose of its chemical weapons stockpile by the Chemical Weapons Convention extended deadline of April 29, 2012, or as soon thereafter as possible; (2) the Secretary of Defense should prepare a comprehensive schedule for safely destroying the U.S. chemical weapons stockpile to prevent further delays in its destruction, and should submit that schedule annually to the congressional defense committees in an annual report; and (3) the Secretary should make every effort to ensure adequate funding to complete the elimination of the U.S. chemical weapons stockpile in the shortest time possible, consistent with the requirement to protect public health, safety, and the environment.

The House bill contained no similar provision.

The House recedes with an amendment that would make the provision a sense of Congress and add an additional element stating that the Secretary of Defense should propose a credible process to gain the support of affected communities when selecting a site for the treatment or disposal of neutralized chemical agent at a location remote from where the agent is stored.

Comptroller General review of cost-benefit analysis of off-site versus on-site treatment and disposal of hydrolysate derived from neutralization of VX nerve gas at Newport Chemical Depot, Indiana (sec. 922)

The House bill contained a provision (sec. 922) that would require the Comptroller General to review and report to Congress by December 1, 2006, on the adequacy of the cost benefit analysis prepared by the Secretary of the Army comparing options to treat and dispose of the hazardous material that is a by-product of the process of neutralizing VX nerve gas stored at the Newport

Chemical Depot, Indiana. The provision would also prohibit the Secretary from proceeding with any action to transport this hazardous material, or hydrolysate, from the Newport Chemical Depot until 60 days after the Comptroller General's report is received by Congress.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit the Secretary from proceeding with any action to transport this hazardous material, or hydrolysate, from the Newport Chemical Depot to the State of New Jersey until the earlier of: 60 days after the Comptroller General's report is received by Congress, or February 1, 2007.

Incentives clauses in chemical demilitarization contracts (sec. 923)

The Senate amendment contained a provision (sec. 372) that would provide the Secretary of Defense authority to include an incentives clause in any contract for the destruction of the U.S. stockpile of lethal chemical agents and munitions in order to accelerate the safe elimination of the U.S. chemical weapons stockpile and to reduce the total cost of the chemical demilitarization program by affording the contractor an opportunity to share in the life cycle cost savings that the U.S. Government would realize by early completion of destruction operations and facility closure. The provision would require that this authority be exercised consistent with the Secretary's obligation under law to provide for maximum protection for the environment, the general public, and the personnel who are involved in the destruction of the lethal chemical agents and munitions. The authority to include an incentives clause in a contract would be subject to the availability of appropriations for that purpose.

The House bill contained no similar provision.

The House recedes.

The conferees note that this authority is intended to be available for all elements of the chemical demilitarization program, including the Chemical Stockpile Disposal Project, the Alternative Technologies and Approaches Project, and the Assembled Chemical Weapons Alternative Program.

The conferees express their disappointment in the notification from the Secretary of Defense dated April 10, 2006, that the United States will not be able to meet the Chemical Weapons Convention extended destruction deadline of April 29, 2012, for the complete destruction of the U.S. chemical weapons stockpile. The conferees note the Secretary's commitment in the notification that "The Department will continue working diligently to minimize the time to complete destruction without sacrificing safety and security. We will also continue requesting resources needed to complete destruction as close to April 2012 as

practicable." The conferees strongly concur in those sentiments and urge the Department to uphold the commitment expressed in the Secretary's notification letter.

Chemical demilitarization program contracting authority (sec. 924)

The Senate amendment contained a provision (sec. 376) that would clarify retroactively that the Secretary of Defense may carry out the chemical weapons demilitarization program through multiyear contracts.

The House bill contained no similar provision.

The House recesses.

Subtitle D-Intelligence-Related Matters

Four-year extension of authority of Secretary of Defense to engage in commercial activities as security for intelligence collection activities (sec. 931)

The Senate amendment contained a provision (sec. 1031) that would extend the authority to engage in commercial activities as security for intelligence collection activities until December 31, 2008.

The House bill contained a similar provision (sec. 931).

The House recesses with an amendment that would extend the authority until December 31, 2010.

Annual reports on intelligence oversight activities of the Department of Defense (sec. 932)

The Senate amendment contained a provision (sec. 1032) that would require the Secretary of Defense to submit an annual report to the congressional defense and intelligence committees on intelligence oversight activities of the Department of Defense. The term "intelligence oversight activities of the Department of Defense" refers to any activity undertaken by an agency element or component of the Department to ensure compliance with regard to intelligence and intelligence-related activities of the Department under law or any Executive order, or Presidential directive, including Executive Order 12333.

The House bill contained no similar provision.

The House recesses with an amendment that would change the distribution of the report, remove references to "questionable activities," and add the required annual report to chapter 21, title 10, United States Code.

Collection by National Security Agency of service charges for certification or validation of information assurance products (sec. 933)

The Senate amendment contained a provision (sec. 1035) that would authorize the National Security Agency to collect service charges for the certification or validation of information assurance products.

The House bill contained no similar provision.

The House recesses.

Subtitle E-Other Matters

Department of Defense policy on unmanned systems (sec. 941)

The Senate amendment contained a provision (sec. 921) that would require the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, to develop a Department-wide policy for research, development, test, and evaluation; procurement; and operation of unmanned systems.

The House bill contained no similar provision.

The House recesses with an amendment that would: (1) clarify the policy elements to be addressed; (2) require the report to the congressional defense committees to include strategy and schedule information for implementing the necessary policy; and (3) define unmanned systems for the purposes of this section.

The conferees recognize that unmanned systems are not, and will not, be capable of replacing manned systems in every case. However, the conferees encourage the Department of Defense to use an expanded vision in determining those routine and dangerous missions that could, and should, be performed by unmanned systems. Interoperability, survivability, commonality, sustainment, manufacturing, and training should be examined for seamless integration between manned and unmanned systems development, acquisition and operation in the air, on the ground, and at sea.

Executive Schedule level IV for Deputy Under Secretary of Defense for Logistics and Materiel Readiness (sec. 942)

The Senate amendment contained a provision (sec. 922) that would move the position of Deputy Under Secretary of Defense for Logistics and Materiel Readiness from Executive Schedule Level III to Level IV. The change would be applicable to future appointees to the position.

The House bill contained no similar provision

The House recesses.

Study and report on reform of Defense Travel System (sec. 943)

The Senate amendment contained a provision (sec. 926) that would prohibit the Secretary of Defense from obligating or expending any funds related to the Defense Travel System, except those funds obtained through a one-time, fixed-price service fee

per Department of Defense customer utilizing the system with an additional fixed fee for each transaction.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to provide an independent report to the congressional defense committees within 6 months of the date of the enactment of this Act. The report shall analyze the feasibility of separating the financial infrastructure of the Defense Travel System from the travel reservation system, converting the travel reservation process to a fee-for-service system, and making the use of the financial infrastructure of the Defense Travel System mandatory for all travel transactions.

The amendment would also require the Secretary to report to the congressional defense committees on the actions he plans to take to implement the recommendations of the report. The amendment prohibits the Secretary from initiating a new contract for the Defense Travel System (other than to continue current operations) until the report has been provided to the Congress.

Administration of pilot project on Civilian Linguist Reserve Corps (sec. 944)

The Senate amendment contained a provision (sec. 1033) that would transfer the administration of the pilot project on the Civilian Linguist Reserve Corps from the Director of National Intelligence (DNI) to the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to coordinate with the DNI in carrying out the pilot project, and extend the duration of the pilot project for an additional 2 years.

Improvement of authorities on the National Security Education Program (sec. 945)

The Senate amendment contained a provision (sec. 1034) that would amend section 1902(b)(2) of title 50, United States Code, to expand the entities in which mandated service could be performed to include the Department of Homeland Security, Department of State, or a position in the field of education. The provision would also provide authority to the Secretary of Defense to hire a program participant in a position in the Department of Defense on a temporary, interim basis, for a period not to exceed 2 years, to expedite security clearances and other personnel processes, if there is no other permanent position available for the participant.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the authority to expand the entities in which mandated service could be performed, and make clarifying changes.

Report on the posture of the United States Special Operations Command to conduct the global war on terrorism (sec. 946)

The Senate amendment contained a provision (sec. 927) that would require the Secretary of Defense to report on the types of units and capabilities that should be incorporated into the reserve components of the Armed Forces as part of the expansion of Special Forces, as outlined in the 2006 Quadrennial Defense Review Report. In addition, the Secretary would be required to report on the effort taken by the U.S. Special Operations Command (USSOCOM) to provide special forces training in high-altitude and mountainous areas within the United States.

The House bill contained no similar provision.

The House recesses with an amendment that would require that the report should assess the posture of USSOCOM to conduct the global war on terrorism, including: (1) whether the command is appropriately manned, resourced, and equipped; (2) whether there is an appropriate balance of capabilities between the active and reserve components; (3) whether there are sufficient numbers of Army Special Forces for foreign security assistance and training missions; and (4) how the special operations forces are being trained for different operational environments.

Legislative Provisions Not Adopted

United States Military Cancer Institute

The Senate amendment contained a provision (sec. 901) that would require the Secretary of Defense to establish the United States Military Cancer Institute in the Uniformed Services University of the Health Sciences.

The House bill contained no similar amendment.

The Senate recesses.

Military deputies to the assistant secretaries of the military departments for acquisition, logistics, and technology matters

The Senate amendment contained a provision (sec. 904) that would establish positions within the military departments for military deputies to the assistant secretaries for acquisition in the Departments of the Army, Navy, and Air Force. The officers serving in these positions would hold the rank of lieutenant general or vice admiral while serving and would be excluded from limits on the numbers and percentages of officers in the respective services.

The House bill contained no similar provision.

The Senate recesses.

Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps

The House bill contained a provision (sec. 905) that would amend title 10, United States Code, to redesignate the Department of the Navy as the Department of the Navy and Marine Corps. The provision would also change the titles of the Secretary of the Navy, the Assistant Secretaries of the Navy, and the General Counsel of the Navy to include both the Navy and the Marine Corps.

The Senate amendment contained no similar provision.
The House recesses.

Transfer to Secretary of the Army of responsibility for Assembled Chemical Weapons Alternatives program

The House bill contained a provision (sec. 921) that would transfer program management responsibility for the Assembled Chemical Weapons Alternatives program from the Under Secretary of Defense for Acquisition, Technology, and Logistics to the Secretary of the Army by January 1, 2007.

The Senate amendment contained no similar provision.
The House recesses.

Sense of Congress regarding the safe and expeditious disposal of chemical weapons

The House bill contained a provision (sec. 923) that would express the sense of Congress that the process used for selecting a site for remote disposal of hazardous material remaining after the initial processing of chemical munitions should be free from political influence and that a process similar to that used for base closure and realignment be considered for adoption.

The Senate amendment contained no similar provision.
The House recesses.

Sense of Senate on nomination of individual to serve as Director of Operational Test and Evaluation on a permanent basis

The Senate amendment contained a provision (sec. 924) that would express the sense of the Senate that the President should nominate a permanent Director of Operational Test and Evaluation as soon as practicable.

The House bill contained no similar provision
The Senate recesses.

Inclusion of homeland defense and civil support missions of the National Guard and Reserves in the Quadrennial Defense Review

The Senate amendment contained a provision (sec. 925) that would amend section 118 (d) of title 10, United States Code, to require the Secretary of Defense to include homeland defense and civil support missions in the Quadrennial Defense Review (QDR) report.

The House bill contained no similar provision.
The Senate recedes. The provision was incorporated into another provision elsewhere in this report.

TITLE X-GENERAL PROVISIONS

Item of Special Interest

Vietnam conflict

The conferees believe it is appropriate to commemorate the 50th anniversary of the Vietnam conflict in order to thank and honor the veterans, missing in action, and prisoners of war of that conflict and their families; to pay tribute to the sacrifices and contributions made on the home front by the people of the United States during the Vietnam conflict; to highlight advances in technology, science, and medicine related to military research conducted during the Vietnam conflict; and to recognize the contributions and sacrifices made by the allies of the United States in the Vietnam conflict.

The conferees, therefore, direct the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives, not later than April 1, 2007, with a proposed plan on commemoration of the Vietnam conflict. At a minimum, the proposed plan should include: the recommended duration and outline of major events of the commemoration; a discussion of how the Department of Defense would coordinate, support, and facilitate this commemoration with other Federal Government agencies, State and local governments, and other entities; the estimated total expenditures necessary to carry out the commemoration program; and legislative proposals needed to implement the commemoration. The plan should also include the recommended process and guidelines for managing the financing and expenditures of the commemoration. To that end, the plan should include the establishment in the Treasury of an account to be administered by the Secretary of Defense, from which funds might be invested and from which funds could be obligated solely for purposes related to the commemoration program. The conferees also believe that the establishment of such an account should be accompanied by a recommended limitation on the expenditure of appropriated funds in support of the commemoration and that the cost of the commemoration should not be borne by a single military department.

Legislative Provisions Adopted

Subtitle A-Financial Matters

General transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would provide \$3.75 billion in transfer authority among accounts in division A of this Act for fiscal year 2007.

The Senate amendment contained a similar provision (sec. 1001) that would provide \$4.0 billion in transfer authority among accounts in division A of this Act for fiscal year 2007.

The House recesses with an amendment that would provide \$4.5 billion in transfer authority.

Authorization of additional emergency supplemental appropriations for fiscal year 2006 (sec. 1002)

The House bill contained a provision (sec. 1002) that would authorize emergency supplemental appropriations pursuant to an emergency supplemental appropriations act for 2006.

The Senate amendment contained a similar provision (sec. 1002) that would authorize additional emergency supplemental appropriations for fiscal year 2006 for Iraq, Afghanistan, and the Global War on Terror, pursuant to titles I, II, and V of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

The House recesses.

Reduction in certain authorizations due to savings relating to lower inflation (sec. 1003)

The House bill contained a provision (sec. 1006) that would reduce the amount authorized to be appropriated to the Department of Defense by \$1.6 billion to reflect savings from lower-than-expected inflation estimates.

The Senate amendment contained a similar provision (sec. 1003).

The Senate recesses with an amendment that would reduce the amount authorized to be appropriated to the Department of Defense by \$757.1 million.

Increase in fiscal year 2006 general transfer authority (sec. 1004)

The House bill contained a provision (sec. 1003) that would provide \$3.75 billion in transfer authority among accounts in division A of this Act for fiscal year 2006.

The Senate amendment contained a similar provision (sec. 1006) that would provide \$5.0 billion in transfer authority for fiscal year 2006.

The House recesses.

United States contribution to NATO common-funded budgets in fiscal year 2007 (sec. 1005)

The House bill contained a provision (sec. 1004) that would authorize the U.S. contribution to North Atlantic Treaty Organization (NATO) common-funded budgets for fiscal year 2007, including the use of unexpended balances.

The Senate amendment contained an identical provision (sec. 1005).

The conference agreement includes this provision.

The conferees note that this provision is necessary because the resolution of ratification for the Protocol to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic contained a provision (section 3(2)(c)(ii)) requiring a specific authorization for U.S. payments to the common-funded budgets of NATO for each fiscal year, beginning in fiscal year 1999, that payments exceed the fiscal year 1998 total.

Report on budgeting for fluctuations in fuel cost rates (sec. 1006)

The House bill contained a provision (sec. 1005) that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives by January 15, 2007, on the fuel cost rate projection used in the annual Department of Defense budget.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment that would change the date of the required report to February 15, 2007, and require that the report be sent to the congressional defense committees.

Modification of date of submittal of OMB/CBO report on scoring of outlays (sec. 1007)

The Senate amendment contained a provision (sec. 1006) that would change the date of the currently required report on the Office of Management and Budget and the Congressional Budget Office outlay estimates (section 226 of title 10, United States Code) from January 15 to April 1 of each year.

The House bill contained no similar provision.

The House recedes.

Budgeting for ongoing military operations in Afghanistan and Iraq (sec. 1008)

The Senate amendment contained a provision (sec. 1085) that would require the President to submit, pursuant to section 1105(a) of title 31, United States Code, for each fiscal year after fiscal

year 2007, a request for funds for ongoing military operations in Afghanistan and Iraq. The provision would also require the President to submit an estimate of all funds expected to be required in that fiscal year for such operations and a detailed justification of the funds requested.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Subtitle B-Policy Relating to Vessels and Shipyards

Aircraft carrier force structure (sec. 1011)

The Senate amendment contained a provision (sec. 1011) that would eliminate the requirement for the naval combat forces of the Navy to include no fewer than 12 operational aircraft carriers.

The House bill contained no similar provision.

The House recesses with an amendment that would reduce the minimum number of operational aircraft carriers required by law to 11.

The conferees understand that the 2006 Quadrennial Defense Review Report concluded that a naval force including 11 aircraft carriers meets the combat capability requirements of the National Military Strategy. The conferees agree with the Navy's determination that the cost of maintaining 12 operational aircraft carriers by restoring the USS *John F. Kennedy* (CV-67) to a deployable, fully mission-capable status would significantly impact the Chief of Naval Operations' (CNO) plan to build a future naval force of 313 ships. The conferees also agree with the Navy's proposal to inactivate the USS *John F. Kennedy* (CV-67) in fiscal year 2007. However, the conferees believe that it is important to retain the ability to reactivate the USS *John F. Kennedy* (CV-67) in the event that 12 aircraft carriers are required in response to a national emergency.

The conferees expect, therefore, in conjunction with decommissioning the USS *John F. Kennedy* (CV-67), that the Secretary of Defense, in coordination with the Supreme Allied Commander, Europe and the Secretary of Homeland Security, will evaluate the feasibility of maintaining the aircraft carrier in an operational status by transferring custody and control to the North Atlantic Treaty Organization or the Department of Homeland Security. The Secretary shall provide notification of the findings to the Committees on Armed Services of the Senate and the House of Representatives prior to decommissioning the USS *John F. Kennedy* (CV-67).

The conferees further expect that, upon decommissioning from the U.S. Navy and completion of the ship's inactivation availability, the Navy will maintain CV-67 in a state of preservation (dehumidification, cathodic protection, and

configuration control) pending determination of final disposition. In the event it is determined that CV-67 is to be retired from operational status, the Secretary of the Navy shall evaluate other alternatives for final disposition, to include maintenance in a reduced mobilization status, donation as a museum article, or striking from the naval vessel registry; and report the findings with the Secretary of the Navy's recommendation to the congressional defense committees not later than October 1, 2007. Under all circumstances, the Navy shall retain custody of CV-67 at least until commissioning of CVN-77. If the aircraft carrier is transferred from the custody and control of the Navy, the Secretary of the Navy shall require as a condition of such transfer that the transferee, upon request of the Secretary of Defense, return the vessel to the United States. In such a case, unless the transferee is otherwise notified by the Secretary of the Navy, the title to the vessel shall revert immediately to the United States.

The conferees agree with the CNO statement in his letter dated August 14, 2006, to the Ranking Member of the Committee on Armed Services of the Senate, that "Naval Station Mayport and the many resources of the Jacksonville area remain vitally important to Navy readiness," and support the CNO commitment "to maintaining the infrastructure necessary to support the strategic dispersal of the Atlantic Fleet at this key east coast port." The conferees note that the USS *John F. Kennedy* (CV-67) has served proudly in defense of freedom around the world, in times of peace and in war in the course of her 38 years of service. She has brought great honor to our Nation, to her namesake, and to the tens of thousand of sailors who "stood the watch" on her decks these many years. It is most fitting, therefore, that the Navy plan the decommissioning of the USS *John F. Kennedy* (CV-67) with ceremony befitting her distinguished history of service to our Nation.

Sense of Congress on naming the CVN-78 aircraft carrier as the USS Gerald R. Ford (sec. 1012)

The Senate amendment contained a provision (sec. 1013) that would require that the CVN-78 aircraft carrier shall be named the USS *Gerald R. Ford*.

The House bill contained no similar provision.

The House recedes with an amendment that would express the sense of Congress that the Navy should name the CVN-78 aircraft carrier the USS *Gerald R. Ford*.

Transfer of naval vessels to foreign nations based upon vessel class (sec. 1013)

The House bill contained a provision (sec. 1011) that would allow the transfer of a specified number of ships to a particular

nation without identification of the specific vessel by hull number or ship name.

The Senate amendment contained a similar provision (sec. 1012).

The Senate recesses.

Overhaul, repair, and maintenance of vessels in foreign shipyards (sec. 1014)

The House bill contained a provision (sec. 1012) that would clarify those commonwealths and possessions that are to be considered as part of the United States for the purposes of naval vessels to include Military Sealift Command vessels. The provision would also extend the limitations on overhaul, repair, and maintenance of vessels in foreign shipyards.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would amend section 7310(a) of title 10, United States Code, to require naval vessels homeported in Guam to be overhauled, repaired, or maintained in a shipyard in the United States or Guam.

Report on options for future lease arrangement for Guam Shipyard (sec. 1015)

The House bill contained a provision (sec. 1013) that would require the Secretary of the Navy to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the Guam Shipyard. The provision would also require the Comptroller General to submit an evaluation of the Secretary of Navy's report. The provision would further require the awarding of contracts to the Guam Shipyard in an amount equal to the average amount awarded between fiscal years 1998 and 2006.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would delete the requirement for awarding contracts to the Guam Shipyard.

Assessments of naval vessel construction efficiencies and of effectiveness of special contractor incentives (sec. 1016)

The House bill contained a provision (sec. 1014) that would establish a program to provide grants and loan guarantees to U.S. shipbuilders to make capital investments in their shipbuilding processes and facilities. The provision would also require the Secretary of the Navy to perform annual assessments of the shipbuilding industrial base to determine where and to what extent inefficiencies exist and to what extent innovative design and production technologies, processes, and infrastructure can be developed to alleviate such inefficiencies.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to conduct an assessment of naval vessel construction to determine inefficiencies that exist; innovative design and production technologies, processes, and performance incentives that are warranted to alleviate those inefficiencies; and actions the Secretary intends to take to facilitate adoption by the shipbuilding industry of the technologies, processes, and performance incentives so identified. The amendment would also require the Secretary to conduct an assessment of the effectiveness of the use in naval construction contracts of special incentives for investment by the contractor in facilities and process improvement projects, including a description of the use of such incentives, a description of the process and criteria used for evaluation of and selection among proposed projects, progress in implementing selected projects, plans for applying similar contract incentives in future shipbuilding programs, and recommendations by the Secretary for enactment of legislation that might increase the effectiveness of, or expand the use of, such contract incentives. The amendment would further require that the Secretary submit a report on these assessments to the congressional defense committees not later than April 1, 2007. The conferees direct the Secretary to provide the congressional defense committees with an interim briefing on the findings of the assessments not later than March 1, 2007.

Obtaining carriage by vessel: criterion regarding overhaul, repair, and maintenance of vessels in the United States (sec. 1017)

The House bill contained a provision (sec. 1017) that would provide that the Secretary of Defense may not award any contract for the carriage by vessel of cargo for the Department of Defense, unless the contract includes a requirement under which the contractor shall ensure that the overhaul and repair work is done in a shipyard located in the United States or the contractor must report any repair work conducted in a shipyard located outside the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to issue an acquisition policy that establishes as a criterion, required to be considered in obtaining carriage by vessel of cargo for the Department, the extent to which an offeror of such carriage had overhaul, repair, and maintenance work for the offerors' vessels performed in shipyards located in the United States. The amendment would be limited to vessels that are owned, operated, or controlled by the offeror and qualified to engage in the carriage of cargo in the coastwise or non-contiguous trades. Thus, the conferees expect that the Secretary will establish, as an evaluation criterion in the award, the past accomplishment of overhaul, repair, and maintenance work conducted in shipyards

located in the United States, similar to other considerations such as cost, schedule, capability to perform the carriage, and other independently weighted factors. The amendment would apply to the carriage of Department cargo, whether the carriage was obtained pursuant to charter or tariff. Further, the amendment would define the term "United States" to include any State of the United States and, in addition, Guam.

The conferees agree that a strong ship repair industrial base is vital to the national security interests of the United States. Accordingly, it is important that the Secretary maintain a current assessment of the Nation's ship repair capabilities and capacity and, consistent with the Secretary's assessment, that the Department assign value to the accomplishment of overhaul, repair, and maintenance work in the United States for the evaluation of offerors' proposals in the awards of contracts to carry Department cargo.

To guide formulation and implementation of the Secretary's acquisition policy, the Secretary shall conduct an assessment of the ship repair industrial base, to include: (1) a determination of ship repair requirements to support the National Military Strategy; (2) an evaluation of the repair industrial base's critical capabilities, capacity, competitive sourcing, geographical disposition; and (3) other critical factors as measured against the determined requirements. The Secretary shall submit a report on the results of the assessment to the congressional defense committees not later than June 1, 2007.

Riding gang member requirements (sec. 1018)

The House bill contained a provision (sec. 1018) that would prohibit the Secretary of Defense from awarding a charter or a contract for carriage of defense cargo unless the charter or contract requires that each riding gang member that performs any work on the vessel during the effective period of the charter or contract holds a merchant mariner's document issued by the United States Coast Guard. The provision would also allow the Secretary to issue regulations to exempt a riding gang member from the above requirement under limited circumstances, and then only if a background check is performed.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would incorporate by reference certain limited provisions contained in section 8106 of title 46, United States Code, relating to general restrictions on the use of riding gangs on U.S. documented vessels. The amendment would also clarify, for those vessels carrying defense cargoes, the categories of individuals who may be exempted under regulation from the requirement to hold a merchant mariner's document issued by the United States Coast Guard. These individuals, who will be required to have either a background check or possess a merchant mariner's document, include supercargo

personnel, force protection personnel, specialized repair technicians, and other individuals required to be aboard the vessel. The amendment would further make clear that individuals engaged in the general operation or maintenance, whether designated members of the vessel's crew or not, must possess a merchant mariner's document issued by the United States Coast Guard if the vessel is carrying defense cargoes.

Authority to transfer SS Arthur M. Huddell to the Government of Greece (sec. 1019)

The Senate amendment contained a provision (sec. 1014) that would authorize the Secretary of Transportation to transfer the ex-Liberty ship *SS Arthur M. Huddell*, by gift to the government of Greece. The provision would also authorize the Secretary to convey additional equipment from other obsolete vessels of the National Defense Reserve Fleet for purposes of a museum exhibit.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the President to transfer the *SS Arthur M. Huddell* to the government of Greece, and to convey additional equipment from other obsolete vessels of the National Defense Reserve Fleet, in accordance with such terms and conditions as the President may determine. As a condition of the transfer of the vessel, the President shall require, to the maximum extent practicable, that the government of Greece have such repair or refurbishment of the vessel, as is necessary for the safe transit of the vessel to its ultimate destination, be performed at a shipyard located in the United States.

Subtitle C-Counter Drug Activities

Extension of authority of Department of Defense to provide additional support for counterdrug activities of other governmental agencies (sec. 1021)

The Senate amendment contained a provision (sec. 1022) that would authorize a 5-year extension in the current authorities of the Department of Defense to assist the counterdrug activities of any other department or agency of the Federal Government or any other State, local, or foreign law enforcement agency through 2011.

The House bill contained no similar provision.

The House recedes.

Extension and expansion of Department of Defense authority to provide support for counter-drug activities of certain foreign governments (sec. 1022)

The Senate amendment contained a provision (sec. 1023) that would extend and expand certain authorities of the Department of Defense to support the counterdrug activities of other countries. The provision would: (1) extend current authorities for 2 years; (2) add 15 countries that are situated either along key drug smuggling routes or are facing an increasing threat of narco-terrorism to the list of countries eligible for support; (3) expand the types of equipment and supplies that can be provided for counterdrug support to include vehicles, aircraft, and detection and monitoring equipment; and (4) double the funding limit for counterdrug support through fiscal year 2011 from \$40.0 million to \$80.0 million. The provision would also require the Secretary of Defense to seek concurrence of the Secretary of State on matters of counterdrug support to foreign nations and provide a report to designated congressional committees on support provided to each foreign government.

The House bill contained no similar provision.

The House recesses with an amendment that would: (1) reduce the number of additional countries authorized to receive this support from 15 to 7; (2) reduce the funding limit to \$60.0 million; (3) authorize, for calendar years 2007 and 2008 only, the transfer, to Afghanistan only, of individual and crew-served weapons of 50 caliber or less, and the ammunition for such weapons for counter-narcotics security forces only; and (4) require the Secretary of Defense to consult with, instead of seek the concurrence of, the Secretary of State.

Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia (sec. 1023)

The House bill contained a provision (sec. 1023) that would extend the authority to support the unified counterdrug and counterterrorism campaign in Colombia through fiscal year 2008, as provided in the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375).

The Senate amendment contained a similar provision (sec. 1021).

The Senate recesses.

Continuation of reporting requirement regarding Department of Defense expenditures to support foreign counter drug activities (sec. 1024)

The House bill contained a provision (sec. 1024) that would extend by 1 year the requirement for the Secretary of Defense to submit a report detailing the expenditure of funds by the Secretary during fiscal year 2006.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would extend the reporting requirement through fiscal year 2007, and require the

report to be submitted to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

Report on interagency counter-narcotics plan for Afghanistan and South and Central Asian regions (sec. 1025)

The House bill contained a provision (sec. 1025) that would require the Secretary of Defense to submit a report to the congressional defense committees on interagency counterdrug implementation plans for Afghanistan and 10 other countries in south and central Asia.

The Senate amendment contained no similar provision.

The Senate recedes with amendment that would add Armenia to the list of countries in the report, and clarify other matters included in the report.

Report on United States support for Operation Bahamas, Turks & Caicos (sec. 1026)

The Senate amendment contained a provision (sec. 1024) that would require the Secretary of Defense to submit a report to Congress outlining the plan for continued United States Government support to Operation Bahamas, Turks & Caicos not later than 30 days prior to implementing a decision to withdraw Department of Defense helicopters from this counterdrug program.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle D-Force Structure and Defense Policy Matters

Improvements to Quadrennial Defense Review (sec. 1031)

The Senate amendment contained a provision (sec. 1083) that would amend section 118 of title 10, United States Code, to require: (1) analysis and recommendations in the Quadrennial Defense Review (QDR) that are not constrained to comply with the President's budget submission; (2) an identification of specific capabilities, including the general number and type of specific military platforms required to achieve strategic and warfighting objectives; (3) an independent assessment of the QDR and the submission of the results of the assessment to Congress; and (4) a more comprehensive risk assessment from the Chairman of the Joint Chiefs of Staff (CJCS) that describes the additional capabilities needed to reduce the risks identified in the CJCS risk assessment.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the appointment process for the independent panel, and expand the

scope of the review to include an assessment of the homeland defense and support to civil authorities missions of the active and reserve components of the armed forces, including the organizations and capabilities required for the active and reserve components to discharge their missions. The latter was included as a separate provision in the Senate amendment (sec. 925).

Quarterly reports on implementation of 2006 Quadrennial Defense Review Report (sec. 1032)

The House bill contained a provision (sec. 1035) that would require the Secretary of Defense to submit a quarterly report on the implementation of recommendations described in the 2006 Quadrennial Defense Review Report. The first report shall be submitted not later than January 31, 2007.

The Senate amendment contained no similar provision.
The Senate recesses.

Report on feasibility of establishing a regional combatant command for Africa (sec. 1033)

The Senate amendment contained a provision (sec. 1070C) that would require the Secretary of Defense to submit a report to the congressional defense committees, not later than 180 days after the date of the enactment of this Act, on the feasibility and advisability of establishing a regional combatant command for Africa.

The House bill contained no similar provision.
The House recesses with a clarifying amendment.

Determination of Department of Defense intratheater and intertheater airlift requirements and sealift mobility requirements (sec. 1034)

The House bill contained a provision (sec. 1043) that would require the Secretary of Defense to submit a report to the congressional defense committees not later than February 1, 2007, on the intratheater and intertheater airlift and sealift mobility requirements.

The Senate amendment contained no similar provision.
The Senate recesses with a technical amendment.

Presidential report on improving interagency support for United States 21st century national security missions and interagency operations in support of stability, security, transition, and reconstruction operations (sec. 1035)

The House bill contained a provision (sec. 1034) that would require the President to submit a report to Congress on building interagency capacity and enhancing the integration of civilian and

military capabilities to achieve U.S. national security goals and objectives. The report should include recommendations for specific legislative proposals to improve interagency coordination.

The Senate amendment contained a similar provision (sec. 1222) that would require the President to develop a plan to establish interagency operating procedures for Federal agencies to plan and conduct stabilization and reconstruction operations.

The Senate recesses with an amendment that would delete the sense of Congress, and merge the two provisions into a single report. The amendment would also make other clarifying changes.

The conferees recognize that the United States faces a more diverse set of national security challenges than those faced during the Cold War, and that the major national security institutions designed for the Cold War lack adequate capacity to address the security challenges of the 21st century. Since 2002, the administration has developed several strategy documents that set forth broad U.S. national security goals and objectives to address new and emerging security challenges. The administration has also taken initial steps to institutionalize lessons learned since the September 11, 2001, terrorist attacks on the United States, including the establishment of the Department of Homeland Security, the U.S. Northern Command, and the Office of Reconstruction and Stabilization, as well as the creation of the positions of the Assistant Secretary of Defense for Homeland Defense, the Under Secretary of Defense for Intelligence, and the Director of National Intelligence.

The conferees believe that the executive branch and Congress must take additional steps to lay the foundation and strengthen Federal institutions to ensure that interagency structures, policies, and processes support integrated planning and unified action in response to 21st century national security challenges. The conferees also believe that the United States Government should bring to bear all elements of national power to achieve its national security objectives. This will require strengthening the capacity of Federal departments and agencies to conduct interagency operations. In developing the required report, the conferees urge the executive branch to consult with State and local agencies, and other national security experts, as appropriate, on the types of interagency capabilities that the Federal Government should develop to address current and future security challenges. The report required by this section will provide the Congress with a baseline assessment of the capacities and capabilities of the Federal departments and agencies to carry out the full range of national security missions. The conferees intend to use this information in helping to develop and implement strategies that will improve the ability of the Federal departments and agencies to participate, as appropriate, in the full range of national security missions.

Further, the conferees note that United States Government lacks a standard, integrated approach to the planning and conduct of interagency operations. The conferees express the view that: (1) the President should provide clear guidance to United States Government agencies to manage complex operations and establish a standard, integrated approach to the planning and conduct of interagency operations to ensure a coherent and unified United States Government response to contingency operations; (2) civilian agencies of the United States Government should expand their capacity to participate, as appropriate, in national security missions and, more specifically, to plan, coordinate, and conduct stability, security, transition, and reconstruction operations, including their capacity to deploy rapidly, and for sustained periods of time, trained personnel to support such operations in the field; and (3) all the relevant United States Government agencies should include in their budget requests for future fiscal years adequate funding for planning and preparing to support contingency operations and, as necessary, request emergency supplemental funds for unanticipated contingency operations.

Subtitle E-Reports

Additional element in annual report on chemical and biological warfare defense (sec. 1041)

The Senate amendment contained a provision (sec. 1063) that would direct the Department of Defense to include a new element in the annual report on the Department's chemical and biological defense program, as required by section 1703 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160). The new element would be a description of the coordination and integration of the Defense Advanced Research Projects Agency (DARPA) research and development efforts on chemical and biological warfare defense with the Department's chemical and biological defense program, including the degree to which the DARPA program supports the objectives and requirements of the overall program, and the means by which the Department determines the level of coordination and support provided by DARPA to the Department's overall program.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Report on biodefense human capital requirements in support of biosafety laboratories (sec. 1042)

The Senate amendment contained a provision (sec. 1070) that would require the Secretary of Defense to study and report to Congress on the requirements for personnel and training at current and planned national biodefense laboratories at Biosafety Levels 3 and 4, including the number of personnel, by discipline, and the

training required to provide qualified personnel for such laboratories.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the report to Department of Defense personnel and training requirements, and expand the elements of the report to include recruitment and retention plans.

Report on technologies for neutralizing or defeating threats to military rotary-wing aircraft from portable air defense systems and rocket-propelled grenades (sec. 1043)

The Senate amendment contained a provision (sec. 1068) that would require the Secretary of Defense to submit a report to Congress, not later than 180 days after the date of the enactment of this Act, on technologies for neutralizing or defeating threats to military rotary-wing aircraft from portable air defense systems and rocket-propelled grenades that are being researched, developed, employed, or considered by the United States Government or the North Atlantic Treaty Organization.

The House bill contained no similar provision.

The House recedes with a technical amendment. The conferees expect the Secretary to submit a thorough classified report that includes technologies developed under classified programs.

Reports on expanded use of unmanned aerial vehicles in the National Airspace System (sec. 1044)

The Senate amendment contained a provision (sec. 1070D) that would make certain findings regarding the operational reliability of unmanned systems in support of national security missions and the potential for unmanned systems in support of border security and homeland defense missions. The provision would require the Secretary of Defense to report to Congress on efforts to support the Federal Aviation Administration (FAA) in the development of a policy on the testing and operation of unmanned vehicles in the National Airspace System.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the reporting requirement for the Department of Defense, and would require the FAA to submit a report on progress in developing a policy for testing and a plan for achieving wider access by unmanned aerial vehicles that are appropriately equipped to operate in the National Airspace System.

Report on incentives to encourage certain members and former members of the armed forces to serve in the Bureau of Customs and Border Protection (sec. 1045)

The Senate amendment contained a provision (sec. 1066) that would require, not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense to jointly submit to Congress a report assessing the desirability and feasibility of offering incentives to members of the reserve components of the armed forces and former members of the armed forces within 2 years of separation from service to encourage such persons to serve in the Bureau of Customs and Border Protection of the Department of Homeland Security. For the purposes of the report, the Secretary of Homeland Security and the Secretary of Defense would consider such incentives as the Secretaries jointly consider appropriate, including whether or not such incentives are monetary, and whether or not such incentives are currently authorized by law or regulations. The provision would require that the Secretaries give particular attention to the utility of such incentives in encouraging service by members and former members of the armed forces who provided border patrol or border security assistance as part of their duties as members of the armed forces, and leveraging military training and experience by accelerating training, or allowing credit to be applied to related areas of training, which is required for service with the Bureau of Customs and Border Protection. The provision would require that in assessing the incentives the Secretaries assume that any costs of such incentives would be borne by the Department of Homeland Security.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Repeal of certain report requirements (sec. 1046)

The House bill contained a provision (sec. 661) that would repeal the requirement for an annual report under section 1015 of title 37, United States Code, regarding the effects of certain recruitment and retention initiatives taken in fiscal year 2000.

The Senate amendment contained a provision (sec. 1065) that would repeal the requirement not only for the foregoing report under section 1015, but also for: (1) the annual report on aviation career incentive pay under section 301a of title 37, United States Code; (2) the report of the Secretary of Defense's recommendation on the need for Department of Defense review of proposed federal agency actions to consider possible impact on national defense; (3) the report on a pilot program to enhance military recruiting by improving military awareness of school counselors and educators; (4) the annual report on the activities of the Medical Informatics Advisory Committee and on coordination of informatics systems within the Federal Government; and (5) the reporting requirement associated with changes made by service academies in the amount of authorized charges or fees.

The House recedes with an amendment that would delete the provision regarding repeal of the report on imposition of additional charges or fees for attendance at certain academies.

Requirement for identification of recently enacted recurring reporting requirements applicable to the Department of Defense (sec. 1047)

The Senate amendment contained a provision (sec. 1067) that would require the Secretary of Defense to submit to the congressional defense committees, not later than March 1, 2007, a report on recurring reports that are required to be submitted, by the Department of Defense or any element thereof, to those committees by any provision of law enacted on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136). The provision would require that the Secretary describe each such report, assess its utility from the perspective of the Department, and give a recommendation as to the advisability of repealing the requirement for its submission.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) limit the reports covered by the provision to those enacted on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2004 and before February 1, 2007; (2) require the Secretary to include an assessment of the burden imposed on the Department (or an element thereof) by the preparation of the report; and (3) require the Secretary to submit his recommendations as to the modification, as well as the repeal, of individual reports.

Subtitle F-Miscellaneous Authorities and Limitations on Availability and Use of Funds

Acceptance and retention of reimbursement from non-Federal sources to defray Department of Defense costs of conferences (sec. 1051)

The Senate amendment contained a provision (sec. 1051) that would authorize the Department of Defense to accept and retain reimbursement from non-Federal sources for its conference costs. The provision would further require the Secretary of Defense to report to the congressional defense committees on the use of the authority granted by this provision.

The House bill contained no similar provision.

The House recedes with a technical amendment that would clarify that fees collected in excess of conference costs shall be deposited into the Treasury as miscellaneous receipts.

Increased flexibility in use of funds for Joint Staff exercises (sec. 1052)

The Senate amendment contained a provision (sec. 1053) that would increase the flexibility of the Chairman of the Joint Chiefs of Staff to use funds earmarked for the Chairman's joint exercise program to be available for expenses relating to self-deploying watercraft under the jurisdiction of a military department; port support activities; prepositioned watercraft; and lighterage for joint logistics and over the shore exercises.

The House bill contained no similar provision.

The House recesses.

Prohibition on parking of funds (sec. 1053)

The Senate amendment contained a provision (sec. 1007) that would prohibit any officer or employee of the Department of Defense from directing the allocation of funds in the President's budget or supporting documents with the knowledge or intent that the funds would not be used for the purpose for which they are allocated. A violation of this prohibition would be subject to the same penalties as a violation of the Anti-Deficiency Act, as codified in section 1341 of title 31, United States Code.

The House bill contained no similar provision.

The House recesses.

Modification of authorities relating to the Special Inspector General for Iraq Reconstruction (sec. 1054)

The Senate amendment contained a provision (sec. 1054) that would expand the authority of the Special Inspector General for Iraq Reconstruction (SIGIR) by considering any funds appropriated or made available in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234) for relief and reconstruction in Iraq as part of the Iraqi Relief and Reconstruction Fund (IRRF), and under the jurisdiction of the SIGIR, regardless of the source of the funds.

The House bill contained no similar provision.

The House recesses with an amendment that would clarify that the additional SIGIR jurisdiction is limited to U.S. funds and would provide a sunset date of October 1, 2007, for the Office of the SIGIR, with transition operations authorized to continue through December 31, 2007.

The conferees support the comprehensive audit efforts of the SIGIR and believe the office continues to perform a critical function as long as significant resources flow to Iraq reconstruction and until a transition plan is in place to return to regular order. The conferees direct the SIGIR, jointly with the Inspectors General of the Departments of State and Defense and the Inspector General of the U.S. Agency for International Development (USAID), to develop and submit such a transition plan to Congress by April 1, 2007. The plan should ensure maintenance

and accountability of all accumulated records and minimal, if any, disruption in the ability to oversee reconstruction funding or other U.S. assistance to Iraq. The plan should include a process and time line for transfer of open audits and investigations to the appropriate Departments of Defense, State or USAID office and should consider various contingency scenarios which may impact the transition time line. The conferees recognize that a significant change in the assumptions underlying this provision, such as a major new commitment of U.S. funds for Iraq reconstruction, would require changes to the transition plan and time line.

Subtitle G-Matters Involving Detainees

Provision of information to Congress on certain criminal investigations and prosecutions involving detainees (sec. 1061)

The House bill contained a provision (sec. 1039) that would amend subsection (c) of section 1093 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375) to expand the reporting requirements to include: (1) a detailed and comprehensive description of investigations or prosecutions and any resulting punishments; and (2) information about any officer nominated for command or for promotion to a position requiring the advice and consent of the Senate who has been the subject of any investigation or prosecution regarding the treatment of detainees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delete the requirement to provide information on any officer nominated to a position subject to confirmation by the Senate. The amendment would also require that the information on a member of the United States Armed Forces being investigated or prosecuted for allegations of mistreatment of detainees include the grade of the service member at: (1) the time of the incident resulting in the investigation or the prosecution; (2) the beginning of the investigation or the prosecution; and (3) the time of the submission of the report.

Subtitle H-Other Matters

Technical and clerical amendments (sec. 1071)

The House bill contained a provision (sec. 1037) that would make technical and clerical amendments to various provisions of law.

The Senate amendment contained a similar provision (sec. 1073).

The Senate recedes with an amendment that would incorporate the provisions of section 1073, and would make certain additional technical and clerical amendments.

Revision to authorities relating to Commission on the Implementation of the New Strategic Posture of the United States (sec. 1072)

The House bill contained a provision (sec. 1031) that would expand the scope of the commission on the implementation of the New Strategic Posture of the United States, as required in section 1051 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), to examine the strategic posture of the United States through 2025, and extend the mandate of the commission until 18 months after the date of the commission's first meeting.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the due date for the commission's report until September 30, 2007, but not expand the scope of the study beyond 2008.

Revised deadline for submission of final report of EMP Commission (sec. 1073)

The House bill contained a provision (sec. 1040) that would direct the Electromagnetic Pulse (EMP) Attack Commission, reestablished by section 1042 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to change its final report date from June 30, 2007, to 18 months after commencement of commission activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the final report date from June 30, 2007, to September 30, 2007.

Extension of returning worker exemption to H-2B numerical limitation (sec. 1074)

The Senate amendment contained a provision (sec. 1091) that would amend section 402(b)(1) of the Save our Small and Seasonal Businesses Act of 2005 (8 U.S.C. 1184 note) to extend a returning worker program by 2 years, from October 1, 2006, to October 1, 2008.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 214(g)(9) of the Immigration and Nationality Act to extend the program by 1 year, to October 1, 2007, and to repeal a prior sunset provision. The amendment is effective on October 1, 2006.

Patent term extensions for the badges of the American Legion, the American Legion Women's Auxiliary, and the Sons of the American Legion (sec. 1075)

The Senate amendment contained a provision (sec. 1094) that would renew and extend for a term of 14 years the design patents for the badges of the American Legion, the American Legion Women's Auxiliary, and the Sons of the American Legion.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Use of the Armed Forces in major public emergencies (sec. 1076)

The Senate amendment contained a provision (sec. 1042) that would amend chapter 15 of title 10, United States Code, the so-called "Insurrection Act," to clarify and update the statute, and to make corresponding changes to other provisions of law. Chapter 15 contains a collection of statutes dating to the 18th and 19th centuries that authorize the use of the armed forces to put down insurrections, enforce Federal authority, and suppress conspiracies that interfere with the enforcement of Federal or State law.

The provision would amend section 333 of title 10, United States Code, to authorize the President, in any situation in which he determined that, as a result of a natural disaster, terrorist attack or incident, epidemic or other serious public health emergency, or other condition, domestic violence occurred to such an extent that the constituted authorities of the State are unable of maintaining public order, and the violence obstructed the execution of the laws of the United States or impeded the course of justice thereunder, to use the armed forces, including the National Guard in Federal service, to restore public order and enforce the laws of the United States until the State authorities are again capable of maintaining order. The President is to notify Congress of his determination to exercise this authority as soon as possible and every 15 days thereafter as long as the authority is exercised.

The provision would also amend chapter 152 of title 10, United States Code, to authorize the President, in any situation in which he determines to exercise the authority set out above, to direct the Secretary of Defense to provide supplies, services, and equipment necessary for the immediate preservation of life and property. Such supplies, services, and equipment may be provided: (1) only to the extent that the constituted authorities of the State are unable to provide them; (2) only until other departments and agencies of the United States charged with such responsibilities are able to provide them; and (3) only to the extent that their provision will not interfere with preparedness or ongoing operations. This authority is not subject to the provisions of section 403(c) of the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (42 U.S.C. 5170b(c)).

The provision would further include a conforming amendment to section 12304(c) of title 10, United States Code, to remove a restriction on the use of the Presidential Selected Reserve callup authority in chapter 15 or natural disaster situations.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the conforming amendment to section 12304(c) to provide that the Presidential Selected Reserve callup authority could be used in situations arising under chapter 15 and section 12406 of title 10, United States Code, as well as in situations set out in subsection (b) of section 12304.

Increased hunting and fishing opportunities for members of the Armed Forces, retired members, and disabled veterans (sec. 1077)

The House bill contained a provision (sec. 1036) that would require the Secretary of Defense to ensure that service members, military retirees, disabled veterans, and persons assisting disabled veterans are able to utilize lands under the jurisdiction of the Department of Defense that are available for hunting and fishing. The provision would also require the Secretary of Defense to submit a report to Congress, not later than 180 days after the date of the enactment of this Act, on actions necessary to increase the availability of lands under the jurisdiction of the Department to such persons for hunting and fishing activities. The provision would further require the Secretary of the Interior to cease the plan to exterminate deer and elk on Santa Rosa Island, California by helicopter, and prohibit the Secretary of the Interior from exterminating or nearly exterminating the deer and elk on the island.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees note that the Wounded Warrior Project, an organization whose mission is to raise public awareness and enlist the public's aid for the needs of severely injured service members, supports this provision.

Legislative Provision Not Adopted

Sense of the Senate on the Transformational Medical Technology Initiative

The Senate amendment contained a provision (sec. 763) that would express the sense of the Senate that the Transformational Medical Technology Initiative (TMTI) is an important effort to provide needed capability within the Department of Defense to field effective broad-spectrum countermeasures against a significant array of current and future biological warfare threats.

The House bill contained no similar provision.
The Senate recesses.

The conferees note the following: (1) the 2006 Quadrennial Defense Review Report identified the need to develop broad-spectrum medical countermeasures against the threat of genetically-engineered bioterror agents; (2) the TMTI initiative is intended to invest in cutting edge transformational medical technologies and apply them to address the challenges of known, emerging, and future bioengineered threats; and (3) the TMTI is designed to provide such technologies in a much shorter timeframe, and at lower cost, than is required with traditional biomedical approaches. The conferees further emphasize the need for innovative technological approaches to achieve broad-spectrum medical countermeasures as a necessary component of the Department's program to provide chemical and biological defense and force protection capabilities to the armed forces.

Incorporation of classified annex

The Senate amendment contained a provision (sec. 1008) that would incorporate a classified annex.

The House bill contained no similar provision.
The Senate recesses.

Reports to Congress and notice to public on earmarks in funds available to the Department of Defense

The Senate amendment contained a provision (sec. 1009) that would require notice to Congress and the public on earmarks of funds available to the Department of Defense.

The House bill contained no similar provision.
The Senate recesses.

Transfer of operational control of certain Patrol Coastal ships to Coast Guard

The House bill contained a provision (sec. 1015) that would require the Secretary of the Navy to enter into an agreement with the Commandant of the Coast Guard for the transfer of operational control of not less than five 179 foot Cyclone class Patrol Coastal ships for a period extending at least through September 30, 2012.

The Senate amendment contained no similar provision.
The House recesses.

The conferees are aware that Cyclone class Patrol Coastal ships have proven to be extremely valuable to both the Navy and the Coast Guard in the performance of their respective missions of Homeland defense and the global war on terror. The conferees agree that the assignment of the Patrol Coastal ships to the Navy and the Coast Guard must reflect a joint prioritization of the

respective mission requirements, including an assessment of alternatives to fulfill those requirements. Accordingly, the conferees direct the Secretary of the Navy, in consultation with the Secretary of the department in which the Coast Guard is operating, to submit a report to Congress, not later than March 30, 2007. The report shall:

(1) identify validated mission requirements for both Coast Guard patrol boats and Navy Patrol Coastal ships through 2012;

(2) identify a specific program plan, including alternatives to meet Coast Guard Deepwater patrol boat requirements through 2012;

(3) identify a specific program plan, including alternatives to meet Navy Patrol Coastal ship requirements through 2012;

(4) describe the impact to Navy operational requirements if the Patrol Coastal ships currently being operated by the Coast Guard remain with the Coast Guard to support the Coast Guard mission; and

(5) identify areas of overlap between the Coast Guard's patrol boat requirements and the Navy's Patrol Coastal ship requirements in terms of logistics, operations, and maintenance.

Limitation on leasing of foreign-built vessels

The House bill contained a provision (sec. 1016) that would amend section 2401 of title 10, United States Code, to prohibit the Secretary of a military department from entering into a contract for lease or charter of a vessel for a term of more than 24 months, including all options to renew or extend the contract, if the hull or superstructure of that vessel was constructed in a foreign shipyard.

The Senate amendment contained no similar provision.
The House recedes.

Restatement in title 10, United States Code, and revision of Department of Defense authority to provide for support for counterdrug activities of Federal, State, local, and foreign law enforcement

The House bill contained a provision (sec. 1021) that would codify Department of Defense authority to provide for support for counterdrug activities of Federal, state, local, and foreign law enforcement.

The Senate amendment contained no similar provision.
The House recedes.

Restatement in title 10, United States Code, and revision of Department of Defense authority to provide for support for counterdrug activities of certain foreign governments

The House bill contained a provision (sec. 1022) that would codify and expand the Department of Defense authority to provide support for counterdrug activities of certain foreign governments. The provision would: (1) add six additional countries to the list of countries authorized to receive this support; (2) allow for the transfer of individual and crew-sized weapons of 50 caliber or less to Afghanistan in fiscal years 2007 and 2008; (3) provide ammunition for the weapons provided to Afghanistan; and (4) limit the total amount of funding available to be obligated and expended to \$60.0 million in fiscal years 2007 and 2008.

The Senate amendment contained no similar provision.
The House recesses.

Assignment of members of the Armed Forces to assist Bureau of Customs and Border Protection and United States Immigration and Customs Enforcement

The House bill contained a provision (sec. 1026) that would authorize the Secretary of Defense to assign members of the Armed Forces to assist the Bureau of Customs and Border Protection and the United States Immigration and Customs Enforcement with their homeland security missions.

The Senate amendment contained no similar provision.
The House recesses.

Funding for a certain intelligence program

The Senate amendment contained a provision (sec. 1036) that would: (1) increase by \$450.0 million in Research, Development, Test, and Evaluation, Defense-wide and (2) decrease by \$450.0 million in PE 0305159 for a classified program described on page 34 of Volume VII (Compartmented Annex) of the Fiscal Year 2007 Military Intelligence Program justification book.

The House bill contained no similar provision.
The Senate recesses.

Department of Defense operational plans for Armed Forces support for civil authorities

The House bill contained a provision (sec. 1044) that would require the Secretary of Defense, in coordination with the Secretary of Homeland Security and State governments, to develop detailed operational plans regarding the use of the Armed Forces to support to civil authorities.

The Senate amendment contained no similar provision.
The House recesses.

Temporary National Guard support for securing the southern land border of the United States

The Senate amendment contained a provision (sec. 1044) that would authorize the Governor of a State, with the approval of the Secretary of Defense, to order any units or personnel of the National Guard of such State to annual training duty or other duty under section 502 of title 32, United States Code, to carry out in any State along the southern land border of the United States specified activities for the purpose of securing the border.

The House bill contained no similar provision.

The Senate recesses.

Minimum annual purchase amounts for airlift from carriers participating in the Civil Reserve Air Fleet

The Senate amendment contained a provision (sec. 1052) that would allow the Department of Defense to guarantee higher minimum levels of business to U.S. Civil Reserve Air Fleet carriers than are currently authorized by law.

The House bill contained no similar provision.

The Senate recesses.

Report on clarification of prohibition on cruel, inhuman, and degrading treatment or punishment

The Senate amendment contained a provision (sec. 1061) that would require the President of the United States to submit a report to the congressional defense committees that sets forth unclassified legal opinions on whether certain interrogation techniques constitute cruel, inhuman, or degrading treatment, or punishment, as defined in the Detainee Treatment Act of 2005 (Public Law 109-63), not later than 90 days after the date of the enactment of this Act. The provision would require that the legal opinions be disseminated to all departments and agencies of the Federal Government.

The House bill contained no similar amendment.

The Senate recesses.

Reports on Department of Justice efforts to investigate and prosecute cases of contracting abuse in Iraq, Afghanistan, and throughout the war on terror

The Senate amendment contained a provision (sec. 1069) that would require the Attorney General to submit semiannual reports to the congressional defense committees and other relevant committees on Department of Justice efforts to investigate and prosecute cases of contracting abuse in Iraq, Afghanistan, and throughout the war on terror. Each report would be required to include: (1) a description of organized efforts of the Department to address

such cases; (2) information on the specific number of personnel, financial resources, and workdays devoted; (3) a detailed description of any internal task force; (4) a detailed description of any interagency task force; (5) the names of senior officials directly responsible for oversight; (6) specific information on the numbers of investigators and other personnel working on these cases; (7) specific information on the number of investigations, including grand jury investigations, underway; (8) specific information on the number and status of criminal cases; (9) specific information on the number and status of civil cases; (10) Specific information on resolved civil and criminal cases on the issue; and (11) the Department's best estimate of the scale of the problem.

The House bill contained no similar provision.

The Senate recesses.

The conferees direct the Attorney General to provide the relevant congressional committees, by no later than 6 months after the date of the enactment of this Act, a written assessment of the level of resources dedicated by the Department to the investigation and prosecution of alleged fraud cases arising out of contracting abuses in Iraq, Afghanistan, and the global war on terrorism.

National Foreign Language Coordination Council

The Senate amendment contained a provision (sec. 1081) that would establish a National Foreign Language Coordination Council to develop and monitor the implementation of a comprehensive national foreign language strategy.

The House bill contained no similar provision.

The Senate recesses.

Court security improvements

The Senate amendment contained a provision (sec. 1086) that would amend title 28, United States Code, to ensure consultation between the United States Marshals Service and the Judicial Conference of the United States on security requirements for the judicial branch of the United States Government; amend the Ethics in Government Act to expand protections for certain reports; establish a new federal criminal offense prohibiting retaliating against a federal judge or law enforcement officer by filing false liens or encumbrances against his property; establish a new federal criminal offense of misuse of certain personal information about judges, law enforcement officials, jurors, witnesses, or court officers; authorize grants to State and local government for witness protection programs; and expand the eligibility of State courts for certain federal grants.

The House bill contained no similar provision.

The Senate recesses.

Improved accountability for competitive contracting in hurricane recovery

The Senate amendment contained a provision (sec. 1088) that would prohibit the use of certain exceptions (including the urgent and compelling exception) to competition requirements under the Competition in Contracting Act in connection with relief and recovery efforts related to Hurricane Katrina and the other hurricanes of the 2005 season.

The House bill contained no similar provision.

The Senate recesses.

The conferees recognize that the urgent and compelling exception to competition requirements under the Competition in Contracting Act (codified in 10 U.S.C. 2304(c)(2) and section 303(c)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(2)) is vulnerable to abuse in response to natural disasters, including hurricanes. The conferees are aware of cases in which sole-source contracts have been awarded on the basis of the urgent and compelling exception months after a natural disaster takes place. In other cases, urgent and compelling circumstances arising out of a natural disaster have been used as the basis for long-term, sole-source contracts that extend beyond what can be justified on the basis of the disaster.

The potential for such problems is not unique to relief and recovery efforts related to Hurricane Katrina or to natural disasters. The conferees believe that this issue should be addressed in a systematic matter through the Federal Acquisition Regulation and other procurement guidance documents, rather than through legislation limited to a specific set of contracts.

As a general rule, the urgent and compelling exception should be used to award a contract only on the basis of an event, or series of events, that is reasonably proximate in time to the event, or series of events, justifying the award. In addition, the term of a contract awarded on the basis of the urgent and compelling exception should not ordinarily exceed the period of time the agency reasonably believes to be necessary to award a follow-on competitive contract.

The conferees direct the Secretary of Defense to: (1) issue guidance clarifying the appropriate use of the urgent and compelling exception to the Competition in Contracting Act for the Department of Defense; and (2) work with the Administrator for Federal Procurement Policy to issue appropriate regulations addressing the issue on a government-wide basis.

Protection of certain disclosures of information by Federal employees

The Senate amendment contained a provision (sec. 1089) that would amend title 5, United States Code, to expand the protections afforded to Federal employees who disclose information evidencing

violations of law; waste, mismanagement, or abuse of authority; threats to public health or safety; or certain false statements to Congress; and to make conforming amendments to other provisions of law.

The House bill contained no similar provision.

The Senate recesses.

Sense of Congress regarding the men and women of the Armed Forces of the United States in Iraq

The Senate amendment contained a provision (sec. 1090) that would express the sense of Congress that commends the men and women of the Armed Forces of the United States in Iraq for their commitment and determination to win the global war on terrorism and expresses gratitude to the families of the men and women of the Armed Forces of the United States.

The House bill contained no similar provision.

The Senate recesses.

Limitation on United States share of assessments for United Nations peacekeeping operations

The Senate amendment contained a provision (sec. 1092) that would permit the United States to pay United Nations (UN) assessments for peacekeeping at the rate assessed by the UN up to a limit of 27.1 percent.

The House bill contained no similar provision.

The Senate recesses.

Termination of program

The Senate amendment contained a provision (sec. 1093) that would establish an immediate sunset date for the Small Business Competitive Demonstration Program.

The House bill contained no similar provision.

The Senate recesses.

TITLE XI-CIVILIAN PERSONNEL MATTERS

Legislative Provisions Adopted

Accrual of annual leave for members of the uniformed services performing dual employment (sec. 1101)

The House bill contained a provision (sec. 1103) that would authorize service members who are on terminal leave and who are eligible to earn leave due to their status as a federal employee to accrue such leave with pay in accordance with section 6303(a) of title V for a retired member of a uniformed service.

The Senate amendment contained a similar provision (sec. 1101).

The Senate recesses.

Strategy for improving the senior management, functional, and technical workforce of the Department of Defense (sec. 1102)

The Senate amendment contained a provision (sec. 1102) that would require the Secretary of Defense to develop a strategic plan to shape and improve the senior management, functional, and technical workforce of the Department, as part of the Strategic Human Capital Plan required by section 1122 of the National Defense Authorization Act for Fiscal year 2006 (Public Law 109-163).

The House bill contained no similar provision.

The House recesses with a technical amendment.

Three-year extension of authority for experimental personnel management program for scientific and technical personnel (sec. 1103)

The Senate amendment contained a provision (sec. 1105) that would extend until September 30, 2011, the authority for the Defense Advanced Research Projects Agency experimental personnel management program for technical personnel, authorized in section 1101(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261).

The House bill contained no similar amendment.

The House recesses.

Reports on members of the Armed Forces and civilian employees of the Department of Defense serving in the legislative branch (sec. 1104)

The Senate amendment contained a provision (sec. 1062) that would require the Secretary of Defense to submit a monthly report to the congressional defense committees if a member of the Armed Forces or a civilian employee of the Department of Defense, who has been assigned to the legislative branch as a detailee or as a legislative fellow, exceeds 1 year in such an assignment. The provision would also require reporting if a military member receives such an assignment as the last tour of duty before retirement or separation from active duty.

The House bill contained no similar provision.

The House recesses with an amendment that would require quarterly, vice monthly, reports only when the conditions requiring reporting exist.

Extension of authority to waive annual limitation on total compensation paid to Federal civilian employees (sec. 1105)

The conferees agree to a provision that would extend through 2007 the authority to waive the annual limitation on total compensation paid to Federal civilian employees who are working in an overseas location that is in the area of responsibility of the Central Command. The provision would establish \$212,100 as the maximum total compensation on such pay in 2007.

The conferees are disappointed that the Department of Defense failed to provide a legislative proposal to extend the authority provided in section 1105 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to allow timely consideration by the congressional committees of jurisdiction. The conferees are further concerned that the Department appears to no longer consider utilization of authorities granted under the National Security Personnel System (NSPS) a practical means of paying the affected individuals for performance in an overseas theater of operations. Despite the Department's challenges in implementation of NSPS, pay for performance is not enjoined from implementation, and the conferees expect the Department to develop an implementation plan to facilitate inclusion of these individuals in pay for performance before 2008.

Legislative Provisions Not Adopted

Increase in authorized number of defense intelligence senior executive employees

The House bill contained a provision (sec. 1101) that would increase the number of defense intelligence senior executives from 594 to 644.

The Senate amendment contained no similar provision.

The House recesses.

A separate provision contained elsewhere in this report would require the Secretary of Defense to develop a strategic plan to shape and improve the senior management, functional, and technical workforce of the Department of Defense, including senior-level intelligence employees.

Authority to equalize allowances, benefits, and gratuities of personnel on official duty in Iraq and Afghanistan

The Senate amendment contained a provision (sec. 1103) that would extend to the heads of all agencies, for their civilian personnel serving on official duty in Iraq and Afghanistan, the same authority as the Secretary of State already has under section 413 of title I of the Foreign Service Act (22 U.S.C. 4081 et seq.) with respect to allowances, benefits, and death gratuities for Foreign Service personnel.

The House bill contained no similar provision.
The Senate recesses.

An identical provision (sec. 1603) was included in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

Death gratuity authorized for federal employees

The House bill contained a provision (sec. 1104) that would provide a death gratuity of \$0.1 million to civilian employees of the United States Government in the case of a death resulting from wounds, injuries, or illnesses that are incurred in the performance of civilian duty in a contingency operation, or who die in connection with a terrorist incident during the employee's service with the Armed Forces of the United States.

The Senate amendment contained no similar provision.
The House recesses.

The conferees are concerned that the increasing reliance on civilian employees in a theater of operation by the Department of Defense requires a comprehensive analysis of civilian benefits including, but not limited to, a death gratuity. The conferees expect the Secretary of Defense to propose policy and legislative changes for consideration in fiscal year 2008 or sooner, if appropriate, based on an assessment by the Under Secretary of Defense for Personnel and Readiness of current civilian personnel policies and the findings of the Comptroller General report, as required by Senate Report accompanying S. 1042 (S. Report 109-69) of the National Defense Authorization Act for Fiscal year 2006, entitled "*Comptroller General report on policy concerning Department of Defense civilians deployed in support of contingency operations.*"

Programs for use of leave by caregivers for family members of individuals performing certain military service

The Senate amendment contained a provision (sec. 1104) that would require the Office of Personnel Management to establish a temporary program to allow Federal employees who have been designated by a member of the Armed Forces as a "caregiver" to use annual leave for the purpose of providing care for the dependents of the member when deployed in support of a contingency operation. The amendment would authorize the Secretary of Labor to establish a similar, voluntary leave program for the private sector.

The House bill contained no similar provision.
The Senate recesses.

**TITLE XII-MATTERS RELATING TO FOREIGN
NATIONS**

Legislative Provisions Adopted

Subtitle A-Assistance and Training

Logistic support for allied forces participating in combined operations (sec. 1201)

The House bill contained a provision (sec. 1201) that would allow the Secretary of Defense, with the concurrence of the Secretary of State, to use up to \$100.0 million of funds available to the Department of Defense for operation and maintenance in any given fiscal year to provide logistic support, supplies, and services to allied forces. To receive such support, the allied forces must be participating in an operation, such as active hostilities, a contingency, or a noncombat operation, with the Armed Forces of the United States. Also, the Secretary of Defense must determine that the support is essential to the success of the combined operation and that without such support, the foreign military forces would be unable to participate in the combined operation. Finally, the support provided must be allowable under existing export control laws and regulations.

The Senate amendment contained a similar provision (sec. 1203) that would provide the Secretary of Defense, with the concurrence of the Secretary of State, permanent authority to use up to \$100.0 million from operation and maintenance funds in any fiscal year to provide logistic support, supplies, and services to allied forces participating in combined operations with the Armed Forces of the United States. The provision would also authorize the Secretary of Defense to provide up to an additional \$5.0 million from operation and maintenance funds in any fiscal year to provide logistic support, supplies, and services to allied forces solely for the purposes of enhancing the interoperability of the logistical support systems of the allied forces with the logistical support systems of the Armed Forces of the United States in order to facilitate combined operations. The provision would require the Secretary of Defense to provide to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives an annual report on the use of this authority.

The Senate recedes with an amendment that would authorize the Secretary of Defense to provide up to an additional \$5.0 million from operation and maintenance funds in any fiscal year to provide logistic support, supplies, and services to allied forces participating in combined operations with the Armed Forces of the United States solely for the purposes of enhancing the interoperability of the logistical support systems of the allied forces with the logistical support systems of the Armed Forces of the United States in order to facilitate such combined operations.

The Senate amendment would also require the Secretary of Defense to provide to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives an annual report on the use of this authority.

The conferees note their understanding that the term "logistic support, supplies, and services" in section 2350(1) of title 10, United States Code, includes sealift.

Temporary authority to use acquisition and cross-servicing agreements to lend certain military equipment to foreign forces in Iraq and Afghanistan for personnel protection and survivability (sec. 1202)

The House bill contained a provision (sec. 1202) that would provide the Secretary of Defense authority to lend certain military equipment, using Acquisition and Cross-Servicing Agreements (ACSA), to the military forces of foreign nations participating in combined operations with U.S. forces in Iraq and Afghanistan. The provision would limit such equipment to those items marked as significant military equipment in specified categories on the U.S. munitions list, allow the provision of such equipment under this authority for up to 1 year, and require that the equipment be used by foreign military forces solely for personnel protection or to aid in the personnel survivability of such forces. The provision would require the Secretary to determine: (1) that the U.S. forces participating in that combined operation have no unfulfilled requirements for that equipment; and (2) with the concurrence of the Secretary of State, that it is in the national security interest of the United States to lend such equipment for that purpose. The provision would stipulate that the provision of equipment under this authority shall be subject to the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control regime under law relating to the transfer of military technology to foreign nations. The provision would require the Secretary of Defense, in coordination with the Secretary of State, to submit semiannual reports on the exercise of this authority to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on International Relations of the House of Representatives. This authority would expire on September 30, 2008.

The Senate amendment contained a similar provision (sec. 1205).

The Senate recedes with a clarifying amendment.

The conferees note that this authority is intended to permit the temporary loan of equipment such as armored HMMWVs or HMMWVs with add-on armor kits, counter-improvised explosive device equipment, and defusing equipment to our coalition partners in

Iraq and Afghanistan so that they can be better protected against improvised explosive devices and other weapons they are encountering in those theaters.

The conferees further note their agreement on the desirability of updating their understanding of the term "ammunition" under section 2350(1) of title 10, United States Code. The definition of "ammunition" provided in this conference report is meant to supercede the definition of "ammunition" that was provided in Senate Report 96-842 and Senate Report 96-795, both of which accompanied the legislation (H.R. 5580) that first codified ACSA authority in title 10, United States Code.

Specifically, the conferees agree that the term "ammunition" in section 2350(1) of title 10, United States Code, includes: transfers of small arms ammunition between forces on exercises when one side runs low and another has sufficient supplies with repayment in cash or kind; replacement-in-kind of ammunition expended at allied ranges; exchange unit firing to determine compatibility of ammunition between nations and its suitability for use in different weapon systems; emergency acquisition of provisions of conventional ammunition (small arms, mortar, automatic cannon, artillery, and ship gun ammunition); bombs (cluster, fuel air explosive, general purpose, and incendiary); unguided projectiles and rockets; riot control chemical ammunition; land mines (ground-to-ground and air-to-ground delivered); demolition material; grenades; flares and pyrotechnics; and all items included in the foregoing, such as explosives, propellants, cartridges, propelling charges, projectiles, warheads (with various fillers such as high explosives, illuminating, incendiary, antimaterial, and anti-personnel), fuzes, boosters, and safe and arm devices, in-bulk, combination, or separately packaged items of issue for complete round assembly; demolition munitions; training ammunition; cartridge and propellant-actuated devices; chaff and chaff dispensers; and expendable sonobuoys. Specifically excluded are the following: guided missiles; naval mines and torpedoes; nuclear ammunition and included items such as warheads, warhead sections, and projectiles; guidance kits for bombs or other ammunition; and chemical ammunition (other than riot control).

Recodification and revision to law relating to Department of Defense humanitarian demining assistance (sec. 1203)

The House bill contained a provision (sec. 1203) that would amend chapter 20 of title 10, United States Code, to recodify authorities for humanitarian demining assistance. The provision would also clarify that the Secretary concerned may carry out humanitarian demining assistance in a country if such assistance would promote either the security interests of the United States or the operational readiness skills of the Armed Forces of the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand the scope of the reporting requirement, and make other clarifying changes.

Enhancements to Regional Defense Combating Terrorism Fellowship Program (sec. 1204)

The Senate amendment contained a provision (sec. 1202) that would amend section 2249c of title 10, United States Code, to change the title of the "Regional Defense Counterterrorism Fellowship Program" to the "Regional Defense Combating Terrorism Fellowship Program." The provision would also increase the amount of authorized annual funding for the program from \$20.0 million to \$25.0 million.

The House bill contained a similar provision (sec. 1204).

The Senate recedes with a clarifying amendment that would limit the attendance of foreign officials to foreign military officers, ministry of defense officials, or security officials at military or civilian educational institutions.

The conferees recognize the critical need to provide education and training opportunities to our allies in the global war on terror and support the Regional Defense Combating Terrorism Fellowship Program as part of that effort.

The conferees expect the Department of Defense to continue to ensure that the program conforms to the spirit of statutory guidelines governing the administration of related programs, including the requirement that each candidate undergo a rigorous and thorough human rights verification and vetting process.

Participation of the Department of Defense in multinational military centers of excellence (sec. 1205)

The Senate amendment contained a provision (sec. 1207) that would authorize during fiscal year 2007 the Secretary of Defense, with the concurrence of the Secretary of State, to permit the participation of Department of Defense civilian and military personnel in multinational military centers of excellence for the purpose of enhancing the ability of participating nations to engage in joint exercises or coalition or international military operations, or to improve their interoperability. The provision would require the Secretary of Defense to enter into memoranda of understanding, with the concurrence of the Secretary of State, that would govern the terms of the Department's participation in such centers. The provision would permit the Secretary of Defense to use up to \$3.0 million from funds available for operation and maintenance in fiscal year 2007 to pay the U.S. share of the expenses of such centers in which the Department participates. The provision would further authorize the use of Department

facilities and equipment to support such centers that are hosted by the Department. The provision would require the Secretary of Defense to submit a report to the congressional defense committees, not later than October 31, 2007, on the use of this authority, including a detailed report on the centers and activities in which the Department participated, and the cost of that participation.

The provision would define a center of excellence as an entity sponsored by one or more nations that is accredited and approved by the North Atlantic Treaty Organization (NATO) Military Committee as offering recognized expertise and experience to personnel participating in the activities of such entity for the benefit of NATO.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Modification and extension of authorities relating to program to build the capacity of foreign military forces (sec. 1206)

The Senate amendment contained a provision (sec. 1206) that would modify section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) by permitting the Secretary of Defense to use funds available for operation and maintenance to conduct or support the activities authorized under that section, and by extending the duration of the authority provided in that section through September 30, 2008.

The provision would also provide new authority to the Secretary of Defense, with the concurrence of the Secretary of State, to authorize any commander of a geographic combatant command to respond to unanticipated changes in a security environment within that commander's area of responsibility (AOR) to build the capacity of the national military forces of a country within that AOR in order for that country to conduct counterterrorist operations or participate in or support military and stability operations. The provision would allow the Secretary of Defense to use funds available for operation and maintenance for fiscal years 2007 and 2008, up to \$200.0 million in a fiscal year, for this purpose. This authority would expire on September 30, 2008.

The provision would further provide the Secretary of Defense new authority to authorize a geographic combatant commander to respond to urgent and unanticipated humanitarian relief or reconstruction requirements in a foreign country within the commander's AOR if the commander determines that the provision of such assistance will promote the security interest of the United States and of the country to which such assistance would be provided. The provision would limit the amounts available for this authority to \$200,000 in any country in a fiscal year. The provision would further require the Secretary of Defense to submit to the congressional defense committees an annual report on the

provision of assistance under this authority. This authority would expire on September 30, 2008.

The House contained no similar provision.

The House recedes with an amendment that would modify section 1206 by: (1) providing the authority in that section to the Secretary of Defense, with the concurrence of the Secretary of State, rather than to the President; (2) permitting the Secretary of Defense to use up to \$300.0 million from funds available for operation and maintenance in a fiscal year to conduct or support the activities authorized under that section; and (3) extending the duration of the authority provided in that section through September 30, 2008.

The conferees also agree to include elsewhere in this report a provision that would provide expanded authority under the Combatant Commanders Initiative Fund for geographic combatant commanders to provide urgent and unanticipated humanitarian relief and reconstruction assistance to countries in their respective AORs.

The conferees underscore that the authorities provided in this section are provided in the spirit of a pilot program. The conferees intend to review carefully how these authorities are implemented so as to have a basis for determining whether and, if so, in what precise manner, to reauthorize these or provide other authorities after the conclusion of the pilot program. Important factors in the conferees' future consideration of these matters will be the report that is to be provided under section 1206, and the record of implementing these authorities that is built by the Department of Defense over the next 2 years. The conferees strongly discourage further modifications to these authorities until a track record implementing the pilot program authorized in this section has been established. The conferees believe it will be important to demonstrate through experience that these expanded authorities can and will be exercised consistent with the effective coordination of U.S. foreign policy writ large. Furthermore, the conferees strongly believe that foreign assistance programs are more appropriately funded through the foreign assistance accounts, as administered by the Department of State, and urge the administration to request sufficient funding for foreign military assistance in those accounts in future years budget requests.

Authority for distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability (sec. 1207)

The Senate amendment contained a provision (sec. 1208) that would authorize the Secretary of Defense to provide electronically-distributed learning content and associated information technology for the education and training of military and civilian personnel of friendly foreign governments and

personnel of internationally-recognized nongovernmental organizations to enhance allied and friendly military capabilities for multinational operations, including joint exercises and coalition operations. The provision would require the concurrence of the Secretary of State if the activity proposed to be undertaken is not authorized by another provision of law. The provision would further require that the provision of learning content and information technology under this authority shall be subject to the Arms Export Control Act and any other export control regime under law relating to the transfer of military technology for foreign nations.

The provision would also require the Secretary of Defense to: (1) develop and issue guidance on the procedures for the use of this authority; (2) submit a report to the congressional defense committees on that guidance no later than 30 days after it is issued; and (3) submit any modifications of the guidance to the congressional defense committees. The provision would require the Secretary of Defense to submit an annual report to the congressional defense committees on the use of the authority during the preceding fiscal year. The authority would expire on September 30, 2008.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to provide electronically-distributed learning content and associated information technology to military and civilian personnel of a friendly foreign government for their education and training for the purpose of enhancing military interoperability between the Armed Forces of the United States and military forces of friendly foreign countries.

Subtitle B-Nonproliferation Matters and Countries of Concern

North Korea (sec. 1211)

The Senate amendment contained a provision (sec. 1214) that would require the President to appoint a senior presidential envoy to act as coordinator of U.S. policy on North Korea, and to submit to Congress a semiannual report on the nuclear and missile programs of North Korea.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Report on participation of multinational partners in the United Nations Command in the Republic of Korea (sec. 1212)

The Senate amendment contained a provision (sec. 1221) that would require the Secretary of Defense, in coordination with the Secretary of State, to submit a report within 180 days of

enactment of this Act to the Committees on Armed Services of the Senate and the House of Representatives and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives on an increased role and participation of multinational partners in the United Nations Command in the Republic of Korea.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Intelligence on Iran (sec. 1213)

The Senate amendment contained a provision (sec. 1216) that would direct the Director of National Intelligence (DNI) to submit to Congress an updated National Intelligence Estimate (NIE) on Iran, and that would direct the President to submit to Congress a report on U.S. policy objectives and strategy regarding Iran. The provision would further direct the DNI to submit a report on the process for vetting and clearing statements of senior administration officials that are drawn from or rely on intelligence and the process for identifying significant misstatements of other public officials.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the DNI to submit to Congress a comprehensive NIE on Iran, but would eliminate the requirement for the second report from the DNI.

In preparing the comprehensive NIE, the conferees urge the DNI to address the full range of issues with respect to Iran including: Iranian foreign policy and regime objectives; the current status of the Iranian nuclear program with an assessment of Iran's intentions and motivations with respect to development of nuclear weapons to include factors that might influence such intentions; an assessment of Iran's military capabilities; an assessment of Iran's relationships with terrorist groups; and an assessment of the full impacts, success, and consequences of diplomacy, sanctions, military, and other actions and interactions on and with Iran by the international community. The conferees also urge the DNI to include assessments of Iranian public opinion toward the Iranian regime and programs, the United States, and the international community. The NIE should also include an assessment of the confidence level of key judgments, the quality of the sources of intelligence on Iran, the nature and scope of any intelligence gaps, and any significant alternative views.

An unclassified summary of the key judgments of the NIE should be submitted with the NIE.

Sense of Congress on United States policy on the nuclear programs of Iran (sec. 1214)

The Senate amendment contained a provision (sec. 1209) that would express the sense of Congress: 1) endorsing the policy of the United States announced May 31, 2006, to achieve a successful diplomatic outcome with respect to Iran's efforts to acquire a nuclear weapons capability; 2) calling on Iran to suspend fully and verifiably its enrichment and reprocessing activities, cooperate fully with the International Atomic Energy Agency, and enter into negotiations pursuant to the package presented to Iran by the High Representative of the European Union; and 3) urging the President and the Secretary of State to keep the Congress fully informed about the progress in this vital initiative.

The House bill contained no similar provision.

The House recedes with an amendment that would add a clause urging the United Nations Security Council to work for the adoption of appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations in the event Iran fails to comply with United Nations Security Council Resolution 1696.

Subtitle C-Other Matters

Exclusion of petroleum, oil, and lubricants from limitations on annual amount of liabilities the United States may accrue under acquisition and cross-servicing agreements (sec. 1221)

The Senate amendment contained a provision (sec. 1204) that would exclude the acquisition of petroleum, oil, and lubricants from the monetary limitations placed on acquisitions made under Acquisition and Cross-servicing Agreements with foreign allies.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to provide to the Committees on Armed Services of the Senate and the House of Representatives a report at the end of fiscal years 2007 and 2008, respectively, on the use of this authority in that fiscal year.

Modification of limitations on assistance under the American Servicemembers' Protection Act of 2002 (sec. 1222)

The Senate amendment contained a provision (sec. 1210) that would modify the limitations on the provision of military assistance under the American Servicemembers' Protection Act of 2002 (22 U.S.C. 7432(13)(A)) so that International Military Education and Training assistance could be provided to nations that are party to the International Criminal Court.

The House bill contained no similar provision.

The House recedes.

Humanitarian support for Iraqi children in urgent need of medical care (sec. 1223)

The House bill contained a provision (sec. 1222) that would express the sense of Congress that the Secretary of Defense should continue to provide space-available transportation on military aircraft for humanitarian purposes to Iraqi children in urgent need of medical care. The provision would also authorize \$1.0 million in Operation and Maintenance, Defense-wide for Department of Defense support of the Peace Through Health Care Initiative.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would delete the authorization of appropriation.

The conference outcome is reflected in the tables of this report.

Sense of Congress opposing the granting of amnesty by the government of Iraq to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq (sec. 1224)

The Senate amendment contained a provision (sec. 1212) that would express the sense of Congress that: (1) the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States; and (2) the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States.

The House bill contained no similar provision.

The House recesses with an amendment that would add an additional element to the sense of Congress that the goal of the United States and coalition partners has been to empower the Iraqi people with full sovereignty as a nation. The amendment would delete the element regarding presidential notification to the Government of Iraq.

Annual reports on United States contributions to the United Nations (sec. 1225)

The Senate amendment contained a provision (sec. 1213) that would require the President to submit an annual report to Congress regarding all assessed and voluntary contributions of the United States Government to the United Nations and United Nations affiliated agencies and related bodies for the preceding fiscal year.

The House bill contained no similar provision.

The House recesses with an amendment that would terminate this annual reporting requirement on December 31, 2010.

Comprehensive regional strategy and annual reports on Somalia (sec. 1226)

The Senate amendment contained a provision (sec. 1215) that would require the President to submit a report to Congress, not later than 90 days after the date of the enactment of this Act, on a comprehensive regional strategy toward Somalia. The strategy shall include: (1) a clearly stated U.S. policy towards Somalia; (2) a description of bilateral, regional, and multilateral efforts to coordinate and strengthen diplomatic engagement with Somalia; (3) a description of an integrated approach to counter transnational security interests in Somalia and throughout the Horn of Africa; (4) a description of an interagency framework involving relevant Federal agencies and departments to plan, coordinate, and execute U.S. policy and activities in Somalia and throughout the Horn of Africa and to oversee policy and program implementation; and (5) guidance on the implementation of the comprehensive regional strategy. The provision would also require annual reports on the status of the implementation of the comprehensive regional strategy.

The House bill contained no similar provision.

The House recedes with an amendment that would repeal the annual reporting requirement on the status of the implementation of the comprehensive regional strategy on April 1, 2010, and make other clarifying changes.

Report on the implementation of the Darfur Peace Agreement (sec. 1227)

The Senate amendment contained a provision (sec. 1224) that would require the Secretary of Defense to submit a report to the appropriate congressional committees, not later than 60 days after the date of the enactment of this Act and annually thereafter, on the role of the Department of Defense in assisting the parties to the Darfur Peace Agreement with implementation of that Agreement.

The House bill contained no similar provision.

The House recedes with an amendment that would incorporate elements of a report from another provision contained elsewhere in this report into a single report required under this section. The amendment would also make other clarifying and technical changes. The amendment would further repeal a similar reporting requirement on Darfur required by the House report accompanying H.R. 5122 (H.Rept. 109-452) of the National Defense Authorization Act for Fiscal Year 2007.

Sense of Congress concerning cooperation with Russia on issues pertaining to missile defense (sec. 1228)

The House bill contained a provision (sec. 1223) that would express the sense of Congress that cooperation between Russia and the United States with regard to missile defense is in the interest of the United States.

The Senate amendment contained no similar provision.
The Senate recesses.

Sense of Congress calling for convening of a summit for a comprehensive political agreement for Iraq (sec. 1229)

The Senate amendment contained a provision (sec. 1096) that would express the sense of Congress that the President should convene a summit, as soon as possible, with leaders of the Government of Iraq, governments that border Iraq, and the governments of each permanent member of the United Nations Security Council. The summit should also involve representatives of the Arab League, the European Union, and the North Atlantic Treaty Organization. The purpose of the summit would be to achieve a comprehensive political agreement that addresses fundamental issues, including reconstruction, economic assistance, and border security.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Sense of Congress on the commendable actions of the Armed Forces in Iraq (sec. 1230)

The Senate amendment contained a provision (sec. 1084) that would express a sense of Congress that: (1) commends the United States Armed Forces, the intelligence community, other Federal agencies, and coalition partners for their actions that resulted in the death of Abu Musab al-Zarqawi; (2) commends the United States Armed Forces, the intelligence community, and other Federal agencies for their efforts to bring freedom, democracy, and security to the people of Iraq; (3) commends Iraqi Prime Minister Jawad al-Maliki on the finalization of the new Iraqi cabinet and urges the democratically-elected government of Iraq to defeat terrorism and put an end to ethnic and sectarian violence; and (4) affirms that Congress will continue to support the United States Armed Forces and the democratically-elected unity government of Iraq.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Annual report on foreign sales of significant military equipment manufactured in the United States (sec. 1231)

The Senate amendment contained a provision (sec. 1070B) that would require the Department of Defense to submit an annual report to Congress on foreign military sales and direct sales to foreign customers of significant military equipment manufactured in the United States.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Legislative Provisions Not Adopted

Expansion of humanitarian and civic assistance to include communications and information capacity

The Senate amendment contained a provision (sec. 1201) that would amend section 401 of title 10, United States Code, to expand the authority of the Secretary of Defense to provide humanitarian and civic assistance in conjunction with military operations to include information and communications technology as necessary to provide basic information and communications services.

The House bill contained no similar provision.

The Senate recesses.

The conferees acknowledge that restoring basic information and communications capacity is a fundamental element of humanitarian and civic assistance, and that a functioning information and communications infrastructure is vital to the successful conduct of humanitarian missions. Accordingly, the conferees note that rudimentary construction and repair of public facilities, under section 401(e)(4) of title 10, United States Code, includes information and communications technology as necessary to provide basic information and communications services.

Capstone overseas field studies trips to People's Republic of China and Republic of China on Taiwan

The House bill contained a provision (sec. 1205) that would require the Secretary of Defense to direct that field studies trips to the People's Republic of China and the Republic of China on Taiwan be a mandatory element of the Capstone course for newly selected flag and general officers.

The Senate amendment contained no similar provision.

The House recesses.

Military educational exchanges between senior officers and officials of the United States and Taiwan

The House bill contained a provision (sec. 1206) that would require the Secretary of Defense to undertake a program of senior military officer and senior official exchanges with Taiwan designed to improve Taiwan's defenses against the People's Liberation Army of the People's Republic of China.

The Senate amendment contained no similar provision.

The House recesses.

Procurement restrictions against foreign persons that transfer certain defense articles and services to the People's Republic of China

The House bill contained a provision (sec. 1211) that would prohibit the Secretary of Defense from procuring any goods or services from a foreign person or entity that the Secretary of Defense has determined transferred to the People's Republic of China items on the U.S. munitions list.

The Senate amendment contained no similar provision.

The House recesses.

Sense of Congress commending the Government of Iraq for affirming its position of no amnesty for terrorists who attack United States Armed Forces

The Senate amendment contained a provision (sec. 1211) that would express the sense of Congress that: (1) the goal of the United States and our coalition partners has been to empower the Iraqi nation with full sovereignty thereby recognizing their freedom to exercise that sovereignty; (2) history records that governments derived of free elections should not grant amnesty to those who have committed war crimes or terrorists acts; and (3) the United States should continue with the historic tradition of diplomatically, economically, and in a humanitarian manner assisting nations and the people who have fought once a conflict is concluded.

The House bill contained no similar provision.

The Senate recesses. Elsewhere in this report, the conferees agree to include a separate provision on a similar topic.

Reports on implementation of the Darfur Peace Agreement

The Senate amendment contained a provision (sec. 1217) that would require the President to submit a report on the implementation of the Darfur Peace Agreement.

The House bill contained no similar provision.

The Senate recesses.

Execution of the President's policy to make available to Taiwan diesel electric submarines

The House bill contained a provision (sec. 1221) that would establish that it is the policy of the United States to make available to Taiwan plans and options for design work and construction work on future diesel electric submarines under the U.S. foreign military sales process, consistent with U.S. national disclosure policy and applicable U.S. export control laws.

The Senate amendment contained no similar provision.

The House recesses.

Repeal of certain report requirements

The Senate amendment contained a provision (sec. 1223) that would repeal two annual reports on North Atlantic Treaty Organization burdensharing that were codified in section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98-525), and in section 1313 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337), respectively.

The House bill contained no similar provision.

The Senate recesses.

TITLE XIII-COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Legislative Provisions Adopted

Specification of Cooperative Threat Reduction programs and funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define the programs that are Cooperative Threat Reduction (CTR) programs, define the funds for CTR programs as those authorized to be appropriated in section 301 of this Act, and specify that CTR funds shall remain available for obligation for three fiscal years.

The Senate amendment contained an identical provision (sec. 1301).

The conference agreement includes this provision.

Funding allocations (sec. 1302)

The House bill contained a provision (sec. 1302) that would authorize \$372.1 million for the Cooperative Threat Reduction (CTR) program. The provision would also authorize specific amounts for each CTR program element, require notification to Congress 30 days before the Secretary of Defense obligates and expends fiscal year 2007 funds for purposes other than those specifically authorized, and provide limited authority to obligate amounts for a CTR program element in excess of the amount specifically authorized for that purpose.

The Senate amendment contained a similar provision (sec. 1302).

The Senate recesses.

Extension of temporary authority to waive limitation on funding for chemical weapons destruction facility in Russia (sec. 1303)

The House bill contained a provision (sec. 1303) that would extend, until the completion of the facility, the President's authority to waive restrictions established in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) for continuing the construction of a chemical weapons destruction facility at Shchuch'ye, Russia.

The Senate amendment contained a similar provision (sec. 1303) that would extend, through December 31, 2011, the President's authority to waive restrictions established in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) for continuing the construction of a chemical weapons destruction facility at Shchuch'ye, Russia.

The Senate recedes with a clarifying amendment.

National Academy of Sciences study of prevention of proliferation of biological weapons (sec. 1304)

The House bill contained a provision (sec. 1304) that would require the Secretary of Defense to sponsor a study by the National Academy of Sciences (NAS) to analyze lessons learned, past and present challenges, and possible options in effectively managing and facilitating threat reduction and nonproliferation projects under the Cooperative Threat Reduction (CTR) program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to sponsor a study by the NAS to identify areas for further cooperation with Russia and other states of the former Soviet Union under the CTR program, specifically in the area of biological weapons proliferation prevention.

The conferees agree that it is beneficial to have an independent nongovernmental organization study certain aspects of the CTR program. The conferees agree that the study required by this section should concentrate on biological weapons proliferation prevention, given the emerging threats associated with biological weapons proliferation; the considerable challenges to preventing such proliferation; the Department's focus on biological weapons proliferation prevention in recent years and interest in possibly expanding such work; and the necessity of benefiting from the knowledge of scientific and technical experts when designing programs to promote further cooperation in the area of biological weapons proliferation prevention. The conferees note their intent to consider in future years requiring independent analyses of other remaining proliferation challenges, particularly in the area of nuclear weapons proliferation prevention, and how CTR programs might address them.

To ensure timely delivery of the study described in this section, the conferees strongly urge all U.S. Government departments or agencies that provide the NAS with access to classified material for use in the study to complete promptly, no

later than 30 calendar days after receipt, any necessary classification reviews of the study or related documents.

Legislative Provision Not Adopted

Removal of certain restrictions on provision of Cooperative Threat Reduction assistance

The Senate amendment contained a provision (sec. 1304) that would repeal certain restrictions on the provision of Cooperative Threat Reduction (CTR) assistance, including: the requirement that the President make certain certifications to the Congress regarding the proposed recipients of CTR funds; and the conditions on provision of CTR assistance for chemical weapons destruction at Shchuch'ye, Russia.

The House bill contained no similar provision.

The Senate recedes.

TITLE XIV-MATTERS RELATED TO DEFENSE AGAINST TERRORISM AND RELATED SECURITY MATTERS

Legislative Provisions Adopted

Enhancement to authority to pay rewards for assistance in combating terrorism (sec. 1401)

The House bill contained a provision (sec. 1032) that would increase the flexibility and responsiveness of the rewards protection program available to the Department of Defense. The provision would (1) delegate approval authority to commanders directly subordinate to combatant commanders; (2) direct that delegated authority must be approved by the Secretary of Defense, Deputy Secretary of Defense, or an Under Secretary of Defense; and (3) increase the current maximum reward amount from \$2,500 to \$10,000.

The Senate amendment contained a similar provision (sec. 1041).

The Senate recedes with an amendment that would direct that the delegated authority by a combatant commander may be made only with the approval of an Under Secretary of Defense to whom authority has been delegated under section 127b(c)(1)(A) of title 10, United States Code.

Quarterly reports on Department of Defense response to threat posed by improvised explosive devices (sec. 1402)

The House bill contained a provision (sec. 1042) that would require the Secretary of Defense to submit to Congress a report on

the status of the threat posed by improvised explosive devices (IED) and the efforts being undertaken to defeat the IED threat not later than 30 days after the date of the enactment of this Act. The provision would also require supplemental quarterly reports to account for every incident involving the detonation or discovery of an IED since the previous report was submitted.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would require the Secretary to submit the initial report 90 days after the date of the enactment of this Act. The amendment would also clarify the reporting requirements for the supplemental quarterly report on IED incidents.

Requirement that all military wheeled vehicles used in Iraq and Afghanistan outside of secure military operating bases be protected by Improvised Explosive Device (IED) jammers (sec. 1403)

The House bill contained a provision (sec. 1045) that would require the Secretary of Defense to take such steps as necessary to ensure that by the end of fiscal year 2007 all U.S. military wheeled vehicles used in Iraq and Afghanistan outside of military compounds are equipped with improvised explosive device (IED) jammers. The provision would also require the Secretary to submit to the congressional defense committees, not later than December 15, 2006, a report on the cost and schedule to comply with the requirement.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to take such steps as necessary to ensure that by the end of fiscal year 2007 all U.S. military wheeled vehicles used in Iraq and Afghanistan outside of secure military operating bases are protected by IED jammers.

The conferees understand that there is no single "silver bullet" solution to defeat IEDs, but current jamming technology allows commanders to provide a level of protection for deployed forces. However, the conferees also understand that it is critical for subordinate commanders of U.S. Central Command (USCENTCOM) to retain the flexibility to modify the jammer-to-vehicle ratio in order to match mission requirements with unit capabilities. The conferees do not intend to require that every vehicle be equipped with a jammer, but expect that battlefield commanders will develop tactics, techniques, and procedures to ensure that all vehicles remain within the protective envelope of jammers and that an individual vehicle will not be left unprotected when used outside of secure military operating bases. The conferees intend that such jammers suppress the radio-controlled IED initiation devices assessed to be used in a commander's area of responsibility.

The conferees strongly urge the Secretary to take whatever measures necessary, using the funds authorized for the Joint IED Defeat Fund in title XV of this Act, to accelerate the production of jammers so that the Commander, USCENTCOM, can deploy a jammer on every tactical wheeled vehicle used in Iraq and Afghanistan.

Report on assessment process of Chairman of the Joint Chiefs of Staff relating to Global War on Terrorism (sec. 1404)

The House bill contained a provision (sec. 1033) that would require the Secretary of Defense to submit a report, not later than March 1, 2007, on the findings of the semiannual assessment on the global war on terrorism, as described in the annex to the National Military Strategic Plan for the War on Terrorism.

The Senate amendment contained no similar provision.
The Senate recesses.

Treatment under Freedom of Information Act of certain confidential information shared with State and local personnel (sec. 1405)

The Senate amendment contained a provision (sec. 1043) that would clarify that sensitive but unclassified homeland security information in the possession of the Department of Defense that is shared with state and local personnel who are involved in the prevention of or response to terrorist activity does not become subject to disclosure under the Freedom of Information Act (5 U.S.C. 552) by virtue of such sharing.

The House bill contained no similar provision.
The House recesses with a clarifying amendment.

Database of emergency response capabilities (sec. 1406)

The House bill contained a provision (sec. 1038) that would require the Secretary of Defense to maintain a database of emergency response capabilities resident in each State's National Guard that could be deployed in response to a domestic natural or manmade disaster.

The Senate amendment contained no similar provision.
The Senate recesses with a clarifying amendment.

Legislative Provision Not Adopted

Homeland defense technology transfer

The House bill contained provisions (secs. 1401-1403) that would require the establishment of a homeland defense technology transfer consortium.

The Senate amendment contained no similar provision.
The House recesses.

The conferees note that section 1401 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) directed the Secretary of Defense to designate a senior Federal official within the Department of Defense to coordinate the Department's efforts to identify, evaluate, deploy, and transfer technological items and equipment to Federal, State, and local first responders in support of homeland defense. The conferees commend the designation of the Assistant Secretary of Defense for Homeland Defense (ASD-HD) as the senior Federal official, and the execution of the Memorandum of Agreement (MOA) in October 2005 between ASD-HD and senior officials in the Departments of Homeland Security and Justice, which outlined their respective responsibilities for the program. While a formal process is important, the MOA places the Offices of ASD-HD and the Under Secretary of Science and Technology for Homeland Security between the Department of Defense technical community and the first responder community. As a result, these two organizations do not bridge both the Department's technical community and the first responder community for the purposes of transferring technological items and equipment in support of homeland defense. The conferees believe the Department's efforts to rapidly transfer technologies that could assist other Federal agencies, State governments, and first responders with their homeland security responsibilities would benefit by a more direct dialogue between the Department's technical community and first responders. Therefore, the conferees urge the Secretary to consider the establishment of a consortium that brings together appropriate defense entities, other Federal agencies, State and local governments, and the first responder community.

TITLE XV—AUTHORIZATION FOR INCREASED COSTS DUE TO OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

Overview

The House bill contained a title (title XV) that would authorize \$50.0 billion for ongoing operations in Iraq and Afghanistan. The title also contained general provisions.

The Senate amendment contained a similar title (title XIV). The title also contained reporting requirements and general provisions.

The conferees agree to include a title that would authorize \$70.0 billion for ongoing operations in Iraq and Afghanistan. The title would also contain reporting requirements and general provisions.

Summary table of authorization

The following table summarizes authorizations included in this report for ongoing operations in Iraq and Afghanistan for fiscal year 2007.

Reset funding Offset Folios.....1.....to.....29.....Insert

The conferees agree to authorize \$23.7 billion in this title to reset -- repair, replace, or recapitalize -- Army and Marine Corps equipment used in the global war on terror. The conferees based their agreement on information provided to them by the Army on July 29, 2006, and by the Marine Corps on September 6, 2006. The conferees understand that these requirements may change, and expect the Department of Defense to fully utilize the reprogramming authorities provided in this title to best meet its requirements.

The table below summarizes the reset funding contained elsewhere in this title.

Offset Folios.....30.....to.....Insert
Budget Item

C-17 procurement

The budget request included \$2.6 billion in Aircraft Procurement, Air Force for procurement of 12 C-17 aircraft, which would complete the current C-17 multiyear procurement contract purchase of 60 aircraft.

The House bill would authorize an increase of \$299.8 million, and would also authorize the budget request of \$389.6 million of settlement funding for the procurement of three additional C-17 aircraft.

The Senate amendment would authorize the budget request for 12 C-17 aircraft. Of the authorized amount, the Secretary of the Air Force may apply \$400.0 million of settlement funding for the procurement of two additional C-17 aircraft, and \$33.2 million of settlement funding for advance procurement for additional C-17 aircraft in the fiscal year 2008 budget request.

The conferees agree to authorize a decrease of \$348.0 million in Aircraft Procurement, Air Force for C-17 production line shut-down. The conferees agree to authorize an increase of \$2.1 billion in title XV of this Act for the procurement of 10 additional C-17 aircraft. The conferees authorize the Secretary to apply the fiscal year 2006 appropriation for line shut-down funding of \$224.0 million towards advance procurement of these 10 additional C-17 aircraft.

The conferees are concerned that the Department of Defense has not thoroughly determined its airlift requirements for both the intra-theater and inter-theater missions and that the decision to cease production of the Department's only strategic airlift aircraft procurement program is premature. Further, the conferees agree with the Government Accountability Office's assessment of

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
<u>PROCUREMENT</u>				
Aircraft Procurement, Army	436,500	232,400	404,100	1,524,300
Missile Procurement, Army			450,000	3,200
Weapons and Tracked Combat Vehicles Procurement, Army	2,726,180	1,029,672	214,400	3,022,836
Procurement of Ammunition, Army		328,341		48,591
Other Procurement, Army	1,589,414	2,183,430	686,600	4,636,810
Subtotal, Army Procurement	4,752,094	3,773,843	1,755,100	9,235,737
Aircraft Procurement, Navy	116,000			389,465
Weapons Procurement, Navy		131,400		109,400
Procurement of Ammunition, Navy and Marine Corps	99,930	143,150		151,439
Other Procurement, Navy	348,605	44,700		14,600
Procurement, Marine Corps	1,173,968	636,125	319,800	4,397,926
Subtotal, Navy and Marine Corps Procurement	1,738,503	955,375	319,800	5,062,830
Aircraft Procurement, Air Force	909,070	201,550		2,174,000
Missile Procurement, Air Force		32,650		
Other Procurement, Air Force	1,205,293	62,650	51,800	5,650
Subtotal, Air Force Procurement	2,114,363	296,850	51,800	2,179,650
Procurement, Defense-wide	56,255	140,200		127,600
Total Procurement	8,661,215	5,166,268	2,126,700	16,605,817
<u>RESEARCH, DEVELOPMENT, TEST AND EVALUATION</u>				
Research, Development, Test and Evaluation, Army		25,500		2,639
Research, Development, Test and Evaluation, Navy	110,000			7,856
Research, Development, Test and Evaluation, Air Force	48,427	7,000		
Research, Development, Test and Evaluation, Defense-Wide	155,980	5,000		
Total Research, Development, Test and Evaluation	314,407	37,500		10,495

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
<u>OPERATION AND MAINTENANCE</u>				
Operation and Maintenance, Army	21,874,469	22,396,986	22,124,466	28,045,387
Operation and Maintenance, Navy	1,345,869	1,834,560	2,349,560	2,007,948
Operation and Maintenance, Marine Corps	1,407,000	1,485,920	1,544,920	2,257,089
Operation and Maintenance, Air Force	2,478,906	2,822,998	2,779,898	2,478,906
Operation and Maintenance, Defense-wide	2,938,735	3,377,402	3,388,402	1,544,614
Operation and Maintenance, Army Reserve	71,600			500
Operation and Maintenance, Navy Reserve	8,962			
Operation and Maintenance, Army National Guard		50,000	59,000	221,500
Operation and Maintenance, Air National Guard	104,000	15,400		2,000
Total Operation and Maintenance	30,229,541	31,983,266	32,246,246	36,557,944
<u>OTHER PROGRAMS</u>				
Defense Health Program		950,200	960,200	869,200
Total Other Programs		950,200	960,200	869,200
<u>MILITARY PERSONNEL</u>				
Military Personnel, Army	5,023,072	6,869,881	5,466,987	6,464,802
Military Personnel, Navy	114,500	333,000	321,000	193,000
Military Personnel, Marine Corps	54,200	749,392	466,092	568,000
Military Personnel, Air Force	129,000	1,071,793	1,081,793	592,477
Military Personnel, Army Reserve	24,400	150,000		
Military Personnel, Army National Guard	50,100	100,000		251,000

Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Military Personnel, Air National Guard		36,700		6,700
Military Personnel, Benefits		52,000		31,000
Total Military Personnel	5,395,272	9,362,766	7,335,872	8,106,979
Joint Improvised Explosive Device Defeat Fund	2,100,000		2,100,000	2,100,000
Iraq Freedom Fund			2,230,982	50,000
Joint Rapid Acquisition for Global War on Terror	100,000			1,446,300
Afghanistan Security Forces Fund	1,446,300			1,734,000
Iraq Security Forces Fund	1,734,000			19,265
Intelligence Community Management Account	19,265			2,500,000
Classified Programs /a	[1,600,000]	2,500,000	3,000,000	2,500,000
Transfer Authority /a		[3,000,000]	[2,500,000]	[2,500,000]
Total	50,000,000	50,000,000	50,000,000	70,000,000

a/ Values in brackets are non-additive

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
<u>PROCUREMENT</u>				
Aircraft Procurement, Army				
Joint Improved Explosive (IED) Device Defeat - persistent surveillance platforms	100,000			
Subtotal Aircraft Procurement, Army	100,000			
Reset - Aircraft Procurement, Army				
UH-60 battle losses (SASC-5 aircraft)	105,000		71,000	71,000
UH-60 battle losses - Remaining Reset Reqs.			34,000	34,000
CH-47 battle losses (SASC-12 aircraft)	331,500	82,900	333,100	361,500
AH-64s		49,500		49,500
AH-64s - remaining reset requirement				537,000
Armed Reconnaissance Helicopter (ARH)				63,000
Air Traffic Control			6,500	6,500
Aviation Ground Support Equipment			2,200	2,200
Aviation (General/ Add)				399,600
Subtotal Reset - Aircraft Procurement, Army	436,500	132,400	404,100	1,524,300
Total Aircraft Procurement, Army	436,500	232,400	404,100	1,524,300
Missile Procurement, Army				
Upgrade Patriot battalions to configuration-3 capability			400,000	
Additional PAC-3 missiles (16)			50,000	
Subtotal Missile Procurement, Army			450,000	

Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Reset - Missile Procurement, Army				
Javelins				3,200
Subtotal Reset - Missile Procurement, Army				3,200
Total Missile Procurement, Army			450,000	3,200
Weapons and Tracked Combat Vehicles Procurement, Army				
Tank urban survivability kit		77,000	77,900	77,000
Stryker - SLAT armor		24,364		24,364
Abrams integrated management program (budget realignment)		182,450		
M240 medium machine gun (7.62mm) (budget realignment)		21,600		
M240 medium machine gun (7.62mm) and conversions		20,000		20,000
M249 SAW machine gun (5.56mm) (budget realignment)		18,300		
M249 SAW machine gun (5.56mm)		3,900		3,900
M4 carbine mods		3,800		3,800
M4 carbine mods (budget realignment)		15,450		
M2 50 caliber machine gun mods - quick change barrel kits		10,000		10,000
M249 SAW machine gun mods		2,000		
Phalanx mods		42,000		
Subtotal WTCV Vehicles, Army		420,864	77,900	139,064
Reset - WTCV Procurement, Army				
M1A1 Abrams integrated management program	522,800	187,308	136,500	293,200
M1A2 SEP	400,000			700,000
Bradley base sustainment - ODS/A3s	1,398,300	380,000		1,398,300
Stryker		41,500		82,130

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
M113 Carrier mod	77,680			77,680
M88 Improved Recovery Vehicle Mods	197,400			192,400
Modification in Service Equip - BFIST vehicle	130,000			130,000
MK-19 Grenade Launcher				10,062
Subtotal Reset - WTCV Procurement, Army	2,726,180	608,808	136,500	2,883,772
Total WTCV Procurement, Army	2,726,180	1,029,672	214,400	3,022,836
Procurement of Ammunition, Army				
5.56mm (budget realignment)		107,300		
7.62mm (budget realignment)		56,800		
7.62mm		1,642		1,642
.50 caliber (budget realignment)		62,550		
.50 caliber		35,849		35,849
20mm (C-RAM)		20,000		11,100
120mm tank ammunition - M1028 canisters		9,200		
Ammo industrial base upgrades		35,000		
Total Procurement of Ammunition, Army		328,341		48,591
Other Procurement, Army				
<i>Tactical and Support Vehicles</i>				
Up-Armor HMMWV fragmentation kits / gunner protection shields		364,000		214,000
Armored Security Vehicle		83,000		83,000
Armored Security Vehicle (budget realignment)		77,750		
HEMTT ESP (budget realignment)		110,200		
HMMWV recap program (budget realignment)		34,800		

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Fuel tank passive fire suppression kits - for UAHs and FHTVs		19,400		
FHTV trailers				
Armored security vehicles	92,600			
Modification of in service equipment	364,000			
Classified program	527			
Classified program	96,000			
<i>Combat Communications</i>				
Land mobile radio			30,000	
SINCGARS (budget realignment)		58,250		
CSEL radios		35,560		35,560
CSEL radios (budget realignment)		8,250		
Radio, improved HF family (budget realignment)		45,700		
<i>Tactical Intelligence</i>				
Prophet Ground (budget realignment)		48,250		
Tactical Unmanned Aerial System (MIP) (budget realignment)		50,150		
<i>Tactical Surveillance</i>				
Profiler			23,600	
Lightweight counter mortar radar		10,470		10,470
Night vision devices (budget realignment)		160,500		
AN/TMQ-52 Profiler		23,600		
Firefinder radars (budget realignment) - C-RAM		9,600		
Force XXI battle command BDE and below (FBCB2) (budget realignment)		80,050		

Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
<i>Engineer Equipment</i>				
GSTAMIDS route clearance team equipment (budget realignment)		66,100		
<i>Training Equipment</i>				
HMMWV and tactical truck crew trainers - Guard		25,000		25,000
<i>Other Support Equipment</i>				
Joint Improvised Explosive (IED) Device Defeat - IED electronic countermeasures		109,700		16,800
Manual transport robotic systems for EOD teams		16,800		66,200
C-RAM		66,200		451,030
Total Other Procurement, Army	553,127	1,503,330	53,600	451,030
<i>Reset - Other Procurement, Army</i>				
Uparmored HMMWV or M1151/M1152 HMMWV	614,745	500,000	508,000	478,184
FMTV	220,000			623,049
FHTV	201,542			589,966
HEMITT-ESP program		25,000	125,000	18,405
HMMWV recap program				881,567
Tactical Trailers / Dolly Sets				53,803
Family of Semi-Trailers				143,528
Towing Device: 5th Wheel				174
Family of Tractor Trailers / M915A2s				138,194
Truck Utility, 3/4 ton, 4x4				166,500
Tactical Fire Fighting Truck				6,000
Heavy Armored Sedans (Truck Carrialls)				5,625
Battlefield Anti-Intrusion System: AN/PRS-9				1,035

Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Mortar Fire Control System				10,280
Ground Standoff Mine Detection System				26,440
NAVSTAR GPS				23,900
TSEC Army Key Management System				36,000
Maneuver Control System (MCS)				5
TC AIMS II				124
RADIAC- Pocket				347
RADIAC SET AN/PDR 77				9
RADIAC SET AN/VDR-2				547
RADIAC SET AN/PDR-75				71
Radio, improved HF family - PRC-148/PRC-150		50,600		1,900
SINGARs		31,600		17,280
Night vision devices		20,900		20,900
Night vision devices - remaining reset req				67,100
Force XXI battle command BDE and below (FBCB2)		52,000		92
Combat Support Medical				21,435
Field Medical Equipment				557
Shop Equipment Contact Maintenance				32,100
Distribution Systems, Petroleum and Water				6,770
Army Oil Analysis Mobile Laboratories				1,430
Fuel System Supply Point				35,900
Generators and Assoc Equipment				176,262
Decontaminate APP PWR DR LWgt M17				68
Power Units/Power Plants				1,367
Rough Terrain Container Handler				64,500
Tactical Bridge, Float-Ribbon				70,900

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Welding Shop, Trailer				33,860
Construction Equipment ESP				9,500
All Terrain Lifting Army System (ATLAS)				98,312
Cranes				4,225
Graders				10,000
Loaders, Scoop Type				5,070
Hydraulic Excavator				2,610
High Mobility Engineer Excavator (HMEE) Equipment (General Add)				4,590
Modification of In SVC Equipment				7,328
Scraper, Earthmoving				4,610
Tactical Equipment				4,500
Items Less Than \$5M (Const Equip)				4,500
Items Less Than \$5M (Eng Support Equip)				7,998
Items Less Than \$5M (Maint Equip)				866
Maintenance Support Device				25,752
Information System Security Program (ISSP)				1,146
CBRN Soldier Protection				2,641
Reconnaissance System NBC				43,428
Integrated Family of Test Equipment				36,700
Fire Support C2 Family				2,130
Knight Family				7,000
Mobility - Vehicles - Special Purpose				50,000
Field Feeding Equipment				22,000
Laundry and Decon Dry Cleaning System				454
Sanitation, Field Feeding				12,300
				1,000

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Water Purification System				834
Rapid Equipping Force				387
SALE				59,725
Subtotal Reset - Other Procurement, Army	1,036,287	680,100	633,000	4,185,780
Total Other Procurement, Army	1,589,414	2,183,430	686,600	4,636,810
Reset - Aircraft Procurement, Navy				
AV-8B Attrition Recovery				15,507
AV-8B Oil Tester/JETSCAN				1,400
Litening on Station 4				4,200
TAV-8B 30KVA Generator				3,470
TAV-8B				10,700
CH-46E Aircraft Sustainment				11,850
CH-46E Engine Electrical Overspeed Protection				3,866
CH-46E M240D Machine Gun				750
CH-53E AMARC				5,620
CH-53E IMDS				8,900
CH-53 EAPS Seals				2,100
CH-53 T-64 Engine Reliability Improvement				5,100
CH-53D rate gyro				1,150
H-1 Y/Z Procurement				68,600
Crash Attenuating CC & AO Seats				2,752
KC-130J procurement				71,800
Aviation Sustainment Support Packages				35,800
MV-22 aircraft procurement	101,000			71,000

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
MV-22 Pre Block A to Block B Mods				54,600
MV-22 Spares	15,000			10,300
Subtotal Reset - Aircraft Procurement, Navy	116,000			389,465
Total Aircraft Procurement, Navy	116,000			389,465
Reset Weapons Procurement, Navy		122,000		100,000
Hellfire II - Marine Corps		9,400		9,400
Pioneer UAV sustainment		131,400		109,400
Subtotal Reset - Weapons Procurement, Navy		131,400		109,400
Total Weapons Procurement, Navy		131,400		109,400
Procurement of Ammunition, Navy and Marine Corps		12,200		
5.56mm, all types (budget realignment)		7,400		
7.62mm, all types (budget realignment)		3,200		
.50 Caliber (budget realignment)		8,350		
Grenades, all types (budget realignment)				
Items less than \$5 million	97			
Total Procurement of Ammo, Navy and Marine Corps	97	31,150		
Reset - Procurement of Ammo, Navy and Marine Corps				5,572
5.56mm, all types	4,237	20,000		4,436
7.62mm, all types	3,275	20,000		5,810
Linear charges	4,540			5,923
.50 caliber	4,947			

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

Program Title	Budget Request	House Authorized	Senate Authorized	Conference Authorized
40mm, all types	9,227			10,206
60mm, all types	9,876			12,227
81mm, all types	17,474			22,525
120mm, all types	11,034			17,322
25mm, all types	1,322			1,402
9mm, all types	471			544
Grenades, all types	4,471	10,000		4,882
Rockets, all types	7,062			8,751
Artillery, all types	11,956	62,000		20,606
Charge, Demolition all types	7,668			8,045
Fuze, all types	1,136			1,586
Non-Lethal	1,137			1,364
Ammo Modernization				20,238
Subtotal Reset - Procurement of Ammo, Navy and Marine Corps	99,833	112,000		151,439
Total Procurement of Ammo, Navy and Marine Corps	99,930	143,150		151,439
Other Procurement, Navy				
ScanEagle UAV - ISR mission		39,700		
Satcom Terminals		5,000		
Classified programs	32,250			
Construction and maintenance equipment	63,600			
Tactical vehicles	223,145			
Items under \$5 million	28,610			
Materials handling equipment	1,000			
Total Other Procurement, Navy	348,605	44,700		

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Reset - Other Procurement, Navy				
Littoral Battlespace Sensing				500
Al Asad Facility Transfer				14,100
Subtotal Reset - Other Procurement, Navy				14,600
Total Other Procurement, Navy	348,605	44,700		14,600
Procurement, Marine Corps				
Cougar and Buffalo procurement			100,000	
Assault breacher vehicle			12,000	
Gunner protection kits			100,000	
HIMARS re-supply systems armor			85,300	
AAV Enhanced Applique Armor Kits (EAAK)		6,950		
High Mobility Artillery Rocket System (HIMARS) - Add on Armor		170,700		
Weapons and Combat Vehicles Under \$5.0 million (budget realignment)		4,500		
TOW Bunker Buster missiles		30,600		30,600
Night Vision Equipment (budget realignment)		6,850		
Radio Systems (budget realignment)		26,750		
Up-Armor HMMWVs (budget realignment)		36,200		
Assault Breacher Vehicle (ABV)		12,000		
EOD Systems (budget realignment)		7,400		
MTVR Training and Maintenance Devices		3,900		
Virtual Convoy Combat Trainer (VCCT)		5,500		
Biometric Automated Toolkits		2,275		
ULCANS		3,000		

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
5/4T truck HMMWV	451,536			
Rapid deployable kitchen	1,600			
Total Procurement, Marine Corps	453,136	316,625	297,300	30,600
Reset - Procurement, Marine Corps				
Radio Systems		120,400		120,400
Radio Systems - remaining reset req.				739,826
Comm Switching and Control Systems				209,527
Bulk Liquid Equipment				18,974
Tactical Fuel Systems				37,338
EOD Systems		16,300		7,400
EOD Systems - remaining reset requirement				624,774
Family of Construction Equipment	103,700			98,290
AAV7A1 product improvement program	83,900		22,500	6,948
LAV PIP	45,050			73,300
Modification Kits	61,305			272,864
M1A1 Firepower Enhancements	5,762			1,154
Weapons and Combat Vehicles under \$5 million				122,493
Javelin	76,815			46,500
Command post systems	9,200			80,831
Fire Support System				22,941
Intelligence Support Equipment				63,822
Night Vision Equipment		48,100		29,700
Night Vision Equipment - remaining reset requirement				154,511
Up-Armor HMMWVs		84,700		84,700
Up-Armor HMMWVs - remaining reset requirement				435,901

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Motor Transport Modifications				163,600
MTVRs				14,308
Family of Tactical Trailers				91,109
Environmental control equipment	12,700			22,090
Power equipment assorted	5,000			11,785
Material handling equipment	106,000			66,818
Field Medical Equipment				6,902
Unit operations center	201,400			267,200
Weapons Enhancement Program				2,703
Modular Weapon System		50,000		51,590
Repair and Test Equipment				96,609
Items Under \$5.0 million (Comm & Elec)				14,183
Commun Computer Resources				28,762
Commun \$ Elec Infrastructure Supt				53,580
Air Operations C2 Systems				33,784
Radar Systems				21,093
Items Less Than \$5.0 million				27,019
Amphibious Support Equipment				28,257
Family of Internally Trans Veh (ITV)				10,845
Bridge Boats	10,000			22,275
Family of Field Feeding Systems				2,598
Container Family				7,741
HIMARS				67,350

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	Budget Request	House Authorized	Senate Authorized	Conference Authorized
Expeditionary Air Defense System Modification Kits (engineer)				2,924 7
Subtotal Reset - Procurement, Marine Corps	720,832	319,500	22,500	4,367,326
Total Procurement, Marine Corps	1,173,968	636,125	319,800	4,397,926
Aircraft Procurement, Air Force				
Predator UAV (budget realignment)		114,550		
Predator UAVs		80,000		80,000
U-2		7,000		
C-17 (10 additional aircraft)	225,000			2,094,000
C-130J	307,000			
V-22 osprey	146,270			
Modification of in service aircraft - C-17A	97,000			
Modification of in service aircraft - C-37A	43,000			
Modification of in service aircraft - C-130	90,800			
Total Aircraft Procurement, Air Force	909,070	201,550		2,174,000
Missile Procurement, Air Force				
Predator Hellfire Missiles (budget realignment)		32,650		
Total Missile Procurement, Air Force		32,650		
Other Procurement, Air Force				
Up-armored HMMWVs		51,800	51,800	5,650
Armored HMMWV (budget realignment)		4,200		
Up-Armored HMMWV (budget realignment)		5,650		

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
U-2		1,000		
Classified programs	1,205,293			
Total Other Procurement, Air Force	1,205,293	62,650	51,800	5,650
Procurement, Defense-wide				
MH-47 reconstitution		4,100		4,100
Time delay firing device / sympathetic detonation (M153)		7,500		7,500
Persistent Predator operations and intelligence (PPOI)		13,400		13,400
Payload integration - Predator		6,000		6,000
Specialized ballistic protection		2,200		2,200
Counter Ambush Weapons System		6,300		6,300
MH-47 radio frequency countermeasures		44,000		44,000
M134 DT mini-gun replacement		13,900		13,900
Miniature multi-band beacons		8,900		8,900
Small arms - laser acquisition marker		5,300		5,300
AN/PVS-24 clip-on night vision device		12,600		5,000
Special Weapons Observation Reconnaissance Direct Action System (SWORDS)		6,000		1,000
SU-232/PAS thermal clip on night vision device		10,000		10,000
Classified programs	54,699			
Classified programs	1,556			
Total Procurement, Defense-wide	56,255	140,200		127,600
Total Procurement	8,661,215	5,166,268	2,126,700	16,605,817

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
RESEARCH, DEVELOPMENT, TEST AND EVALUATION				
Research, Development, Test and Evaluation, Army		25,500		
C-RAM		25,500		
Subtotal RDTE, Army				
Reset - Research, Development, Test and Evaluation, Army				104
Army and Combat Support Technology				1,250
AWG Combat Evaluation				925
Ballistics Technology				360
Sanitation Center, Field Feeding				2,639
Subtotal Reset - RDTE, Army				
Total RDTE, Army			25,500	2,639
Research, Development, Test and Evaluation, Navy				
Classified programs	110,000			
Subtotal RDTE, Navy	110,000			
Reset - Research, Development, Test and Evaluation, Navy				6,656
Litening on Station 4				1,200
Low Pressure Compressor				7,856
Subtotal Reset - RDTE, Navy				
Total RDTE, Navy	110,000			7,856

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Research, Development, Test and Evaluation, Air Force				
U-2		7,000		
Classified programs	48,427			
Total RDTE, Air Force	48,427	7,000		
Research, Development, Test and Evaluation, Defense-Wide				
Pacific Wind		4,000		
Specialized Ballistic Protection		1,000		
Classified programs	155,980			
Total RDTE, Defense-Wide	155,980	5,000		
Total Research, Development, Test and Evaluation		37,500		
<u>OPERATION AND MAINTENANCE</u>				
Operation and Maintenance, Army				
Incremental OIF/OEF wartime costs	18,715,237	20,350,426	20,160,706	17,958,887
Incremental ONE wartime costs			202,720	180,000
Abrams M1A1 Abrams integrated management program		470,960	231,000	
Base support - mobilization and demobilization		592,600	643,000	643,000
Sustainment costs related to end strength			887,040	
Our Military Kids (non-add) (S. Amdt)			[1,500]	
Hemostatic agents (non-add) (S. Amdt)			[15,000]	
Hemostatic agents				15,000
Recruiting and retention		100,000		

Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Body Armor		883,000		700,000
Depot maintenance	2,193,000			
Security programs	218,852			
Service-wide transportation	747,380			
Subtotal O&M, Army	21,874,469	22,396,986	22,124,466	19,496,887
Reset - Operation and Maintenance, Army				
Reset of APS-3 & APS-5				631,000
Depot Maintenance				4,024,300
Direct Support / General Support (DS/GS)				2,065,700
Unit level repair				1,072,700
Aviation Special Technical Inspection and Repair (STIR)				624,100
Long Range Scout Surveillance System and Information Diagnostics				37,100
Military Technician (MILTECH) Program (equipment and maintenance)				93,600
Subtotal Reset - Operation and Maintenance, Army				8,548,500
Total O&M Army	21,874,469	22,396,986	22,124,466	28,045,387
Operation and Maintenance, Navy				
Incremental OIF/OEF wartime costs		1,834,560	1,834,560	1,286,525
Navy flying hour program	374,100		75,000	75,000
Ship operations	188,493		121,000	121,000
Ship depot maintenance	69,552		145,000	145,000
Intermediate maintenance	1,917			
Ship operations support and training	5,316			
Combat communications	1,389			

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Electronic warfare	2,110			
Warfare tactics	13,350			
Operational meteorology and oceanography	1,405			
Combat support forces	330,259			
Equipment maintenance	160			
In service weapons systems support	2,993			
Weapons maintenance	4,393			
Base operating support	126,525			
Ship prepositioning and surge	2,325			
Specialized skill training	4,912			
Administration	2,147			
Military manpower and personnel management	348			
Other personnel support	315			
Service-wide communications	16,985			
Service-wide transportation	74,450			
Acquisition and program management	15,796			
Combat / weapons systems	180			
Other programs	47,105			
Subtotal O&M, Navy	1,286,525	1,834,560	2,175,560	1,627,525
Reset - Operation and Maintenance, Navy				
AV-8B Crash/Damage Repair				20,200
TAV-8B				11,000
CH-53E AMARC				20,280
Aviation depot maintenance	59,344		174,000	174,000
Aviation depot maintenance - remaining reset req				99,956

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
EA-6B Sand Intrusion				7,200
CH-46E Auto Flight Control System Wiring				924
KC-130J Power by the Hour				6,090
MATCALS Manportable				1,600
Al Qasab Facility Transfer				12,973
Fleet Support Team				10,200
MV-22 Interim O-level Contractor Support				9,000
MV-22 Component Repair				7,000
Subtotal Reset - Operation and Maintenance, Navy	59,344		174,000	380,423
Total Operation and Maintenance, Navy	1,345,869	1,834,560	2,349,560	2,007,948
Operation and Maintenance, Marine Corps				
Incremental OIF/OEF wartime costs	990,896	1,389,920	1,389,920	990,896
Sustainment costs related to end strength		49,000	49,000	49,000
Hemostatic agents (non-add) (S. Amdt)			[5,000]	
Hemostatic agents				5,000
Field logistics	29,544			
Maritime prepositioning	24,605			
Recruit training	187			2,375
Training support	68,018			25,010
Base operating support	3,627			
Service-wide transportation	135,123			
Subtotal O&M, Marine Corps	1,252,000	1,438,920	1,438,920	1,072,281

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Reset - Operation and Maintenance, Marine Corps				
Depot Maintenance	155,000		106,000	447,153
Body Armor		47,000		35,000
Personal combat equipment				49,748
Organizational/Intermediate Maintenance				526,537
Consumable Replacement				126,370
Subtotal Reset - Operation and Maintenance, Marine Corps	155,000	47,000	106,000	1,184,808
Total Operation and Maintenance, Marine Corps				
	1,407,000	1,485,920	1,544,920	2,257,089
Operation and Maintenance, Air Force				
Incremental OIF/OEF wartime costs		2,779,898	2,477,429	2,250,906
Incremental ONE wartime costs			302,469	228,000
U-2		43,100		
Primary combat forces	1,236,039			
Combat communications	200,000			
Airlift operations	862,901			
Specialized skill training	26,540			
Security programs	153,426			
Total O&M, Air Force	2,478,906	2,822,998	2,779,898	2,478,906
Operation and Maintenance, Defense-wide				
Defense Contract Audit Agency DCAA		9,063	9,063	
Defense Contract Management Agency (DCMA)		3,187	3,187	
Defense Intelligence Agency (DIA)		11,234	11,234	
Defense Information Systems Agency (DISA)	38,800	127,667	127,667	40,000

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Defense Logistics Agency (DLA)	26,100	1,721,811	1,721,811	215,000
Defense Legal Services Agency (DLSA)	11,000	5,513	5,513	5,513
Department of Defense Education Activity (DoDEA)	50,000	46,872	46,872	46,872
Defense Security Cooperation Agency (DSCA)	1,000,000	586,556	586,556	586,556
Defense Threat Reduction Agency (DTRA)		17,550	17,550	
National Geospatial-Intelligence Agency (NGA)		191,307	191,307	
National Security Agency (NSA)		9,405	9,405	
OASD(NII)		11,564	11,564	
Special Operations Command	900,000	511,673	511,673	511,673
Sustainment costs related to Army end strength		115,000	115,000	115,000
Sustainment costs related to Army NG end strength			11,000	15,000
Sustainment costs related to USMC end strength				9,000
Reading for the Blind for severely wounded (non-add) (S. Amndt)		9,000	9,000	9,000
Defense Human Resources Activity (DHRA)	9,800		[500]	
Washington Headquarters Service (WHS)	9,300			
Other programs	893,735			
Total O&M, Defense-wide	2,938,735	3,377,402	3,388,402	1,544,614
Operation and Maintenance, Army Reserve				
Corps support forces	41,000			
Echelon above corps support forces	22,000			
Base operations support	8,600			
Our Military Kids				500
Total O&M, Army Reserve	71,600			500

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Operation and Maintenance, Navy Reserve				
Mission and other flight operations	4,641			
Aircraft depot maintenance	600			
Mission and other ship operations	523			
Combat support forces	3,198			
Total O&M, Navy Reserve	8,962			
Operation and Maintenance, Army National Guard				
Sustainment costs related to end strength			59,000	
Our Military Kids (non-add) (S. Amdt)			[500]	1,500
Our Military Kids		50,000		
Recruiting and retention				220,000
Manpower buy back		50,000		221,500
Total O&M, Army National Guard		50,000	59,000	
Operation and Maintenance, Air National Guard				
Recruiting and retention		15,000		
ACRs for Joint Stars		400		2,000
Force readiness operations support	68,000			
Base operations support	20,000			
Management and operational HQ	16,000			
Total O&M, Air National Guard	104,000	15,400		2,000
Total Operation and Maintenance	30,229,541	31,983,266	32,246,246	36,557,944

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
<u>OTHER PROGRAMS</u>				
Defense Health Program				
Incremental wartime costs		739,200	739,200	645,200
Army costs related to end strength		182,000	182,000	182,000
Army NG costs related to end strength			10,000	13,000
USMC costs related to end strength		29,000	29,000	29,000
Total Defense Health Program		950,200	960,200	869,200
Total Other Programs		950,200	960,200	869,200
<u>MILITARY PERSONNEL</u>				
Military Personnel, Army				
Incremental OIF/OEF wartime costs	4,172,372	5,208,881	5,396,581	4,803,802
Army active end strength increase	850,700	1,661,000		1,661,000
Recruiting and retention initiatives			70,406	
Total Military Personnel, Army	5,023,072	6,869,881	5,466,987	6,464,802
Military Personnel, Navy				
Incremental OIF/OEF wartime costs	114,500	311,000	321,000	171,000
Death gratuities		22,000		22,000
Total Military Personnel, Navy	114,500	333,000	321,000	193,000

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Military Personnel, Marine Corps				
Incremental OIF/OEF wartime costs	54,200	465,092	466,092	303,000
Marine Corps active end strength increase		284,300		265,000
Total Military Personnel, Marine Corps	54,200	749,392	466,092	568,000
Military Personnel, Air Force				
Incremental OIF/OEF wartime costs	129,000	830,616	840,616	351,300
Incremental ONE wartime costs		241,177	241,177	241,177
Total Military Personnel, Air Force	129,000	1,071,793	1,081,793	592,477
Military Personnel, Army Reserve				
Recruiting and retention initiatives		150,000		
Pre / post mobilization training	24,400			
Total Military Personnel, Army Reserve	24,400	150,000		
Military Personnel, Army National Guard				
Recruiting and retention initiatives		100,000		
School training	50,100			
Guard manpower buy back				251,000
Total Military Personnel, Army National Guard	50,100	100,000		251,000
Military Personnel, Air National Guard				
Recruiting and retention initiatives		30,000		
AGRs for Joint Stars		6,700		6,700
Total Military Personnel, Air National Guard		36,700		6,700

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Title XV EMERGENCY AUTHORIZATION
(Dollars in Thousands)

<u>Program Title</u>	<u>Budget Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Authorized</u>
Military Personnel, Benefits				
Postal benefits for service members in OIF/OEF		21,000		
Payment of SGLI full premium in OIF/OEF		31,000		31,000
Total Military Personnel, Benefits		52,000		31,000
Total Military Personnel	5,395,272	9,362,766	7,335,872	8,106,979
Joint Improvised Explosive Device Defeat Fund				
Joint Improvised Explosive Device Defeat Fund				2,100,000
Joint IED Defeat – persistent surveillance platforms (non-add)				[100,000]
Joint IED Defeat – IED electronic countermeasures (non-add)				[109,700]
Total, Joint Improvised Explosive Device Defeat Fund	2,100,000		2,100,000	2,100,000
Iraq Freedom Fund				
Afghanistan Security Forces Fund	1,446,300		2,230,982	50,000
Iraq Security Forces Fund	1,734,000			1,446,300
Intelligence Community Management Account	19,265			19,265
Classified Programs /a	[1,600,000]	2,500,000	3,000,000	2,500,000
Transfer Authority /a		[3,000,000]	[2,500,000]	[2,500,000]
Total	50,000,000	50,000,000	50,000,000	70,000,000

a/ Values in brackets are non-additive

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Title XV EMERGENCY AUTHORIZATION

(Dollars in Thousands)

Program Title	Budget Request	House Authorized	Senate Authorized	Conference Authorized
<u>RESET - ARMY</u>				
Aircraft Procurement, Army	436,500	132,400	404,100	1,524,300
Missile Procurement, Army				3,200
Weapons and Tracked Combat Vehicles Procurement, Army	2,726,180	608,808	136,500	2,883,772
Other Procurement, Army	1,036,287	680,100	633,000	4,185,780
Research, Development, Test and Evaluation, Army				2,639
Operation and Maintenance, Army	4,198,967	1,421,308	1,173,600	8,548,500
TOTAL - RESET ARMY				17,148,191
<u>RESET - MARINE CORPS</u>				
Aircraft Procurement, Navy	116,000			389,465
Weapons Procurement, Navy		131,400		109,400
Procurement of Ammunition, Navy and Marine Corps	99,833	112,000		151,439
Other Procurement, Navy				14,600
Procurement, Marine Corps	720,832	319,500	22,500	4,367,326
Research, Development, Test and Evaluation, Navy				7,856
Operation and Maintenance, Navy	59,344		174,000	380,423
Operation and Maintenance, Marine Corps	155,000	47,000	106,000	1,184,808
TOTAL - RESET MARINE CORPS	1,151,009	609,900	302,500	6,605,317
TOTAL - RESET	5,349,976	2,031,208	1,476,100	23,753,508

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the Mobility Capabilities Study (MCS), and are concerned about the validity and completeness of the MCS and its conclusions. The MCS assessed that a fleet of 292 strategic airlift aircraft is adequate to meet future airlift requirements. However, the conferees have concluded that the Department's determination was based on numerous assumptions, of which some are no longer relevant. Among the uncertainties affecting these assumptions are:

- (1) defining Army modularity intra-theater and inter-theater airlift requirements;
- (2) achieving success in the C-5 modernization program;
- (3) defining the C-130 wing-box repair strategy; and
- (4) determining the viability of the Civil Reserve Airlift Fleet to augment future airlift requirements.

The conferees support the number one priority on the Chief of Staff of the Air Force's unfunded priorities list requesting seven additional C-17 aircraft, and agree that procurement of additional C-17 aircraft would help mitigate the risk associated with the uncertainties of determining the Department's airlift requirements.

Legislative Provisions Adopted

Purpose (sec. 1501)

The House bill contained a provision (sec. 1501) that would establish a title as an authorization of appropriations for the Department of Defense for fiscal year 2007, in addition to amounts otherwise authorized in this Act, to provide funds for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom.

The Senate amendment contained an identical provision (sec. 1401).

The conference agreement includes this provision.

Army Procurement (sec. 1502)

The House bill contained a provision (sec. 1502) that would authorize an additional \$3,773.8 million in fiscal year 2007 for Army Procurement.

The Senate amendment contained a similar provision (sec. 1402) that would authorize an additional \$1,755.1 million.

The Senate recedes with an amendment that would authorize an additional \$9,235.7 million in fiscal year 2007 for Army Procurement.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Navy and Marine Corps procurement (sec. 1503)

The House bill contained a provision (sec. 1503) that would authorize an additional \$955.4 million in fiscal year 2007 for Navy and Marine Corps Procurement.

The Senate amendment contained a similar provision (sec. 1403) that would authorize an additional \$319.8 million.

The Senate recedes with an amendment that would authorize an additional \$5,062.8 million in fiscal year 2007 for Navy and Marine Corps Procurement.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Air Force procurement (sec. 1504)

The House bill contained a provision (sec. 1504) that would authorize an additional \$296.9 million in fiscal year 2007 for Air Force Procurement.

The Senate amendment contained a similar provision (sec. 1404) that would authorize \$51.8 million.

The Senate recedes with an amendment that would authorize an additional \$2,179.7 million in fiscal year 2007 for Air Force Procurement.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Defense-wide activities procurement (sec. 1505)

The House bill contained a provision (sec. 1505) that would authorize an additional \$140.2 million in fiscal year 2007 for Procurement, Defense-wide.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize an additional \$127.6 million in fiscal year 2007 for Procurement, Defense-wide.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Research, development, test and evaluation (sec. 1506)

The House bill contained a provision (sec. 1506) that would authorize an additional \$37.5 million in fiscal year 2007 for Research, Development, Test, and Evaluation.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize an additional \$10.5 million in fiscal year 2007 for Research, Development, Test, and Evaluation.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Operation and maintenance (sec. 1507)

The House bill contained a provision (sec. 1507) that would authorize an additional \$31,983.3 million in fiscal year 2007 for operation and maintenance programs.

The Senate amendment contained a similar provision (sec. 1405) that would authorize an additional \$32,246.2 million.

The Senate recedes with an amendment that would authorize an additional \$36,557.9 million in fiscal year 2007 for operation and maintenance programs.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Defense Health Program (sec. 1508)

The House bill contained a provision (sec. 1508) that would authorize an additional \$950.2 million in fiscal year 2007 for Defense Health Program activities.

The Senate amendment contained a similar provision (sec 1406) that would authorize an additional \$960.2 million.

The House recedes with an amendment that would authorize an additional \$869.2 million in fiscal year 2007 for Defense Health Program activities.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Classified programs (sec. 1509)

The House bill contained a provision (sec. 1509) that would authorize an additional \$2.5 billion in fiscal year 2007 for classified programs.

The Senate amendment contained a similar provision (sec. 1409) that would authorize an additional \$3.0 billion.

The Senate recedes.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Military personnel (sec. 1510)

The House bill contained a provision (sec. 1510) that would authorize an additional \$9,362.8 million in fiscal year 2007 for military personnel accounts.

The Senate amendment contained a similar provision (sec. 1407) that would authorize an additional \$7,335.9 million.

The Senate recedes with an amendment that would authorize an additional \$8,107.0 million in fiscal year 2007 for military personnel accounts.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Treatment as additional authorizations (sec. 1511)

The House bill contained a provision (sec. 1511) that would provide that the funds authorized in title XV of their bill for emergency contingency operations related to Operation Iraqi Freedom and Operation Enduring Freedom are in addition to the amounts otherwise authorized in this Act.

The Senate amendment contained an identical provision (sec. 1411).

The conference agreement includes this provision.

Transfer authority (sec. 1512)

The House bill contained a provision (sec. 1512) that would provide fiscal year 2007 transfer authority of \$3.0 billion to the Department of Defense for the authorizations contained in title XV of their bill.

The Senate amendment contained a similar provision (sec. 1412) that would transfer authority of \$2.5 billion.

The House recesses.

Availability of funds (sec. 1513)

The House bill contained a provision (sec. 1513) that would require the funds provided in title XV be made available for obligation by the end of the second quarter of fiscal year 2007.

The Senate amendment contained an identical provision (Sec. 1413).

The conference agreement includes this provision.

Joint Improvised Explosive Device Defeat Fund (sec. 1514)

The Senate amendment contained a provision (sec. 1408) that would authorize an additional \$2.1 billion in fiscal year 2007 for the Joint Improvised Explosive Device Defeat Fund.

The House bill contained no similar provision.

The House recesses.

Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Iraq Freedom Fund (sec. 1515)

The Senate amendment contained a provision (sec. 1410) that would authorize an additional \$2,231.0 million in fiscal year 2007 for the Iraq Freedom Fund.

The House bill contained no similar provision.

The House recesses with an amendment that would provide an additional authorization of \$50.0 million in fiscal year 2007 for an Iraq Freedom Fund transfer account. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Iraq Security Forces Fund (sec. 1516)

The conferees agree to include a provision that would provide an additional authorization of \$1,734.0 million in fiscal year 2007 for an Iraq Security Forces Fund transfer account. These funds would be available to the Secretary of Defense for the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and for the Iraq Security Forces. The provision would also authorize the Secretary to receive contributions of funds from any person, foreign government, or international organization for the purposes of the fund. The provision would require the Secretary to notify the congressional defense committees in writing 5 days prior to the use or transfer of funds from the Iraq Security Forces Fund, and to provide quarterly reports summarizing the details of the use or transfer of funds.

Afghanistan Security Forces Fund (sec. 1517)

The conferees agree to include a provision that would provide an additional authorization of \$1,446.3 million in fiscal year 2007 for an Afghanistan Security Forces Fund transfer account. These funds would be available to the Secretary of Defense for the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and for the Afghanistan Security Forces. The provision would also authorize the Secretary to receive contributions of funds from any person, foreign government, or international organization for the purposes of the fund. The provision would require the Secretary to notify the congressional defense committees in writing 5 days prior to the use or transfer of funds from the Afghanistan Security Forces Fund, and to provide quarterly reports summarizing the details of the use or transfer of funds.

Submittal to Congress of Department of Defense supplemental and cost of war execution reports (sec. 1518)

The Senate amendment contained a provision (sec. 1418) that would add the congressional defense committees to the report distribution of global war on terror cost reports, as required by section 1221 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

The House bill contained no similar provision.

The House recesses.

Limitation on availability of funds for certain purposes relating to Iraq (sec. 1519)

The Senate amendment contained a provision (sec. 1419) that would prohibit the obligation or expenditure of funds within this

Act to establish a permanent United States military installation or base in Iraq or to exercise United States control over the oil resources of Iraq.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the obligation or expenditure of funds within this Act to establish any military installation or base for the purposes of providing for the permanent stationing of United States Armed Forces in Iraq or to exercise United States economic control of the oil resources of Iraq.

Intelligence Community Management Account (sec. 1520)

The conferees agree to include a provision that would provide an additional authorization of \$19.3 million in fiscal year 2007 for an Intelligence Community Management Account.

Legislative Provision Not Adopted

Our Military Kids Youth Support Program

The Senate amendment contained a provision (sec. 1415) that would authorize a total of \$2.0 million for expansion of the program Our Military Kids Youth Support Program, which provides services to the children of deployed or injured members of the guard and reserve.

The House bill contained no similar provision.

The Senate recedes.

The conference outcome is reflected in the tables of this report.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Budget Items

Explanation of funding table

Division B of this Act authorizes funding for military construction projects for the Department of Defense. It includes funding authorizations for the construction and operation of military family housing and military construction for the reserve components, the defense agencies, and the North Atlantic Treaty Organization Security Investment program. It also provides authorization for the base closure account that funds environmental cleanup and other activities associated with the implementation of base closure rounds.

The budget request included \$16,698.4 million for military construction and housing programs. Of this amount, the budget request included \$5,626.2 million to implement the results of the 2005 Defense Base Closure and Realignment round. The amount is included in the following table in a line designated Base Realignment and Closure V.

The House bill would authorize appropriations of \$16,698.4 million.

The Senate amendment would authorize appropriations of \$17,102.0 million.

The conferees agree to authorize appropriations of \$17,376.8 million for the military construction and family housing programs. When the impact of \$278.4 million in prior year rescissions proposed in the Military Quality of Life and Veterans Affairs, and Related Agencies Appropriations Bill, 2007 (H.R. 5385) for both the Senate and the House of Representatives is included, the conference agreement will be consistent with the budget authority level of \$17,098.4 million for military construction and family housing programs.

The following tables provide the project-level authorizations for the military construction funding authorized in division B of this Act and summarize that funding by account.

Offset Folios.....1.....to..21.....Insert

2005 Defense Base Closure and Realignment accounts authorized for appropriations in 2006

The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) included authorization of appropriations of \$1,504.5 million to carry out military construction, environmental activities, and certain operating expenses related to the results of the 2005 Defense Base Closure and Realignment (BRAC) round. Section 2404(c) of the aforementioned Act required the Secretary of Defense to submit to the congressional defense committees a report describing the specific programs, projects, and activities for which the authorized amounts would be used.

Congress imposed a 1 percent reduction upon the appropriation for the BRAC account, which resulted in an amount of \$1,489.4 million being available for obligation.

On February 10, 2006, the Under Secretary of Defense for Acquisition, Technology, and Logistics submitted to the committees on Armed Services of the Senate and the House of Representatives a report detailing the planned expenditures of funds to support implementation of the Department of Defense's BRAC requirements.

The planned expenditures included \$1,160.3 million to initiate planning, design, and construction of facilities; \$82.3 million for activities required by the National Environmental Policy Act and other environmental actions; \$193.8 million to carry out personnel permanent changes of station, transportation of personnel property, sustainment of real property, and BRAC program management; and \$52.6 million for the procurement of

Summary of Military Construction Authorization of Appropriations for Fiscal Year 2007
(Dollars in Thousands)

	Authorization Request	House Authorized	Senate Authorized	Conference Change	Conference Agreement
Military Construction					
Military Construction, Army	2,059,762	2,135,598	2,180,761	204,280	2,264,042
Military Construction, Navy	1,162,038	1,219,871	1,268,839	129,247	1,291,285
Military Construction, Air Force	1,156,148	1,233,673	1,258,276	152,085	1,308,233
Military Construction, Defense-Wide	1,208,198	1,152,108	1,203,681	(63,017)	1,145,181
NATO Security Investment Program	220,985	200,985	205,985	(20,000)	200,985
BRAC IV	191,220	191,220	191,220	0	191,220
BRAC 2005	5,626,223	5,626,223	5,526,894	0	5,626,223
Military Construction, Army National Guard	473,197	518,403	533,831	88,178	561,375
Military Construction, Air National Guard	125,788	212,788	228,443	168,495	294,283
Military Construction, Army Reserve	166,487	169,487	189,817	24,130	190,617
Military Construction, Naval and Marine Corps Reserv	48,408	55,158	48,408	1,590	49,998
Military Construction, Air Force Reserve	44,936	56,836	52,436	11,900	56,836
Chemical Demilitarization Construction, Def.	130,993	130,993	140,993	10,000	140,993
Total Military Construction	12,614,383	12,903,341	13,029,584	706,868	13,321,271
Family Housing					
Family Housing Construction, Army	594,991	578,791	594,991	(16,200)	578,791
Family Housing Support, Army	676,829	674,657	676,829	(1,212)	675,617
Family Housing Construction, Navy and USMC	305,071	308,956	305,071	3,885	308,956
Family Housing Support, Navy and USMC	509,126	509,126	498,525	0	509,126
Family Housing Construction, Air Force	1,183,138	1,169,138	1,182,138	(15,000)	1,168,138
Family Housing Support, Air Force	755,071	755,071	755,071	0	755,071
Family Housing Construction, Defense-Wide	8,808	8,808	8,808	0	8,808
Family Housing Support, Defense-Wide	48,506	48,506	48,508	0	48,506
Family Housing Improvement Fund	2,500	2,500	2,500	0	2,500
Total Family Housing	4,084,040	4,055,553	4,072,439	(28,527)	4,055,513
Total Military Construction and Family Housing	16,698,423	16,958,894	17,102,023	678,361	17,376,784
Prior Year Rescissions		-280,471			-278,361
Total Authorization of Appropriations		16,698,423	17,102,023		17,098,423

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Military Construction Authorizations for Fiscal Year 2007
(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Alabama	Army National Guard	Anniston	Readiness Center, Phase 1	13,223	13,223	13,223	0	13,223
Alabama	Air National Guard	Birmingham IAP	Alert Quarters Mobility Complex		4,500	0	4,500	4,500
Alabama	Army National Guard	Fort Whiting, Mobile	Armed Forces Reserve Center, Phase 3	9,012	9,012	9,012	0	9,012
Alabama	Army	Redstone Arsenal	Child Development Center		2,000	0	2,000	2,000
Alabama	Army	Redstone Arsenal	Explosive Cargo Handling Apron		2,300	0	2,300	2,300
Alabama	Army	Redstone Arsenal	Software Engineering Annex, Phase 2		20,000	20,000	0	20,000
Alaska	Air Force	Eielson AFB	Add/All Physical Fitness Center	23,900	23,900	23,900	0	23,900
Alaska	Air Force	Eielson AFB	Replace Chapel Center	14,400	14,400	14,400	0	14,400
Alaska	Air Force	Elmendorf AFB	C-17 Maintenance Complex, Increment 2	30,000	30,000	30,000	0	30,000
Alaska	Air Force	Elmendorf AFB	Dormitory (120 Room)	21,000	21,000	21,000	0	21,000
Alaska	Air Force	Elmendorf AFB	F-22 Corrosion Control/Composite Rep Fac	31,750	31,750	31,750	0	31,750
Alaska	Air Force	Elmendorf AFB	Replace Joint PME Center, Phase 1	3,350	3,350	3,350	0	3,350
Alaska	Army	Fort Richardson	Ammunition Supply Point Upgrade	9,800	9,800	12,000	12,000	12,000
Alaska	Army	Fort Richardson	Barracks Complex	50,000	48,356	9,800	0	9,800
Alaska	Army	Fort Richardson	Child Development Center	12,500	12,500	50,000	0	50,000
Alaska	TMA	Fort Richardson	Health Clinic	37,200	37,200	12,500	0	12,500
Alaska	Army	Fort Wainwright	Railhead Operations Facility		7,200	8,800	8,800	8,800
Arizona	Air Force	Davis-Monthan AFB	Consolidated Mission Support Center	4,800	4,800	0	0	4,800
Arizona	Army National Guard	Florence	CSAR Group Headquarters Facility		5,966	10,870	10,870	10,870
Arizona	Marine Corps	MCAS Yuma	Field Maintenance Shop		8,715	8,715	0	8,715
Arizona	DLA	MCAS Yuma	Fixed Wing Fueling Apron	5,966	5,966	5,966	0	5,966
Arkansas	Air National Guard	Little Rock AFB	Engine Inspection and Maintenance Facility	8,715	8,715	8,715	0	8,715
Arkansas	Air Force	Little Rock AFB	Multi-Purpose Education Center		9,800	0	9,800	9,800
California	Air Force	Beale AFB	Add/AN DCG Station Ops Facility	28,000	28,000	28,000	0	28,000
California	DLA	Beale AFB	Replace Fuel Storage/Distribution System	9,000	9,000	9,000	0	9,000
California	Army National Guard	Camp Roberts	Infantry Squad Battle Course	2,000	2,000	2,000	0	2,000
California	Air Force	Edwards AFB	Main Base Runway, Increment 2	31,000	31,000	31,000	0	31,000
California	Army Reserve	Fort Hunter Liggett	Combat Pilot/MP Qualification Course	1,351	1,351	1,351	0	1,351
California	Army	Fort Irwin	Child Development Center		6,200	0	8,200	8,200

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
California	Army	Fort Irwin	Land Acquisition, Phase 4	10,000	10,000	10,000	0	10,000
California	Army National Guard	Fort Irwin	Maneuver Area Training/Equipment Site, Ph 2	20,000	20,000	20,000	0	20,000
California	TMA	Fort Irwin	Add/Alt Dental Clinic	6,050	6,050	6,050	0	6,050
California	Army National Guard	Fresno	Add/Alt Aviation Classification/Repair Depot, Ph 1	30,000	30,000	30,000	0	30,000
California	Air National Guard	Fresno/Yosemite	Replica Squadron Operations Facility	8,800	8,800	8,800	8,800	8,800
California	Air Force Reserve	March Air Reserve Base	Predator Operations and Training Complex	6,000	6,000	6,000	0	6,000
California	Marine Corps	March Air Reserve Base	Alter C-17 General Maintenance Hangar	10,300	10,300	10,300	0	10,300
California	Marine Corps	MCAS Camp Pendleton	Tactical Support Van Peds Expansion	5,057	5,057	5,057	0	5,057
California	Marine Corps	MCAS Camp Pendleton	Taxway Improvements	1,355	1,355	1,355	0	1,355
California	Marine Corps	MCAS Miramar	Missile Magazine	2,868	2,868	2,868	0	2,868
California	Marine Corps	MCB 28 Palms	Comm/Elec Maintenance/Storage Facility	8,217	8,217	8,217	0	8,217
California	Navy Reserve	MCB 28 Palms	MOUT Facility, Phase 2	19,000	19,000	0	19,000	19,000
California	Marine Corps	MCB Camp Pendleton	Reserve Training Center	11,453	11,453	11,453	0	11,453
California	Marine Corps	MCB Camp Pendleton	Amphibious Vehicle Test Branch Annex	2,320	2,320	2,320	0	2,320
California	Marine Corps	MCB Camp Pendleton	Armory and Communications Complex	12,160	12,160	12,160	0	12,160
California	Marine Corps	MCB Camp Pendleton	Bachelor Enlisted Quarters	18,068	18,068	18,068	0	18,068
California	Marine Corps	MCB Camp Pendleton	BEQ/Mess Hall, 41 Area, MARSOC	31,115	31,115	31,115	0	31,115
California	Marine Corps	MCB Camp Pendleton	Bachelor Enlisted Quarters, Chappo Area	14,940	14,940	14,940	0	14,940
California	Marine Corps	MCB Camp Pendleton	Fire Emergency Response Station, 20 Area	4,710	4,710	4,710	0	4,710
California	Marine Corps	MCB Camp Pendleton	Light Armored Recon Battalion Facility	7,969	7,969	7,969	0	7,969
California	Marine Corps	MCB Camp Pendleton	Reclamation/Conveyance, Increment 2	33,280	33,280	33,280	0	33,280
California	SOCOM	MCB Camp Pendleton	Regimental Maintenance Spt Facilities, Phase 2	14,860	14,860	14,860	0	14,860
California	Army Reserve	MCB Camp Pendleton	Headquarters Operations Facility, MARSOC	24,400	24,400	24,400	0	24,400
California	Navy	Moreno Valley	Reserve Center/OMS/AMS/JNH Stor Fac	32,562	32,562	32,562	0	32,562
California	Navy	NAS North Island	Waterfront Amphibious Operations Facility	21,535	21,535	21,535	0	21,535
California	Navy	NSA Monterey	Global Weather Ops Center Expansion	7,380	7,380	0	7,380	7,380
California	Army National Guard	Sacramento Army Depot	Add/Alt Field Maintenance Shop	4,500	4,500	4,500	0	4,500
California	Air Force	Travis AFB	C-17 Munitions Storage Facility	6,200	6,200	6,200	0	6,200
California	Air Force	Travis AFB	C-17 Roads/Utilities	8,800	8,800	8,800	0	8,800
California	Air Force	Travis AFB	C-17 Taxway Lima	8,500	8,500	8,500	0	8,500
California	Air Force	Travis AFB	C-17 Two-Bay Hangar	50,400	50,400	50,400	0	50,400

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
California	Air Force	Travis AFB	Construct Large Fire/Crash Rescue Station		10,700	11,900	11,900	11,900
Colorado	Air Force	Buckley AFB	Consolidated Fuel Facility	10,700	10,700	10,700	0	10,700
Colorado	Air National Guard	Buckley AFB	Air Sovereignty Alert Crew Quarters	3,100	3,100	0	3,100	3,100
Colorado	Air National Guard	Buckley AFB	Replace Squadron Ops Facility			7,000	7,000	7,000
Colorado	Army	Fort Carson	Airfield Arrival/Departure Complex, Phase 2	24,000	24,000	24,000	0	24,000
Colorado	Army	Fort Carson	Utility Upgrades, Phase 1		6,800	0	6,800	6,800
Colorado	SOCOM	Fort Carson	Combat Service Support Complex	26,100	26,100	26,100	0	26,100
Colorado	Air Force	Peterson AFB	Acquire Land - Command Complex Force Prot		4,900	0	4,900	4,900
Colorado	Chem Demil	Pueblo Depot	Ammunition Demilitarization Facility, Phase 8	41,838	41,838	41,838	0	41,838
Colorado	Air Force	Schriever AFB	Space Test and Evaluation Facility	21,000	21,000	21,000	0	21,000
Connecticut	Navy	NSB New London	Waterfront Operations Small Craft Facility		9,580	9,580	9,580	9,580
Delaware	Air Force	Dover AFB	Add/Alt C-17 Composite Maintenance Shop	2,800	2,800	2,800	0	2,800
Delaware	Air Force	Dover AFB	Alter C-17 Hangers	13,400	13,400	13,400	0	13,400
Delaware	Air Force	Dover AFB	C-17 Aircrew Life Support	7,400	7,400	7,400	0	7,400
Delaware	Air Force	Dover AFB	C-17 Engine Storage Facility	3,000	3,000	3,000	0	3,000
Delaware	Air Force	Dover AFB	Construct Precision Measurement Equipmt Lab		4,000	4,000	4,000	4,000
Florida	Army National Guard	Camp Blanding	Regional Training Institute, Phase 3		14,800	0	14,800	14,800
Florida	Navy	Cape Canaveral	Engineering Services Facility		9,900	9,900	9,900	9,900
Florida	Air Force	Eglin AFB	Dormitory (144 Room)	15,000	15,000	15,000	0	15,000
Florida	Air Force	Eglin AFB	Child Development Center		11,000	0	11,000	11,000
Florida	Air Force	Eglin AFB	Replace Explosive Ordnance Disposal Complex	4,350	4,350	4,350	0	4,350
Florida	Air Force	Hurlburt Field	Add/Alt Security Forces Operations Facility	1,900	1,900	1,900	0	1,900
Florida	Air Force	Hurlburt Field	Dormitory (50 Room)	8,400	8,400	8,400	0	8,400
Florida	Air Force	Hurlburt Field	Fire Crash/Rescue Station	6,400	6,400	6,400	0	6,400
Florida	Air Force	Hurlburt Field	Joint Operational Planning Facility	7,250	7,250	7,250	0	7,250
Florida	Air Force	Hurlburt Field	Realign Crz Avenue	2,000	2,000	2,000	0	2,000
Florida	Air Force	Hurlburt Field	Vehicle Maintenance Facility (823 RHS)	7,000	7,000	7,000	0	7,000
Florida	Air Force	Hurlburt Field	Engine Maintenance and Storage Facility	8,500	8,500	8,500	0	8,500
Florida	SOCOM	Hurlburt Field	Talon II Squadron Operations Facility	5,982	5,982	5,982	0	5,982
Florida	SOCOM	MacDill AFB	Add/Alt USCENTCOM HQ	60,000	60,000	60,000	0	60,000
Florida	Air Force	MacDill AFB	CENTCOM Joint Intelligence Center, Incr 2	23,300	23,300	23,300	0	23,300

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**Military Construction Authorizations for Fiscal Year 2007
(Dollars in Thousands)**

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Florida	Air Force	MacDill AFB	Dormitory (66 Room)	11,000	11,000	11,000	0	11,000
Florida	SOCOM	MacDill AFB	Add Building 501-D	27,300	27,300	27,300	0	27,300
Florida	TMA	MacDill AFB	Clinic Replacement, Increment 1	87,000	45,600	87,000	(41,400)	45,600
Florida	Marine Corps	MCLB Albany	Land Settlement Blount Island Jacksonville, FL	62,000	62,000	62,000	0	62,000
Florida	Navy	NAS Jacksonville	Helo Hangar Replacement, Increment 2	43,250	43,250	43,250	0	43,250
Florida	TMA	NAS Jacksonville	Aller Hospital	16,000	16,000	16,000	0	16,000
Florida	Navy	NAS Pensacola	Bachelor Enlisted Quarters/EOD School	13,488	13,488	13,488	0	13,488
Florida	Air Force Reserve	Patrick AFB	ISO/Phase Dock Extension, Hangar 630	3,000	3,000	3,000	0	3,000
Florida	Air Force	Tyndall AFB	1st Air Force Headquarters Facility, Phase 3	6,400	6,400	6,400	0	6,400
Florida	Air Force	Tyndall AFB	F-22A Weapons/Tactical Trainers Addition	1,800	1,800	1,800	0	1,800
Georgia	Navy	Blount Island	Waterfront Operations Facility	1,800	1,800	1,800	0	1,800
Georgia	Amy	Fort Gillem	Forensic Lab	3,580	3,580	3,580	0	3,580
Georgia	NSA	Fort Gordon	Regional Security Operations Ctr, Increment 2	15,000	15,000	15,000	0	15,000
Georgia	Amy	Fort Stewart	Brigade Complex	107,118	87,118	107,118	(30,000)	77,118
Georgia	Amy	Fort Stewart	Child Development Center	23,800	23,800	23,800	0	23,800
Georgia	Amy	Fort Stewart	Combined Arms Collective Training Facility	6,800	6,800	6,800	0	6,800
Georgia	Amy	Fort Stewart	Digital Multipurpose Range Complex	23,000	23,000	23,000	0	23,000
Georgia	Amy	Fort Stewart	Child Development Center	34,000	34,000	34,000	0	34,000
Georgia	Marine Corps	Fort Stewart (Hunter AAF)	Combat Vehicle Warehouse	7,700	7,700	7,700	0	7,700
Georgia	Navy	MCLB Albany	Reaction Force Facility Auxiliary Spt Complex	4,960	4,960	4,960	0	4,960
Georgia	Navy	NSB Kings Bay	Waterfront Security Force Facility	13,648	13,648	13,648	0	13,648
Georgia	Air Force	Robins AFB	Advanced Metal Finishing Facility	6,634	6,634	6,634	0	6,634
Georgia	Air Force	Robins AFB	Construct Software Support Facility, Phase 1	30,000	30,000	30,000	0	30,000
Georgia	Air Force	Robins AFB	Construct Software Support Facility, Phase 2#	14,000	14,000	14,000	0	14,000
Georgia	Air Force	Robins AFB	Consolidated Logistics Fac, Depot Ops, Ph 1	7,000	7,000	7,000	0	7,000
Georgia	Air National Guard	Savannah CRTG	Depot Maintenance Support Hangar	8,600	8,600	8,600	0	8,600
Georgia	Air National Guard	Savannah/HI IAP	Troop Training Quarters	7,100	7,100	7,100	0	7,100
Hawaii	Air Force	Hickam AFB	Replace Ops, Training, Security Forces Cmplx	25,000	25,000	25,000	0	25,000
Hawaii	Air Force	Hickam AFB	C-17 Fuel Cell Nosa Dock	3,538	3,538	3,538	0	3,538
Hawaii	NSA	Kunie	Replace Regional Security Ops Cntr, Incr 4	47,016	47,016	47,016	0	47,016

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(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Hawaii	Navy	NAVMAG Pearl Harbor	Fire Station	6,010	6,010	0	6,010	6,010
Hawaii	Navy	NB Pearl Harbor	Dredge West Loch Channel for T-AKE	30,994	30,994	30,994	0	30,994
Hawaii	Navy	NB Pearl Harbor	Helicopter Flight Training Facility	4,324	4,324	4,324	0	4,324
Hawaii	TMA	NS Pearl Harbor	Site Preparation Mobile User Objective System	13,020	13,020	13,020	0	13,020
Hawaii	Navy	NSY Pearl Harbor	Replace Env Preventative Medicine Unit 6 Fec	7,700	7,700	7,700	0	7,700
Hawaii	Army	Schofield Barracks	Dry Dock Ship Support Services	22,000	22,000	22,000	0	22,000
Hawaii	Army	Schofield Barracks	Child Development Center	12,500	12,500	12,500	0	12,500
Idaho	Army National Guard	Gowen Field	Unit Operational Facilities	42,000	42,000	42,000	0	42,000
Illinois	Army Reserve	Granite City	Construct Railhead, Phase 2	6,964	6,964	6,964	0	6,964
Illinois	TMA	NH Great Lakes	AR Center/OMS/AMS/UJNH Storage Facility	20,935	20,935	20,935	0	20,935
Illinois	Navy	RTC Great Lakes	Federal Health Care Facility (Parking Structure)	20,000	20,000	20,000	0	20,000
Illinois	Air Force	Scott AFB	RTC Infrastructure Upgrade, Increment 2	23,589	23,589	23,589	0	23,589
Illinois	Air Force	Scott AFB	Child Development Center	8,200	8,200	8,200	0	8,200
Illinois	Air Force Reserve	Scott AFB	Domitory (120 Room)	20,000	20,000	20,000	0	20,000
Illinois	Air Force Reserve	Scott AFB	Contractor Logistics Support Storage Facility	4,350	4,350	4,350	0	4,350
Illinois	Army National Guard	Sparta	Squadron Operations Facility	10,200	10,200	10,200	0	10,200
Indiana	Army National Guard	Camp Atterbury	Fire Station (ADRS)	1,700	1,700	1,700	0	1,700
Indiana	Army National Guard	Camp Atterbury	Live Fire Shoot House	1,929	1,929	1,929	0	1,929
Indiana	Army National Guard	Evansville	Urban Assault Course	1,601	1,601	1,601	0	1,601
Indiana	Navy	NSA Crane	Add/Alt Motor Vehicle Stor Compound (ADRS)	2,566	2,566	2,566	0	2,566
Indiana	Air National Guard	Fort Wayne IAP	Special Weapons Assessment Facility	6,730	6,730	6,730	0	6,730
Iowa	Air National Guard	Fort Dodge	Replace Security Forces Ops/Training Facility	4,300	4,300	4,300	0	4,300
Iowa	Army National Guard	Iowa City	Vehicle Maint Communications Training Center	5,600	5,600	5,600	0	5,600
Iowa	Army National Guard	Walteroo	Construct Readiness Center	11,432	11,432	10,724	10,724	10,724
Kansas	Army	Fort Leavenworth	Add/Alt Army Aviation Support Facility	15,000	15,000	11,432	0	11,432
Kansas	Army	Fort Leavenworth	Battle Seminer Facility	8,200	8,200	15,000	0	15,000
Kansas	Army	Fort Riley	Child Development Center	32,000	32,000	0	8,200	8,200
Kansas	Army	Fort Riley	Barracks Complex	5,200	5,200	32,000	0	32,000
Kansas	Army	Fort Riley	Child Development Center	5,200	5,200	5,200	0	5,200
Kansas	Air Force	McConnell AFB	Vehicle Inspection/Cargo Processing Facility	10,200	10,200	10,200	0	10,200
Kansas	Air Force	McConnell AFB	Upgrade Ramp Lighting North and South	3,875	3,875	0	3,875	3,875

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Kentucky	Army	Blue Grass Depot	Block and Brace Facility	3,500	3,500	3,500	0	3,500
Kentucky	Army	Fort Campbell	Ammunition Demilitarization Facility, Phase 7	89,157	89,157	89,157	10,000	99,157
Kentucky	Army	Fort Campbell	Barracks	26,000	26,000	26,000	0	26,000
Kentucky	Army	Fort Campbell	Barracks Complex	50,000	50,000	50,000	0	50,000
Kentucky	Army	Fort Campbell	Battle Command Training Center	24,400	24,400	24,400	0	24,400
Kentucky	Army	Fort Campbell	Child Development Center	5,000	5,000	5,000	0	5,000
Kentucky	Army	Fort Campbell	Tactical Unmanned Aerial Vehicle Facility	8,100	8,100	8,100	0	8,100
Kentucky	Army	Fort Campbell	Vehicle Maintenance Facility	10,000	10,000	10,000	0	10,000
Kentucky	SOCOM	Fort Campbell	Warrior Rehabilitation/Fitness Center	11,800	11,800	11,800	11,800	23,600
Kentucky	Air Force	Fort Knox	Battalion Operations Complex	24,500	24,500	24,500	0	24,500
Kentucky	DODEA	Fort Knox	TACP ASOS Facility	3,500	3,500	3,500	0	3,500
Kentucky	Army National Guard	Fort Knox	Replace High School	18,108	18,108	18,108	0	18,108
Louisiana	Army	London	Readiness Center	2,500	2,500	2,500	0	2,500
Louisiana	Army	Fort Polk	Child Development Center	6,100	6,100	6,100	0	6,100
Maine	Navy	Fort Polk	Construct Brigade Facility (4th BDE 10th HQ)	0	0	9,800	9,800	9,800
Maryland	Army	NSY Portsmouth	Drydock #3 Waterfront Support Facility	29,000	29,000	29,000	0	29,000
Maryland	Air Force	Aberdeen PG	Automotive Technology Evaluation Facility, Ph 1	11,151	11,151	11,151	0	11,151
Maryland	Army	Andrews AFB	Strategic Planning and Development Facility	29,000	29,000	29,000	0	29,000
Maryland	TMA	Fort Detrick	Research Acquisition Building	12,400	12,400	12,400	0	12,400
Maryland	NSA	Fort Meade	USAMRIID Stage 1, Increment 1	29,000	29,000	29,000	0	29,000
Maryland	NSA	Fort Meade	Classified Material Conversion, Increment 2	11,151	11,151	11,151	0	11,151
Maryland	Army National Guard	Gaithersburg	Headquarters Utilities Upgrades, Phase 1	4,517	4,517	4,517	0	4,517
Maryland	Air National Guard	Martin State Airport	Add/Alt Readiness Center (ADRS)	5,612	5,612	5,612	(4,517)	1,095
Maryland	Navy	NAS Patuxent River	Fire/Rescue Station	8,800	8,800	8,800	0	8,800
Maryland	Navy	Naval Academy	Renovate and Modernize MMA Test Facilities	16,316	16,316	16,316	0	16,316
Maryland	Navy	Suitland	Wesley Brown Field House, Increment 2	26,685	26,685	26,685	0	26,685
Maryland	Navy Reserve	NSA Washington	National Maritime Intelligence Center, Incr 1	11,780	11,780	11,780	0	11,780
Massachusetts	Air National Guard	Barnes ANGB	Administrative & Boat Storage Fac, Annapolis	1,924	1,924	1,924	0	1,924
Massachusetts	Army Reserve	Devens ANGB	Add/Alt Fire Crew Rescue Station	7,000	7,000	7,000	0	7,000
Massachusetts	Air Force	Hanscom AFB	Urban Assault Course	1,713	1,713	1,713	0	1,713
Massachusetts			Renovate Acquisition Management Facility	12,400	12,400	12,400	12,400	24,800

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Michigan	Army	Detroit Arsenal	Ground System Power and Energy Lab			18,500	18,500	18,500
Michigan	Army National Guard	Lansing	USPFO/Readiness Center Phase 2		4,239	0	4,239	4,239
Minnesota	Army National Guard	Camp Ripley	Urban Assault Course		1,700	1,700	1,700	1,700
Minnesota	Air Force Reserve	Minneapolis-St. Paul IAP	Aerial Port Facility		6,400	0	6,400	6,400
Mississippi	Army National Guard	St. Cloud	Army Aviation Support Facility	34,453	34,453	34,453	0	34,453
Mississippi	Army National Guard	Camp Shelby	Joint Use Simulation Center			14,839	14,839	14,839
Mississippi	Navy	NAS Menden	Construct Fire Station			5,870	5,870	5,870
Mississippi	SOCOM	Stennis Space Center	Rivastine and Combat Craft Operations Facility			10,200	10,200	10,200
Missouri	Army National Guard	Tupelo	Add/Alt Army Aviation Support Facility	29,888	29,888	29,888	0	29,888
Missouri	Army	Fort Leonard Wood	Barracks	17,000	17,000	17,000	0	17,000
Missouri	Army	Fort Leonard Wood	Child Development Center			6,900	6,900	6,900
Missouri	Army	Fort Leonard Wood	Vehicle Maintenance Shop - 58th Trans Bn		10,600	0	10,600	10,600
Missouri	Navy Reserve	St. Louis	Administrative and Boat Storage Facility	4,108	4,108	4,108	0	4,108
Montana	Air Force	Whiteman AFB	Animal Clinic/SF Kennel Complex		3,800	0	3,800	3,800
Montana	Air National Guard	Great Falls	Replace Operation and Training Facility			9,600	9,600	9,600
Montana	Air Force	Malmstrom AFB	Community Activity Center		5,700	0	5,700	5,700
Nbraska	Army National Guard	Grand Island	Army Aviation Support Facility	17,275	17,275	17,275	0	17,275
Nbraska	Army Reserve	North Platte	Reserve Center/OMS/AMSA/Storage			7,630	7,630	7,630
Nbraska	Army Reserve	Omaha	AR Center/OMS/AMSA/JNH Storage Facility	24,143	24,143	24,143	0	24,143
Nbraska	Navy Reserve	Omaha	Navy Reserve Center	5,160	5,160	5,160	0	5,160
Nevada	Air Force	Indian Springs	Predator Support Facilities, Phase 2	26,000	26,000	26,000	0	26,000
Nevada	Air Force	Indian Springs	Predator Ops Facilities, Phase 2	23,923	23,923	23,923	0	23,923
Nevada	Navy	NAS Fallon	Improve Range B-20			7,730	7,730	7,730
Nevada	Air Force	Nellis AFB	Construct Airfield Fire Rescue Station			4,800	0	4,800
Nevada	Air National Guard	Reno-Tahoe IAP	Vehicle Maintenance Complex		5,000	5,000	5,000	5,000
New Jersey	Air National Guard	Allentown IAP	Air/Disarm Apron		1,800	1,800	1,800	1,800
New Jersey	Army National Guard	Lakehurst	Consolidated Logistics Training Facility, Ph 2	20,024	20,024	20,024	0	20,024
New Jersey	Air Force	McGuire AFB	C-17 NE Landing Zone	15,500	15,500	15,500	0	15,500
New Jersey	Air Force	McGuire AFB	Unifed Security Forces Operations Facility		13,000	0	13,000	13,000
New Jersey	Army	Picatinny Arsenal	Armament Integration Facility		9,900	0	9,900	9,900
New Mexico	Air Force	Kirtland AFB	Rescue/Recovery Training Ctr (P/JCRO)		11,400	11,400	11,400	11,400

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
New York	Army National Guard	Camp Smith	Readiness Center	21,908	21,908	21,908	0	21,908
New York	Army	Fort Drum	Automated Qualification Training Range		9,400		9,400	9,400
New York	Army	Fort Drum	Barracks	40,000	40,000	40,000	0	40,000
New York	Army	Fort Drum	Barracks	29,000	29,000	29,000	0	29,000
New York	Army	Fort Drum	Barracks Complex 10300 Block, Increment 2	16,500	16,500	16,500	0	16,500
New York	Army	Fort Drum	Brigade Complex #1, Phase 1	36,500	36,500	36,500	0	36,500
New York	Army	Fort Drum	Brigade Complex #2, Phase 1	37,400	37,400	37,400	0	37,400
New York	Army	Fort Drum	Brigade Complex #3, Phase 1	42,400	42,400	42,400	0	42,400
New York	Army	Fort Drum	Child Development Center	7,400	7,400	7,400	0	7,400
New York	Army National Guard	Fort Drum	Combined Arms Collective Training Facility	16,500	16,500	16,500	0	16,500
New York	TMA	Fort Drum	Maneuver Area Training Equipment Site, Ph 2	12,658	12,658	12,658	0	12,658
New York	Air National Guard	Fort Drum	Dental Clinic	9,700	9,700	9,700	0	9,700
New York	Air National Guard	Griffis	Construct NEADS Support Facility, Phase 2	8,000	8,000	8,000	0	8,000
New York	Air National Guard	Hancock Field	Upgrade Base Facilities	7,800	7,800	7,800	0	7,800
New York	Air Force Reserve	Niagara Falls IAP	Visiting Quarters, Phase 2	9,763	9,763	9,763	0	9,763
New York	Army National Guard	Queensbury	Add/Alt Readiness Center (ADRS)	1,834	1,834	1,834	0	1,834
New York	Navy Reserve	Stewart AFB	MCR Center Aviation Support Equipmt Stor Fac	22,000	22,000	22,000	0	22,000
North Carolina	Army	Fort Bragg	Barracks	38,000	38,000	38,000	0	38,000
North Carolina	Army	Fort Bragg	Barracks Complex	31,000	31,000	31,000	0	31,000
North Carolina	Army	Fort Bragg	Barracks Complex 2nd Brigade, Increment 2	50,000	50,000	50,000	0	50,000
North Carolina	Army	Fort Bragg	Barracks Complex - 3rd Brigade, Increment 2	37,000	37,000	37,000	0	37,000
North Carolina	Army	Fort Bragg	Child Development Center	7,800	7,800	7,800	0	7,800
North Carolina	SOCOM	Fort Bragg	Digital Multipurpose Range Complex	28,000	28,000	28,000	0	28,000
North Carolina	SOCOM	Fort Bragg	Add Operations Facility Northeast	18,291	18,291	18,291	0	18,291
North Carolina	SOCOM	Fort Bragg	Add Operations Facility Northwest	17,927	17,927	17,927	0	17,927
North Carolina	SOCOM	Fort Bragg	SOF Communications Training Facility	8,650	8,650	8,650	0	8,650
North Carolina	Marine Corps	Fort Bragg	Training Facility	2,780	2,780	2,780	0	2,780
North Carolina	Marine Corps	MCAS Cherry Point	Commercial Power/Cargo Refueling Lane	21,500	21,500	21,500	0	21,500
North Carolina	Marine Corps	MCAS New River	Aircraft Maintenance Hangar					
North Carolina	Marine Corps	MCAS New River	Construct Combat Training Tank	5,800	5,800	5,800	0	5,800

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Location		Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
North Carolina	Marine Corps	MCB Camp Lejeune	Ammunition Supply Point Upgrade, Phase 2	7,610	7,610	7,610	0	7,610	
North Carolina	Marine Corps	MCB Camp Lejeune	Armor, II MEF	4,702	4,702	4,702	0	4,702	
North Carolina	Marine Corps	MCB Camp Lejeune	Consolidated Academic Instruction Fac, Ph 2	15,140	15,140	15,140	0	15,140	
North Carolina	Marine Corps	MCB Camp Lejeune	MARSOC Bachelor Enlisted Quarters	61,905	61,905	61,905	0	61,905	
North Carolina	Marine Corps	MCB Camp Lejeune	MARSOC Battalion Aid Station	3,478	3,478	3,478	0	3,478	
North Carolina	Marine Corps	MCB Camp Lejeune	MARSOC Enlisted Dining Facility	13,420	13,420	13,420	0	13,420	
North Carolina	Marine Corps	MCB Camp Lejeune	MARSOC Intelligence Operations Facility	20,430	20,430	20,430	0	20,430	
North Carolina	Marine Corps	MCB Camp Lejeune	MARSOC Maintenance Complex	22,117	22,117	22,117	0	22,117	
North Carolina	SOCOM	MCB Camp Lejeune	Modify K-Ranges, Phase 1	12,102	12,102	12,102	0	12,102	
North Carolina	Navy Reserve	MCB Camp Lejeune	MARSOC Headquarters Facility	51,600	51,600	51,600	0	51,600	
North Carolina	Navy Reserve	MCB Camp Lejeune	Reserve Training Center/Vehicle Maint Facility	5,792	5,792	5,792	0	5,792	
North Carolina	SOCOM	Pope AFB	Reserve Center Relocation	5,210	5,210	5,210	(5,210)	0	
North Carolina	Army Reserve	Raleigh-Durham	Hangar/Squadron Operations Facility	15,278	15,278	15,278	0	15,278	
North Carolina	Air National Guard	Stanly County Airport	AR Center/OMS/Urh Storage Facility	12,114	12,114	12,114	0	12,114	
North Carolina	Army	Sunny Point Mill Terminal	Relocate Comm/Electronics Training Cplx	5,100	5,100	5,100	0	5,100	
North Carolina	Navy	Washington County	Center Wharf Expansion	46,000	46,000	46,000	0	46,000	
North Dakota	Air National Guard	Hector Field Airport	Outlying Landing Field Facilities, Increment 4	7,928	7,928	7,928	0	7,928	
North Dakota	Air Force	Minot AFB	Predator Operations Complex	5,500	5,500	5,500	0	5,500	
Ohio	Army National Guard	Columbus	Air Traffic Control Complex, Phase 1	1,108	1,108	1,108	9,000	9,000	
Ohio	Army National Guard	Marysville	Add/All Readiness Center (ADRS)	6,163	6,163	6,163	0	6,163	
Ohio	Air National Guard	Rickenbacker ANG Base	Readiness Center (ADRS)	7,200	7,200	7,200	7,200	7,200	
Ohio	Air Force Reserve	Wright-Patterson AFB	Security Forces Complex/Communications Building	2,700	2,700	2,700	0	2,700	
Oklahoma	Air Force	Altus AFB	Alter C-5 Facility for Reserve Training	1,500	1,500	1,500	8,000	8,000	
Oklahoma	Air Force	McAlester AAF	Conduct Vielling Quarters	3,050	3,050	3,050	0	3,050	
Oklahoma	Army	Tinker AFB	Repair Defense Access Rd (McQueen Rd)	3,314	3,314	3,314	5,700	5,700	
Oregon	Army National Guard	Boardman	Electrical Substation	10,285	10,285	10,285	0	10,285	
Pennsylvania	Army Reserve	Beaver Falls	Multi-Purpose Training Range	6,206	6,206	6,206	0	6,206	
Pennsylvania	Army National Guard	Bradford	AR Center/OMS/Urh Storage Facility	2,496	2,496	2,496	0	2,496	
Pennsylvania	Army National Guard	Buller	Readiness Center (SBCT)				0		
Pennsylvania	Army National Guard	Buller	Add/All Readiness Center (SBCT)				0		

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Pennsylvania	Army National Guard	Carlisle	Field Maintenance Shop (SBCT)	7,033	7,033	7,033	0	7,033
Pennsylvania	Army National Guard	Chambersburg	Add/Alt Readiness Center (SBCT)	4,560	4,560	4,560	0	4,560
Pennsylvania	DLA	DDD New Cumberland	Add Consolidated Maintenance Facility	8,900	8,900	8,900	0	8,900
Pennsylvania	Army National Guard	Easton	Field Maintenance Shop (SBCT)	9,707	9,707	9,707	0	9,707
Pennsylvania	Army National Guard	Easton	Readiness Center (SBCT)	5,190	5,190	5,190	0	5,190
Pennsylvania	Air National Guard	Fort Indiantown Gap	Operations and Training Facility	6,000	6,000	6,000	0	6,000
Pennsylvania	Army National Guard	Lancaster	Field Maintenance Shop (SBCT)	8,309	8,309	8,309	0	8,309
Pennsylvania	Army National Guard	Lancaster	Readiness Center (SBCT)	10,714	10,714	10,714	0	10,714
Pennsylvania	Army	Lettikenny Depot	Construct Port Staging Facility	7,500	7,500	7,500	7,500	7,500
Pennsylvania	Army National Guard	Lewisstown	Add/Alt Readiness Center (SBCT)	8,868	8,868	8,868	0	8,868
Pennsylvania	Army National Guard	Punxsutawney	Add/Alt Readiness Center (SBCT)	5,470	5,470	5,470	0	5,470
Pennsylvania	Army National Guard	Reading	Add/Alt Readiness Center (SBCT)	5,817	5,817	5,817	0	5,817
Pennsylvania	Air National Guard	State College Station	Replace Air Ops Squadron Training Facility	5,300	5,300	5,300	0	5,300
Pennsylvania	Army National Guard	Waynesburg	Readiness Center	8,012	8,012	8,012	8,012	8,012
Rhode Island	Army National Guard	East Greenwich	Combined Support Maintenance Shop	27,472	27,472	29,547	2,075	29,547
Rhode Island	Navy	NS Newport	Hazardous Material Storage Facility			3,410	0	0
Rhode Island	Navy	NS Newport	Replace Vehicle Bridge, Incr 2*			10,200	10,200	10,200
South Carolina	Air Force	Charleston AFB	Child Development Center	7,255	7,255	0	0	7,255
South Carolina	Marine Corps	MCAS Beaufort	AI/CIUZ Land Acquisition, Phase 1	14,970	14,970	14,970	0	14,970
South Carolina	Marine Corps	MCAS Beaufort	Enlisted Dining Facility	3,350	3,350	0	0	3,350
South Carolina	Air Force	Shaw AFB	Nuclear/Bior/Chem Facility	6,200	6,200	6,200	0	6,200
South Carolina	Air Force	Shaw AFB	Aerospace Ground Equipment Shop/Storage Facility	16,000	16,000	16,000	0	16,000
South Carolina	Air Force	Shaw AFB	Air Defense Alert Airfield Pavements			9,300	9,300	9,300
South Carolina	Air Force	Shaw AFB	Dormitory (144 Room)			16,000	0	16,000
South Dakota	Air Force	Ellsworth AFB	Base Water Well	3,000	3,000	3,000	3,000	3,000
South Dakota	Air National Guard	Joe Foss Field	Replace Civil Engineer Maintenance Complex	12,876	12,876	7,500	7,500	7,500
South Dakota	Army Reserve	Sioux Falls	AFR Center/OMS/Uhh Storage Facility/ Land	5,239	5,239	12,876	0	12,876
Tennessee	Army National Guard	Louisville	Add/Alt Army Aviation Support Facility			5,239	0	5,239
Tennessee	Air National Guard	McGhee Tyson	Replace Squadron Operations Facility	5,000	5,000	11,200	11,200	11,200
Tennessee	Air National Guard	Memphis IAP	C-5 Infrastructure Upgrade			5,000	0	5,000

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Tennessee	Air National Guard	Memphis IAP	Replace C-5 Support Equipment Shop/Storage	4,400	4,400	4,400	0	4,400
Tennessee	Air National Guard	Memphis IAP	Replace C-5 Fire Crash Rescue Station	4,350	4,350	4,350	0	4,350
Tennessee	Air National Guard	Memphis IAP	Replace C-5 Squadron Operations/Simulator Facility	10,000	10,000	10,000	0	10,000
Texas	Army National Guard	Camp Bowie	Multi-Purpose Machine Gun Range	2,229	2,229	2,229	0	2,229
Texas	Army	Corpus Christi Depot	Aircraft Component Maintenance Shop	12,200	12,200	0	12,200	12,200
Texas	Army Reserve	Ellington Field	Construct Armad Forces Reserve Ctr, Ph 2	0	0	15,000	15,000	15,000
Texas	Air National Guard	Ellington Field Airport	Predator Operations Complex	6,000	8,000	8,000	0	8,000
Texas	Army	Fort Bliss	Physical Fitness Center	8,200	8,200	0	8,200	8,200
Texas	Air Force	Fort Bliss	TACP ASOS and Weather Facility	8,500	8,500	0	8,500	8,500
Texas	Army	Fort Hood	Barracks Complex	47,000	47,000	47,000	0	47,000
Texas	Army	Fort Hood	CH-47 Maintenance Hangar	18,000	18,000	0	18,000	18,000
Texas	Army	Fort Hood	Combined Arms Collective Training Facility	28,000	28,000	28,000	0	28,000
Texas	TMA	Fort Hood	Add/All Women's Health Services	18,000	18,000	18,000	0	18,000
Texas	Navy Reserve	Fort Worth	Joint Ground Support Equipment/AC Maint Fac	9,428	9,428	9,428	0	9,428
Texas	Air Force	Lackland AFB	Replace Telecommunications Switch/Admin	13,200	13,200	13,200	0	13,200
Texas	Air Force	Loughlin AFB	Student Officers Quarters, Phase 2	12,600	12,600	0	12,600	12,600
Texas	Navy Reserve	NAS/JRB Fort Worth	Joint Multi-Level Parking Facility	6,500	6,500	0	6,500	6,500
Texas	Army	Red River Depot	Construct Maneuver Sys Sustainment Ctr, Ph 1	0	0	6,000	6,000	6,000
Texas	Air Force	Sheppard AFB	Base Operations Ramp, Phase 1	7,000	7,000	0	7,000	7,000
Utah	Army National Guard	Camp Williams	Total Army School System Barracks, Phase 1	19,688	19,688	19,688	0	19,688
Utah	Army	Dugway PG	Michael Army Airfield Runway, Phase 3	14,400	14,400	14,400	0	14,400
Utah	Air Force	Hill AFB	Add to Software Support Facility	20,000	20,000	20,000	0	20,000
Utah	Air Force	Hill AFB	Armament Overhaul/Test Facility	7,400	7,400	7,400	0	7,400
Utah	Air Force	Hill AFB	Construct Consolidated ALC Warehouse	10,000	10,000	10,000	0	10,000
Vermont	Air National Guard	Burlington	F-22 Fuel Composite Aircraft Overhaul/Test Fac	28,000	26,000	26,000	10,000	28,000
Vermont	Army National Guard	Camp Ethan Allen	Improve Base Security, Phase 1	2,204	2,204	6,000	8,000	6,000
Virginia	Army	Fort Belvoir	Infantry Squad Battle Course	31,000	0	2,204	0	2,204
Virginia	Army	Fort Belvoir	Administrative Buildings	13,000	13,000	31,000	(31,000)	0
Virginia	Army	Fort Belvoir	Defense Access Road, Phase 2	27,000	0	13,000	0	13,000
Virginia	Army	Fort Belvoir	Museum Support Center	5,500	0	27,000	0	27,000
Virginia	DLA	Fort Belvoir	Material Receiving and Screening Facility	5,500	5,500	5,500	0	5,500

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Virginia	Amy National Guard	Fort Lee	Deployment Staging Area	4,150	4,150	0	4,150	4,150
Virginia	Amy National Guard	Fort Pickett	Ammunition Supply Point Megezines (SBCT)	1,889	1,889	1,889	0	1,889
Virginia	Air Force	Langley AFB	DCG Station Operations Facility	47,700	47,700	47,700	0	47,700
Virginia	Air Force	Langley AFB	Dormitory (96 Room)	10,000	10,000	10,000	0	10,000
Virginia	SOCOM	NAB Little Creek	Seal Delivery Team Two Maintenance Facility	22,000	22,000	22,000	0	22,000
Virginia	Navy	NS Norfolk	Add Helicopter Training Facility	12,062	12,062	12,062	0	12,062
Virginia	Navy	NS Norfolk	Pier 11 Replacement, Increment 4	30,633	30,633	30,633	0	30,633
Virginia	Navy	NSA Norfolk	Damage Control School Trainer	13,502	13,502	13,502	0	13,502
Virginia	Navy	NSA Norfolk	JFCOM Headquarters Building	13,250	13,250	10,500	13,250	13,250
Virginia	Navy	NSA Norfolk	Joint Deployment/Fleet Services Command Ctr	14,960	14,960	14,960	0	14,960
Virginia	Navy	Norfolk Naval Shipyard	Dry Dock #8 Modernization	34,952	34,952	34,952	0	34,952
Virginia	Navy	Norfolk Naval Shipyard	Ship Repair Pier 3 Replacement, Increment 2	30,939	30,939	30,939	0	30,939
Virginia	Navy	NSWC Dahlgren	Construct Electromagnetic Launch RDT&E Fac	11,559	11,559	11,559	9,850	9,850
Virginia	Marine Corps	MCB Quantico	Hockmuth Hall Addition, Increment 2	8,317	8,317	8,317	(1,400)	10,159
Virginia	Marine Corps	MCB Quantico	Senior NCO Academic Facility	22,311	22,311	22,311	0	22,311
Virginia	Marine Corps	MCB Quantico	Student Quarters, The Basic School, Phase 1	3,113	3,113	3,113	0	3,113
Virginia	Amy National Guard	Winchester	Organizational Maintenance Shop	4,250	4,250	0	4,250	4,250
Washington	Air Force	Fairchild AFB	Physiological Training Facility	35,000	35,000	35,000	0	35,000
Washington	Amy	Fort Lewis	Barracks Complex	49,000	49,000	49,000	0	49,000
Washington	Amy	Fort Lewis	Brigade Complex	102,000	102,000	102,000	0	102,000
Washington	Amy	Fort Lewis	Brigade Complex, Increment 1	10,600	10,600	10,600	0	10,600
Washington	Navy	NAS Whidbey Island	Child Development Center	9,650	9,650	9,650	9,650	9,650
Washington	Navy	NAS Whidbey Island	Indoor Aircraft Washrack	57,653	28,500	57,653	(31,153)	26,500
Washington	DLA	NAS Whidbey Island	Recapitalize Hangar 5, Increment 1	28,000	28,000	26,000	0	26,000
Washington	Navy	NB Kitsap	Limited Area Production & Stor Cmplx, Incr 3	14,274	14,274	14,274	0	14,274
Washington	Navy	NB Kitsap	Reaction Force Facility Auxiliary Sup Cmplx	13,507	13,507	13,507	0	13,507
Washington	Navy	NB Kitsap	Ocean Engineering Support Facility	4,110	4,110	0	4,110	4,110
Washington	Navy	NS Everett	BEQ Homeport Ashore, Increment 2	20,917	20,917	20,917	0	20,917
West Virginia	Amy National Guard	Camp Dawson	Multi-Purpose Building	5,700	4,842	0	4,842	4,842
West Virginia	Air National Guard	EWWRA-Shepherd Field	Replace C-5 Base Supply Facility	5,700	5,700	5,700	0	5,700

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
West Virginia	Air National Guard	EWWRA-Shepherd Field	Replace C-5 Fire Crash Rescue Station	7,500	7,500	7,500	0	7,500
West Virginia	Air National Guard	EWWRA-Shepherd Field	Upgrade/Extend C-5 Runway and Taxways	20,500	20,500	20,500	0	20,500
West Virginia	Air National Guard	Marlinsburg ANG	Construct C-5 Avionics Shop, ASE, Aerial Port				5,000	5,000
Wisconsin	Air National Guard	Yaeger	Replace Aircraft Maintenance Hangar				17,300	17,300
Wisconsin	Air National Guard	Fort McCoy	General Purpose Warehouse	13,744	13,744	13,744	0	13,744
Wisconsin	Air National Guard	Manasha	AR Center/OMS/Unit Storage Facility	12,159	12,159	12,159	0	12,159
Wisconsin	Air National Guard	Truax Field	Add/Alt Fire Crash Rescue Station				7,000	7,000
Wyoming	Air National Guard	Camp Guernsey	Multi-Purpose Machine Gun Range	1,796	1,796	1,796	0	1,796
Wyoming	Air National Guard	Cheyenne Airport	Add/Alt Fire Crash Rescue Station	4,200	4,200	4,200	0	4,200
Wyoming	Air National Guard	Cheyenne Airport	Replace Squadron Operations Facility				7,600	7,600
Wyoming	Air Force	F.E. Warren AFB	Renovate Dormitory 230	11,000	11,000	11,000	0	11,000
Overseas/Worldwide MILCON								
Diego Garcia	Navy	NSF Diego Garcia	Improve Wharf and Shore Support Facilities	37,473	37,473	37,473	0	37,473
Germany	Air Force	Grafenwoehr	Barracks	29,000	29,000	29,000	0	29,000
Germany	Air Force	Grafenwoehr	Barracks	29,000	29,000	29,000	0	29,000
Germany	Air Force	Grafenwoehr	Brigade Headquarters	11,132	11,132	11,132	0	11,132
Germany	Air Force	Grafenwoehr	Vehicle Maintenance Complex	29,500	29,500	29,500	0	29,500
Germany	Air Force	Grafenwoehr	Vehicle Maintenance Complex	29,500	29,500	29,500	0	29,500
Germany	Air Force	Ramstein AB	Vehicle Maintenance Complex	29,500	29,500	29,500	0	29,500
Germany	Air Force	Ramstein AB	C-130J Aircraft Parts Storage	3,300	3,300	3,300	0	3,300
Germany	Air Force	Ramstein AB	C-130J Dual Bay Maintenance Hangar	22,000	22,000	22,000	0	22,000
Germany	Air Force	Ramstein AB	Ramp 1, Phase 2	27,850	27,850	27,850	0	27,850
Guam	Air Force	Vitsek	Barracks	19,000	19,000	19,000	0	19,000
Guam	Air Force	Andersen AFB	Global Hawk Aircraft Maintenance/Ops Cmpx	52,800	52,800	52,800	0	52,800
Guam	Air Force	Andersen AFB	ISR/STF Large Veh Inspection Ctr/Access Rd	15,500	15,500	15,500	0	15,500
Guam	Air Force	Andersen AFB	Upgrade Northwest Field Infrastructure, Ph 1	12,500	12,500	12,500	0	12,500
Italy	Navy	Naval Base Guam	Alpha/Bravo Wharves Improvements, Incr 2	29,772	29,772	29,772	0	29,772
Italy	Navy	NAS Sigonella	Mobile User Objective System Installation	13,051	13,051	13,051	0	13,051
Italy	Air Force	Vicenza	Barracks Complex, Dal Molin	48,000	48,000	48,000	0	48,000
Italy	Air Force	Vicenza	Barracks Complex, Dal Molin	41,000	41,000	41,000	0	41,000

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Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Italy	Army	Vicenza	Barracks Complex, Dal Molin	29,000	29,000	29,000	0	29,000
Italy	Army	Vicenza	Brigade Complex, Dal Molin	32,000	32,000	32,000	0	32,000
Italy	Army	Vicenza	Brigade Complex Infrastructure, Dal Molin	49,000	49,000	49,000	0	49,000
Italy	DODEA	Vicenza	Physical Fitness Center, Dal Molin	26,000	26,000	26,000	0	26,000
Italy	DODEA	Vicenza	Construct Middle School and Renovate High School	0	0	0	0	0
Italy	TMA	Vicenza	Elementary School	31,460	31,460	31,460	0	31,460
Japan	Army	Camp Hansen	Enhanced Health Service Center	52,000	52,000	52,000	0	52,000
Japan	Navy	Naval Station Yokosuka	Range Complex, Phase 2	7,150	7,150	7,150	0	7,150
Japan	DLA	Okinawa	Wharf Upgrades, Increment 2	44,360	44,360	44,360	0	44,360
Korea	Army	Camp Humphreys	Replace Single-Point Mooring Buoy	5,000	5,000	5,000	0	5,000
Korea	Army	Camp Humphreys	Barracks Complex	42,000	42,000	42,000	(8,400)	33,600
Korea	Air Force	Kunsan AB	Barracks Complex	35,000	35,000	35,000	(7,000)	28,000
Korea	Air Force	Osan AB	Dormitory (600 Room)	46,700	46,700	46,700	(9,340)	37,360
Korea	DODEA	Osan AB	DCG Station Intel Squad Ops Facility	2,156	2,156	2,156	0	2,156
Korea	DODEA	Osan AB	Add Osan High School	4,589	4,589	4,589	0	4,589
Korea	Army	Yongpyong	Digital Multipurpose Range	4,350	4,350	4,350	0	4,350
Korea	Army	Yongpyong	Shoot House	1,450	1,450	1,450	0	1,450
Korea	MDA	Yongpyong	Shoot House	1,600	1,600	1,600	0	1,600
Korea	MDA	Kwajalein Atoll	Upgrade Launch Control Facility Life Safety	7,592	7,592	7,592	0	7,592
Puerto Rico	Army Reserve	Camp Santiago	Combat Pistol/MP Qualification Course	2,054	2,054	2,054	0	2,054
Qatar	SOCOM	Al Udeid AB	Aircraft Operations and Maintenance Facility	28,000	28,000	28,000	0	28,000
Qatar	SOCOM	Al Udeid AB	Rotary Wing Hanger	18,500	18,500	18,500	0	18,500
Spain	DODEA	NS Rota	Add Rota High School	23,048	23,048	23,048	0	23,048
United Kingdom	NSA	RAF Menwith Hill Station	Operations/Tech Building, Increment 2	46,386	46,386	46,386	0	46,386
Wake Island	DLA	Wake Island	Replace Fuel Truck Loading Facility	2,600	2,600	2,600	0	2,600
Romania	Army	Babadag Range	Base Camp	34,800	34,800	34,800	0	34,800
Worldwide	Air Force	Classified Location	Classified Project	1,700	1,700	1,700	0	1,700
Worldwide	Air Force	Classified Location	Special Evaluation Program	4,600	4,600	4,600	0	4,600
Worldwide	Air Force	Classified Location	Special Tactical Unit Detachment Facility	3,377	3,377	3,377	0	3,377
Worldwide	Navy	Unspecified Worldwide	Helicopter Support Facility	12,185	12,185	12,185	0	12,185
Worldwide	Air Force	Unspecified Worldwide	Common Battlefield Airman Training Complex	14,200	0	14,200	(14,200)	0

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Military Construction Authorizations for Fiscal Year 2007
(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	Air Force	Unspecified Worldwide	Global Hawk Aircraft Maintenance/Ops Cmpix	28,000	26,000	26,000	(26,000)	0
Base Realignment and Closure (BRAC) Accounts								
Worldwide	Army	Unspecified Worldwide	BRAC 2005, Environmental	19,293	19,293	19,293	0	19,293
Worldwide	Army	Unspecified Worldwide	BRAC 2005, Existing Footprint	831,669	831,669	831,669	0	831,669
Worldwide	Army	Unspecified Worldwide	BRAC 2005, New Footprint	1,555,731	1,555,731	1,555,731	0	1,555,731
Worldwide	Army	Unspecified Worldwide	Global Posture Moves, Existing Footprint	319,010	319,010	319,010	0	319,010
Worldwide	Army	Unspecified Worldwide	Global Posture Moves, New Footprint	733,205	733,205	733,205	0	733,205
Worldwide	Army	Unspecified Worldwide	Global Posture Moves, Other	105,295	105,295	105,295	0	105,295
Worldwide	Army	Unspecified Worldwide	Prior BRAC Rounds	44,031	44,031	44,031	0	44,031
Worldwide	Army	Unspecified Worldwide		51,340	51,340	51,340	0	51,340
Worldwide	Navy	Unspecified Worldwide	BRAC 2005, Environmental	6,483	6,483	6,483	0	6,483
Worldwide	Navy	Unspecified Worldwide	BRAC 2005, Existing Footprint	522,186	522,186	522,186	0	522,186
Worldwide	Navy	Unspecified Worldwide	BRAC 2005, New Footprint	38,505	38,505	38,505	0	38,505
Worldwide	Navy	Unspecified Worldwide	BRAC 2005, O&M	109,415	109,415	109,415	0	109,415
Worldwide	Navy	Unspecified Worldwide	Global Posture Moves, Operations and Maint	15,000	15,000	15,000	0	15,000
Worldwide	Air Force	Unspecified Worldwide	BRAC 2005, Environmental	1,965	1,965	1,965	0	1,965
Worldwide	Air Force	Unspecified Worldwide	BRAC 2005, Existing Footprint	203,528	203,528	203,528	0	203,528
Worldwide	Air Force	Unspecified Worldwide	BRAC 2005, New Footprint	305,289	305,289	305,289	0	305,289
Worldwide	Air Force	Unspecified Worldwide	BRAC 2005, O&M	398,161	398,161	398,161	0	398,161
Worldwide	Air Force	Unspecified Worldwide	Prior BRAC Rounds	133,827	133,827	133,827	0	133,827
Worldwide	AFIS	Unspecified Worldwide	BRAC 2005, AFIS	6,419	6,419	6,419	0	6,419
Worldwide	CIFA	Unspecified Worldwide	BRAC 2005, CIFA	2,883	2,883	2,883	0	2,883
Worldwide	DODEA	Unspecified Worldwide	BRAC 2005, DODEA	6,010	6,010	6,010	0	6,010
Worldwide	DFAS	Unspecified Worldwide	BRAC 2005, DFAS	63,999	63,999	63,999	0	63,999
Worldwide	DHP	Unspecified Worldwide	BRAC 2005, DHP	15	15	15	0	15
Worldwide	DHRA	Unspecified Worldwide	BRAC 2005, DHRA	8,414	8,414	8,414	0	8,414
Worldwide	DISA	Unspecified Worldwide	BRAC 2005, DISA	140	140	140	0	140

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Military Construction Authorizations for Fiscal Year 2007
(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	DIA	Unspecified Worldwide	BRAC 2005, DIA	336	336	336	0	336
Worldwide	DLA	Unspecified Worldwide	BRAC 2005, DLSA	1	1	1	0	1
Worldwide	DLA	Unspecified Worldwide	Prior BRAC Rounds, DLA	97,185	97,185	97,185	0	97,185
Worldwide	DLA	Unspecified Worldwide	BRAC 2005, DLA	6,053	6,053	6,053	0	6,053
Worldwide	DTSA	Unspecified Worldwide	BRAC 2005, DTSA	2,404	2,404	2,404	0	2,404
Worldwide	DTRA	Unspecified Worldwide	BRAC 2005, DTRA	4,407	4,407	4,407	0	4,407
Worldwide	DOD-IG	Unspecified Worldwide	BRAC 2005, DODIG	13,222	13,222	13,222	0	13,222
Worldwide	NGIA	Unspecified Worldwide	BRAC 2005, NGIA	124,111	124,111	124,111	0	124,111
Worldwide	OSD	Unspecified Worldwide	BRAC 2005, OSD	20,434	20,434	20,434	0	20,434
Worldwide	TMA	Unspecified Worldwide	BRAC 2005, TMA	244	244	244	0	244
Worldwide	WHS	Unspecified Worldwide	BRAC 2005, WHS	71,235	71,235	71,235	0	71,235
Worldwide	DOD	Unspecified Worldwide	BRAC 2005, General Reduction - DOD Agencies	0	0	(96,329)	0	0
Unspecified Accounts								
Worldwide	Army	Unspecified Worldwide	Planning and Design	191,830	199,630	196,626	7,000	198,630
Worldwide	Army	Unspecified Worldwide	Planning and Design (Host Nation Support)	21,000	21,000	21,000	0	21,000
Worldwide	Army	Unspecified Worldwide	Unspecified Minor Construction	23,000	23,930	23,000	930	23,930
Worldwide	Army National Guard	Unspecified Worldwide	Planning and Design	57,337	63,337	60,999	3,500	60,937
Worldwide	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	20,844	20,844	20,844	0	20,844
Worldwide	Army Reserve	Unspecified Worldwide	Planning and Design	19,509	22,509	20,209	1,500	21,009
Worldwide	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	3,042	3,042	3,042	0	3,042
Worldwide	Navy	Unspecified Worldwide	Planning and Design	46,485	49,981	49,184	2,000	48,485
Worldwide	Navy	Unspecified Worldwide	Unspecified Minor Construction	8,939	8,939	8,939	0	8,939
Worldwide	Marine Corps	Unspecified Worldwide	Planning and Design	21,376	22,876	22,063	1,000	22,376
Worldwide	Navy Reserve	Unspecified Worldwide	Planning and Design	1,400	1,650	1,400	300	1,700
Worldwide	Navy Reserve	Unspecified Worldwide	Unspecified Minor Construction	1,112	1,112	1,112	0	1,112
Worldwide	USMC Reserve	Unspecified Worldwide	Planning and Design	987	987	987	0	987
Worldwide	Air Force	Unspecified Worldwide	Planning and Design	87,504	97,504	90,632	(8,500)	79,004
Worldwide	Air Force	Unspecified Worldwide	Unspecified Minor Construction	15,000	15,000	15,000	0	15,000

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Military Construction Authorizations for Fiscal Year 2007
(Dollars In Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized
Worldwide	Air National Guard	Unspecified Worldwide	Planning and Design	18,838	28,738	28,593	8,195	27,033
Worldwide	Air National Guard	Unspecified Worldwide	Unspecified Minor Construction	6,000	6,000	6,000	0	6,000
Worldwide	Air Force Reserve	Unspecified Worldwide	Planning and Design	5,109	7,609	5,109	2,500	7,609
Worldwide	Air Force Reserve	Unspecified Worldwide	Unspecified Minor Construction	4,477	4,477	4,477	0	4,477
Worldwide	DODEA	Unspecified Worldwide	Unspecified Minor Construction	468	468	468	0	468
Worldwide	DFAS	Unspecified Worldwide	Unspecified Minor Construction	1,421	1,421	1,421	0	1,421
Worldwide	JCS	Unspecified Worldwide	Unspecified Minor Construction	7,531	7,531	7,531	0	7,531
Worldwide	NSA	Unspecified Worldwide	Planning and Design	6,416	6,416	6,416	0	6,416
Worldwide	OSD	Unspecified Worldwide	Planning and Design	35,512	35,512	35,512	0	35,512
Worldwide	OSD	Unspecified Worldwide	Unspecified Minor Construction	4,591	4,591	4,591	0	4,591
Worldwide	SOCOM	Unspecified Worldwide	Planning and Design	47,915	48,715	47,915	800	48,715
Worldwide	SOCOM	Unspecified Worldwide	Unspecified Minor Construction	4,342	4,342	4,342	0	4,342
Worldwide	TMA	Unspecified Worldwide	Planning and Design	81,800	81,800	81,800	0	81,800
Worldwide	TMA	Unspecified Worldwide	Unspecified Minor Construction	3,321	3,321	3,321	0	3,321
Worldwide	WHS	Unspecified Worldwide	Planning and Design	507	507	507	0	507
Miscellaneous Accounts								
Worldwide	ECIP	Unspecified Worldwide	Energy Conservation Improvement Program	60,000	55,000	60,000	(5,000)	55,000
Worldwide	NATO	Unspecified Worldwide	NATO Security Investment Program	220,985	200,985	205,985	(20,000)	200,985
Worldwide	OSD	Unspecified Worldwide	Contingency Construction	10,000	10,000	10,000	0	10,000
Family Housing								
Alaska	Air Force	Eleison AFB	Replace Family Housing (129 Units)	87,414	87,414	87,414	0	87,414
Alaska	Army	Fort Richardson	Replace Family Housing (57 Units)	25,000	25,000	25,000	0	25,000
Alaska	Army	Fort Richardson	Replace Family Housing (105 Units)	45,000	45,000	45,000	0	45,000
Alaska	Army	Fort Weirwright	Replace Family Housing (58 Units)	32,000	32,000	32,000	0	32,000
Alaska	Army	Fort Weirwright	Replace Family Housing (86 Units)	50,000	50,000	50,000	0	50,000
Arizona	Army	Fort Huachuca	Replace Family Housing (118 Units)	50,000	50,000	50,000	0	50,000
Arkansas	Army	Pine Bluff Arsenal	Replace Family Housing (10 Units)	32,000	32,000	32,000	0	32,000
Arkansas	Army	Pine Bluff Arsenal	Replace Family Housing (10 Units)	2,900	2,900	2,900	0	2,900

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Military Construction Authorizations for Fiscal Year 2007

(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized	
California	Marine Corps	MCLB Barstow	Replace Family Housing (74 Units)	27,851	27,851	27,851	0	27,851	
Idaho	Air Force	Mountain Home AFB	Replace Family Housing (457 Units)	107,800	107,800	107,800	0	107,800	
Missouri	Air Force	Whiteman AFB	Replace Family Housing (116 Units)	39,270	39,270	39,270	0	39,270	
Montana	Air Force	Malmstrom AFB	Replace Family Housing (493 Units)	140,252	140,252	140,252	0	140,252	
North Carolina	Air Force	Seymour Johnson AFB	Replace Family Housing (56 Units)	22,956	22,956	22,956	0	22,956	
North Dakota	Air Force	Minot AFB	Replace Family Housing (575 Units)	171,188	171,188	170,188	(1,000)	170,188	
Texas	Air Force	Dyess AFB	Replace Family Housing (189 Units)	49,215	49,215	49,215	0	49,215	
Virginia	DLA	DSC Richmond	Replace Family Housing (25 Units)	7,840	7,840	7,840	0	7,840	
Wisconsin	Army	Fort McCoy	Replace Family Housing (13 Units)	4,900	4,900	4,900	0	4,900	
Family Housing Overseas									
Germany	Air Force	Ramstein AB	Replace Family Housing (101 Units)	73,488	59,488	73,488	(14,000)	59,488	
Germany	Air Force	Spangdahlem AB	Replace Family Housing (60 Units)	39,284	39,284	39,284	0	39,284	
Guam	Navy	Naval Base Guam	Replace Family Housing (68 Units)	48,017	48,017	48,017	0	48,017	
Guam	Navy	Naval Base Guam	Replace Family Housing (108 Units)	50,157	50,157	50,157	0	50,157	
United Kingdom	Air Force	RAF Lakenheath	Replace Family Housing (74 Units)	35,282	35,282	35,282	0	35,282	
Family Housing Improvements									
Worldwide	Army	Unspecified Worldwide	Construction Improvements	338,858	320,859	338,859	(18,200)	320,659	
Worldwide	Navy	Unspecified Worldwide	Construction Improvements	176,446	180,146	176,446	3,700	180,146	
Worldwide	Air Force	Unspecified Worldwide	Construction Improvements	403,777	403,777	403,777	0	403,777	
Worldwide	DLA	Unspecified Worldwide	Construction Improvements	484	484	484	0	484	
Worldwide	NSA	Unspecified Worldwide	Construction Improvements	284	284	284	0	284	
Worldwide	FHIF	Unspecified Worldwide	Family Housing Improvement Fund	2,500	2,500	2,500	0	2,500	
Family Housing Operations									
Worldwide	Army	Unspecified Worldwide	Furnishings Account	36,887	36,887	36,887	0	36,887	
Worldwide	Army	Unspecified Worldwide	Leasing Account	214,781	214,781	214,781	0	214,781	
Worldwide	Army	Unspecified Worldwide	Maintenance of Real Property	204,963	202,791	204,963	(1,212)	203,751	
Worldwide	Army	Unspecified Worldwide	Management Account	60,919	60,919	60,919	0	60,919	
Worldwide	Army	Unspecified Worldwide	Miscellaneous Account	630	630	630	0	630	

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Military Construction Authorizations for Fiscal Year 2007
(Dollars in Thousands)

Location	Service/Agency	Installation	Project Title	Budget		Senate		Conference	
				Request	House Authorized	Authorized	Change	Authorized	Authorized
Worldwide	Army	Unspecified Worldwide	Operations Account	0	0	0	0	0	0
Worldwide	Army	Unspecified Worldwide	Planning and Design	16,332	16,332	16,332	0	16,332	0
Worldwide	Army	Unspecified Worldwide	Privatization Support Costs	25,990	25,990	25,990	0	25,990	0
Worldwide	Army	Unspecified Worldwide	Services Account	26,726	26,726	26,726	0	26,726	0
Worldwide	Army	Unspecified Worldwide	Utilities Account	106,133	106,133	106,133	0	106,133	0
Worldwide	Navy	Unspecified Worldwide	Furnishings Account	18,036	18,036	18,036	0	18,036	0
Worldwide	Navy	Unspecified Worldwide	Leasing Account	132,282	132,282	121,681	0	132,282	0
Worldwide	Navy	Unspecified Worldwide	Maintenance of Real Property	152,991	152,991	152,991	0	152,991	0
Worldwide	Navy	Unspecified Worldwide	Management Account	75,085	75,085	75,085	0	75,085	0
Worldwide	Navy	Unspecified Worldwide	Miscellaneous Account	595	595	595	0	595	0
Worldwide	Navy	Unspecified Worldwide	Mortgage Insurance Premium	2	2	2	0	2	0
Worldwide	Navy	Unspecified Worldwide	Planning and Design	2,600	2,785	2,800	185	2,785	0
Worldwide	Navy	Unspecified Worldwide	Privatization Support Costs	15,261	15,261	15,261	0	15,261	0
Worldwide	Navy	Unspecified Worldwide	Services Account	34,123	34,123	34,123	0	34,123	0
Worldwide	Navy	Unspecified Worldwide	Utilities Account	80,751	80,751	80,751	0	80,751	0
Worldwide	Air Force	Unspecified Worldwide	Debt Account	1	1	1	0	1	0
Worldwide	Air Force	Unspecified Worldwide	Furnishings Account	44,545	44,545	44,545	0	44,545	0
Worldwide	Air Force	Unspecified Worldwide	Leasing Account	121,295	121,295	121,295	0	121,295	0
Worldwide	Air Force	Unspecified Worldwide	Maintenance Account	342,298	342,298	342,298	0	342,298	0
Worldwide	Air Force	Unspecified Worldwide	Management Account	77,981	77,981	77,981	0	77,981	0
Worldwide	Air Force	Unspecified Worldwide	Miscellaneous Account	1,914	1,914	1,914	0	1,914	0
Worldwide	Air Force	Unspecified Worldwide	Planning and Design	13,202	13,202	13,202	0	13,202	0
Worldwide	Air Force	Unspecified Worldwide	Privatization Support Costs	37,899	37,899	37,899	0	37,899	0
Worldwide	Air Force	Unspecified Worldwide	Services Account	25,888	25,888	25,888	0	25,888	0
Worldwide	Air Force	Unspecified Worldwide	Utilities Account	103,250	103,250	103,250	0	103,250	0
Worldwide	DIA	Unspecified Worldwide	Furnishings Account	4,182	4,182	4,182	0	4,182	0
Worldwide	DIA	Unspecified Worldwide	Leasing Account	32,821	32,821	32,821	0	32,821	0

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Military Construction Authorizations for Fiscal Year 2007

		(Dollars in Thousands)											
Location	Service/Agency	Installation	Project Title	Budget Request	House Authorized	Senate Authorized	Conference Change	Conference Authorized					
Worldwide	DLA	Unspecified Worldwide	Furnishings Account	58	58	58	0	58					58
Worldwide	DLA	Unspecified Worldwide	Maintenance of Real Property	236	236	236	0	236					236
Worldwide	DLA	Unspecified Worldwide	Management Account	374	374	374	0	374					374
Worldwide	DLA	Unspecified Worldwide	Planning and Design	200	200	200	0	200					200
Worldwide	DLA	Unspecified Worldwide	Services Account	72	72	72	0	72					72
Worldwide	DLA	Unspecified Worldwide	Utilities Account	399	399	399	0	399					399
Worldwide	NSA	Unspecified Worldwide	Furnishings Account	26	26	26	0	26					26
Worldwide	NSA	Unspecified Worldwide	Leasing Account	10,261	10,261	10,261	0	10,261					10,261
Worldwide	NSA	Unspecified Worldwide	Maintenance of Real Property	70	70	70	0	70					70
Worldwide	NSA	Unspecified Worldwide	Utilities Account	7	7	7	0	7					7
Total Military Construction and Family Housing				16,698,423	16,958,894	17,102,023	678,361	17,376,784					17,376,784
Reactions					(260,471)	0		(278,381)					(278,381)
Total Authorization of Appropriations					16,698,423			17,098,423					17,098,423

* Project requested by Senator Reed and Senator Chafee in lieu of Hazardous Material Storage Facility project contained in Senate amendment
 # Project requested by CM Marshall and CM Kingston in lieu of Consolidated Logistics Fac, Depot Ops, Ph 1 project contained in House Bill

collateral equipment, information technology systems, training, and other transition support services.

The following table provides the projects and other activities that were identified by the Department to be carried out by each service using amounts made available in fiscal year 2006.

The conferees continue to review the justification for the construction projects and other BRAC V activities within these accounts to ensure amounts authorized for this program are used solely to carry out the decisions of the 2005 BRAC round.

Offset Folios.....1.....to.....2.....Insert

2005 Defense Base Closure and Realignment accounts

The budget request included authorization of appropriations of \$5,626.2 million for fiscal year 2007 to carry out military construction, environmental activities, and certain operating expenses related to the results of the 2005 Defense Base Closure and Realignment (BRAC) round.

The House bill would authorize appropriations of \$5,626.2 million for fiscal year 2007 to carry out military construction, environmental activities, and certain operating expenses related to the results of the 2005 BRAC round.

The Senate amendment would authorize appropriations of \$5,526.9 million for fiscal year 2007 to carry out military construction, environmental activities, and certain operating expenses related to the results of the 2005 BRAC round.

The conferees agree to authorize appropriations of \$5,626.2 million for fiscal year 2007 to carry out military construction, environmental activities, and certain operating expenses related to the results of the 2005 BRAC round.

The following table provides the projects and other activities identified by the Department of Defense to be carried out with amounts authorized for appropriation within each service's BRAC V account.

The conferees continue to review the justification for the construction projects and other BRAC V activities within these accounts to ensure amounts authorized for this program are used solely to carry out the decisions of the 2005 BRAC round.

Offset Folios.....1.....to.....6.....Insert

Legislative Provisions Adopted

Short title (sec. 2001)

The House bill contained a provision (sec. 2001) that would cite division B of this Act as the "Joel Hefley Military Construction Authorization Act for Fiscal Year 2007."

The Senate amendment contained a provision (sec. 2001) that would cite division B of this Act as the "Military Construction Authorization Act for Fiscal Year 2007."

The House recesses.

2005 Defense Base Closure and Realignment Program for Fiscal Year 2006

<u>Army BRAC V Program for Fiscal Year 2006</u>				(dollars in thousands)
<u>State</u>	<u>Installation</u>	<u>Project Title</u>		<u>Amount</u>
Arkansas	Fort Chaffee	Armed Forces Reserve Center		19,500
Colorado	Fort Carson	Brigade Combat Team Complex, Increment 1		120,000
Iowa	Camp Dodge	Armed Forces Reserve Center		37,000
Kansas	Fort Riley	Div HQ & Sustainment Bde HQ (IGPBS), Incr 1		91,000
Kentucky	Fort Knox	Brigade Combat Team Facilities, Phase 1		113,000
New Jersey	Fort Dix	Armed Forces Reserve Center		40,000
South Carolina	Fort Jackson	Armed Forces Reserve Center		18,000
Texas	Fort Bliss	BDE Combat Team Complex #1 (IGPBS) Incr 1		85,000
Texas	Fort Bliss	Site Infrastructure (IGPBS), Increment 1		101,000
Wisconsin	Fort McCoy	Armed Forces Reserve Center		21,000
Worldwide	Various Unspecified	Army BRAC - Planning and Design (IGPBS)		59,300
Worldwide	Various Unspecified	Army BRAC - Planning and Design		98,500
Worldwide	Various Unspecified	Army BRAC V Environmental Activities		34,254
Worldwide	Various Unspecified	Army BRAC V Operations and Maintenance		27,735
Worldwide	Various Unspecified	Army BRAC V Other Services/Procurement (IT, comm, equipment)		0
Army BRAC V Program Total:				865,289

Navy BRAC V Program for Fiscal Year 2006

<u>State</u>	<u>Installation</u>	<u>Project Title</u>		<u>Amount</u>
Florida	NS Mayport	Bachelor Enlisted Quarters		12,031
Florida	NS Mayport	DESRON Six Command Bldg		1,769
Florida	NS Mayport	Construct Parking		846
Florida	NAS Jacksonville	Construct Hangar/Parking Apron, Increment 1		21,735
Illinois	NS Great Lakes	Convert Shop Space for Southern Division		853
Illinois	NS Great Lakes	Renovate Space for Navy Region South		135
Maryland	NAS Patuxent River	Aircraft Research Support Facility		22,527
Rhode Island	NS Newport	Renovate Bldg 370 for OTC-P		7,173
Tennessee	NSA Millington	Construct Bldg for EPMAC/NRPC		11,112
Tennessee	NSA Millington	Renovate Bldg 750 for NRRC		1,301
Virginia	NSA Norfolk	NAVRESFORCOM Administrative Complex		33,509
Virginia	NS Norfolk	Add to Bldg Z140 for EFA NE		5,100
Virginia	NS Norfolk	Renovate Bldg CEP86 REDCOM Mid-Atlantic		845
Worldwide	Various Unspecified	Navy BRAC - Planning and Design		59,865
Worldwide	Various Unspecified	Navy BRAC V Environmental Activities		17,063
Worldwide	Various Unspecified	Navy BRAC V Operations and Maintenance		50,897
Worldwide	Various Unspecified	Navy BRAC V Other Services/Procurement (IT, comm, equipment)		0
Navy BRAC V Program Total				246,761

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Air Force BRAC V Program for Fiscal Year 2006

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Worldwide	Various Unspecified	AF BRAC - Planning and Design	\$109,443
Worldwide	Various Unspecified	Air Force BRAC V Environmental Activities	28,780
Worldwide	Various Unspecified	Air Force BRAC V Operations & Maintenance	59,374
Worldwide	Various Unspecified	Air Force BRAC V Military Personnel PCS	0
Worldwide	Various Unspecified	Air Force BRAC V Other Services/Procurement (IT, comm, equipment)	33,459
Worldwide	Various Unspecified	Air Force BRAC V Homeowners Assistance Program	0
			<hr/>
Air Force BRAC V Program Total			231,056

Defense Agencies BRAC V Program for Fiscal Year 2006

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Worldwide	Various Unspecified	Defense Agencies Planning and Design	67,779
Worldwide	Various Unspecified	Defense Agencies Environmental Activities	2,197
Worldwide	Various Unspecified	Defense Agencies Operations & Maintenance	55,175
Worldwide	Various Unspecified	Defense Agencies Military Personnel PCS	1,681
Worldwide	Various Unspecified	Defense Agencies Other Services/Procurement (IT, comm, equipment)	19,073
Worldwide	Various Unspecified	Defense Agencies Homeowners Assistance Program	410
			<hr/>
Defense Agencies BRAC V Program Total:			146,315

Department of Defense BRAC V Program for Fiscal Year 2006 1,489,421

**2005 Defense Base Closure and Realignment Program
for Fiscal Year 2007**

<u>Army BRAC V Program for Fiscal Year 2007</u>			(dollars in thousands)
<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Alabama	Birmingham	Armed Forces Reserve Center	28,000
Alabama	Redstone Arsenal	Recruiting Brigade Operations Building	9,400
Arkansas	North Little Rock	Armed Forces Reserve Center	1,050
Arizona	Buckeye	Armed Forces Reserve Center	19,500
California	Bell	Armed Forces Reserve Center	46,900
California	Fort Hunter Liggett	Armed Forces Reserve Center	13,400
California	Moffett Field	Armed Forces Reserve Center	47,000
California	Moffett Field	Armed Forces Reserve Center	23,000
Colorado	Fort Carson	Brigade Combat Team Complex, Incr 2	118,000
Colorado	Fort Carson	Division HQ's, Increment 1	84,000
Connecticut	Middletown	Armed Forces Reserve Center	35,000
Florida	Eglin AFB	Special Forces Complex, Phase 1	115,700
Georgia	Fort Benning	Child Development Center	6,700
Georgia	Fort Benning	Trainee Barracks Complex 1	110,000
Georgia	Fort Benning	Training Brigade Complex	41,200
Georgia	Fort Benning	Fire and Movement Range	2,050
Georgia	Fort Benning	Modified Record Fire Range	4,500
Georgia	Fort Benning	IET Brigade Headquarters Building	20,000
Georgia	Fort Benning	Trainee Barracks Complex 2	110,000
Georgia	Fort Benning	Stationary Gunnery Range	6,100
Kansas	Fort Leavenworth	Regional Correctional Facility	68,000
Kansas	Fort Riley	Battle Command Training Center	27,000
Kansas	Fort Riley	Runway Improvements	17,000
Kansas	Fort Riley	Child Development Center	5,700
Kansas	Fort Riley	Combat Avn Bde Complex - Phase 1	152,000
Kansas	Fort Riley	Cons Soldier/Family Medical Clinic	17,520
Kansas	Fort Riley	Div HQ/Sustainment Bde HQ (IGPBS), Incr 2	87,000
Kentucky	Bluegrass Depot	Armed Forces Reserve Center	21,000
Kentucky	Fort Knox	Human Resources Command Cplx, Ph 1	98,000
Kentucky	Fort Knox	Brigade Combat Team Facilities, Phase 2	77,000
Kentucky	Paducah	Armed Forces Reserve Center	16,500
Massachusetts	Ayer	Armed Forces Reserve Center	81,000
Massachusetts	Westover AFB	Armed Forces Reserve Center	34,000
Maryland	Aberdeen PG	Infrastructure Upgrades	47,000
Maryland	Aberdeen PG	Comm Electronic Res Dev/Engring C Ph 1	145,000
Maryland	Fort Detrick	Armed Forces Reserve Center	13,800
Minnesota	Cambridge	Armed Forces Reserve Center	10,000
North Carolina	Fort Bragg	Veh Maint Shop / 4th BCT	52,000
North Carolina	Fort Bragg	Brigade Combat Team Complex	33,000
Nebraska	Hastings	Armed Forces Reserve Center	12,000
Nebraska	Kearney	Armed Forces Reserve Center	4,700
New Mexico	Kirtland AFB	Armed Forces Reserve Center	20,000
New York	Fort Totten	Armed Forces Reserve Center	21,000
New York	Stewart Newburgh	Armed Forces Reserve Center	22,000
Oklahoma	Fort Sill	Armed Forces Reserve Center	8,700
Oklahoma	Fort Sill	Restation ADA School, Increment 1	138,000
South Carolina	Shaw AFB	Third Army Barracks	13,800
Texas	Camp Bullis	Armed Forces Reserve Center	44,000

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Texas	Fort Bliss	Brigade Combat Team Complex #2, Incr 1	85,000
Texas	Fort Bliss	Live Fire Shoot House	2,000
Texas	Fort Bliss	Multipurpose Machine Gun Range	3,950
Texas	Fort Bliss	Live Fire Shoot House	2,000
Texas	Fort Bliss	Infantry Platoon Battle Course	4,650
Texas	Fort Bliss	Urban Assault Course	2,150
Texas	Fort Bliss	Demolition Range Complex	1,750
Texas	Fort Bliss	Combat Pistol Qualification Range	2,250
Texas	Fort Bliss	Combat Aviation Brigade Increment 1	92,000
Texas	Fort Bliss	Child Development Center	5,800
Texas	Fort Bliss	Dental Clinic	13,530
Texas	Fort Bliss	Youth Activity Center - Biggs	4,000
Texas	Fort Bliss	Ammunition Supply Point	15,500
Texas	Fort Bliss	Central Wash Facility	8,700
Texas	Fort Bliss	Battle Command Training Center	27,000
Texas	Fort Bliss	Site Infrastructure (IGPBS), Increment 2	100,000
Texas	Fort Bliss	BDE Combat Team Cmplx #1 (IGPBS) Incr 2	85,000
Texas	Fort Sam Houston	Youth Center	5,100
Texas	Fort Sam Houston	Budge Dental Clinic Add/Alt	1,350
Texas	Fort Sam Houston	Blfield Health/Trauma Biomed Lab, Increment 1	54,000
Texas	Grand Prairie	Armed Forces Reserve Center	35,000
Texas	Seagoville	Armed Forces Reserve Center	19,500
Virginia	Fort Lee	Combat Service Support Center, Increment 1	197,000
Washington	Fairchild AFB	Armed Forces Reserve Center	31,000
Washington	Fort Lewis	Armed Forces Reserve Center	24,000
Washington	Vancouver	Armed Forces Reserve Center	28,000
Wyoming	Cheyenne	Armed Forces Reserve Center	44,000
Worldwide	Various Unspecified	Army BRAC Planning and Design (IGPBS)	71,500
Worldwide	Various Unspecified	Army BRAC Planning and Design	160,109
Worldwide	Various Unspecified	Army BRAC V Environmental Activities	73,492
Worldwide	Various Unspecified	Army BRAC V Operations and Maintenance	143,865
Worldwide	Various Unspecified	Army BRAC V Other Services/Procurement (IT, comm, equipment)	136,818

Army BRAC V Program Total: 3,608,234

Navy BRAC V Program for Fiscal Year 2007

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Arizona	MCAS Yuma	Construct FRC Maintenance Facility	3,181
California	NS San Diego	Bachelor Enlisted Quarters	16,943
California	NS San Diego	Construct Parking Facility	20,991
California	NS San Diego	Squadron Support Facility	4,400
California	NSB San Diego	MINEWARTRACEN Training Facs	24,245
California	NWS Concord	Construct Fire Station	3,400
California	NWS Concord	Construct Administration Bldg	3,145
California	NWS Concord	Constr Railroad Equipmt/Engine Maint Shop	2,891
California	NWS Concord	Construct Electrical Substation	1,409
California	Camp Pendleton	Construct Pre-trial Detainee Facility	4,580
California	MCAS Miramar	Construct FRC Maintenance Facility	3,164
California	NWS China Lake	Weapons and Armament Tech Ctr, Incr 1	30,118
California	NWS China Lake	Renovate Lab Bldgs	3,776

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
California	NWS China Lake	Bldg Renovation and Storage	7,924
Florida	NAS Jacksonville	Facility Engineering Ctr SE, Engineering Ops	16,025
Florida	NAS Jacksonville	Construct Hangar/Parking Apron, Incr 2	70,955
Florida	NAS Jacksonville	Bachelor Enlisted Quarters	16,100
Florida	NAS Jacksonville	Construct Fleet Support Facility	5,092
Georgia	Robins AFB	Add to/Renovate Hangars for HMLA-773 (MCR)	27,460
Georgia	Marietta	Marine Corps Reserve Center	2,690
Louisiana	Belle Chasse JRB	Bachelor Enlisted Quarters	23,753
Louisiana	Belle Chasse JRB	Add to Dining Facility	3,614
Louisiana	Belle Chasse JRB	Add to Child Development Center	2,164
Louisiana	Belle Chasse JRB	Medical and Dental Clinic Addition	6,321
Louisiana	Belle Chasse JRB	Add to Indoor Physical Fitness Facility	3,950
Louisiana	Belle Chasse JRB	Construct Youth Center	4,743
Louisiana	Belle Chasse JRB	Construct General Purpose Instructional Bldg	7,264
Louisiana	Belle Chasse JRB	Administrative Support Bldg	10,493
Louisiana	Belle Chasse JRB	Applied Instruction Bldg	3,521
Louisiana	Belle Chasse JRB	Construct Covered Storage Bldg	1,664
Louisiana	Belle Chasse JRB	Military Entrance Processing Station	6,307
Louisiana	Belle Chasse JRB	Construct Family Service Center	1,507
Louisiana	Belle Chasse JRB	Police Station, Security Support Facs	829
Louisiana	Belle Chasse JRB	Construct Road Infrastructure Support	8,186
Louisiana	Belle Chasse JRB	NAVAIRSEFAC Calibration Laboratory	5,343
Maryland	NNMC Bethesda	Joint Medical Command HQ Facilities	1,374
New Jersey	Ft Dix	Construct/Ren Bldgs 5957, 5956 for NMCRC	6,916
North Carolina	Camp Lejeune	Construct Pre-trial Detainee Facility	3,007
North Carolina	MCAS New River	Construct FRC Maintenance Facility	6,548
Oregon	Portland	Construct Dock to Relocate ACU-1 (NR)	955
Rhode Island	NS Newport	Dental Clinic Addition	964
Rhode Island	NS Newport	Training Bldg for Naval Supply Corps School	22,164
Texas	Ft Worth JRB	Reconfigure Hangar 1404 for VR-46	4,168
Texas	Ft Worth JRB	Upgrade Hangar 1049 fro VMFA-142	1,504
Texas	Ft Worth JRB	CAG-20, Ft Worth, TX	2,180
Texas	Ft Worth JRB	Administrative Fac, 8th MCD, Ft Worth, TX	4,488
Texas	San Antonio	Construct Regional Medical Fac - Navy Share	48,991
Virginia	NS Norfolk	Aircraft Maintenance Hangar, Increment 1	28,857
Virginia	NS Norfolk	NWDC Administrative Facility	28,427
Worldwide	Various Unspecified	Navy BRAC - Planning and Design	40,000
Worldwide	Various Unspecified	Navy BRAC V Environmental Activities	6,483
Worldwide	Various Unspecified	Navy BRAC V Operations and Maintenance	124,415
Worldwide	Various Unspecified	Navy BRAC V Other Services/Procurement (IT, comm, equipment)	0
Navy BRAC V Program Total:			689,589

Air Force BRAC V Program for Fiscal Year 2007

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Alaska	Elmendorf AFB	Replicate C-17 Engine Shop	\$3,500
Alaska	Elmendorf AFB	Replicate C-17 Parking Apron	\$14,800
Alaska	Elmendorf AFB	Construct Infrastructure & Utilities	\$30,000
Arkansas	Fort Smith AGS	A-10 Munitions Load Crew Training Facility	\$2,850
Arkansas	Fort Smith AGS	A-10 Consolidated 2-Bay Corr/Fuel Cell	\$7,000
Arkansas	Little Rock AFB	C-130 Flight Simulator Facility	\$4,250

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Arkansas	Little Rock AFB	HQ Wing Facility	\$7,400
Arkansas	Little Rock AFB	C-130J 1-Bay Corrosion Control Hangar	\$12,400
Arkansas	Little Rock AFB	C-130 Squadron Operations/AMU	\$12,800
California	Vandenberg AFB	Construct Satellite Control Facility (AFSPC)	\$34,000
Florida	Homestead ARS	Add/Alter Squadron Operations/AMXS (AFR)	\$3,800
Florida	Homestead ARS	Add Weapons Release Shop (AFR)	\$2,350
Florida	MacDill AFB	Training Facility (AFR)	\$7,200
Florida	MacDill AFB	Add/Alter Aerial Port Squadron Training (AFR)	\$1,700
Florida	MacDill AFB	Add/Alter Bldg 6 for Squad Ops/AMU	\$16,500
Georgia	Moody AFB	Weapons Release Shop (A-10)	\$3,850
Georgia	Moody AFB	Fuel Cell Hangar, 2Bay (A-10)	\$7,700
Georgia	Moody AFB	A-10 Engine Trim Pad	\$1,650
Georgia	Robins AFB	Relocate 202 EIS Vehicle Maint Complex	\$880
Louisiana	Barksdale AFB	Add/Alt Squadron Ops/Life Support (AFRC)	\$1,833
Louisiana	Barksdale AFB	Aircraft Maintenance Squadron (AFR)	\$1,645
Massachusetts	Barnes AGS	Install Aircraft Arresting Systems	\$780
Massachusetts	Barnes AGS	Add/Alter Squadron Operations Facility	\$4,700
Massachusetts	Barnes AGS	Upgrade F-15 Parking Apron	\$1,600
Massachusetts	Barnes AGS	Add/Alter Aircraft Maintenance Hangar	\$1,300
Massachusetts	Barnes AGS	Add/Alter Fuel Cell/Corrosion Control Hangar	\$5,600
Massachusetts	Barnes AGS	Add/Alter Engine Shop-Building 20	\$830
Mississippi	Columbus AFB	Add/Alter Flight Simulator B268	\$2,000
Mississippi	Columbus AFB	IFF Squadron Operations Facility	\$2,700
Mississippi	Columbus AFB	Unaccompanied Officer's Quarters	\$7,700
Mississippi	Columbus AFB	Add/Alter Supt Operations B236	\$1,550
Mississippi	Columbus AFB	Expand Compressed Air (CASS) System	\$830
Missouri	Whiteman AFB	Squadron Operations/Life Support (AFR)	\$8,100
Missouri	Whiteman AFB	Construct Munitions Igloos (AFR)	\$1,350
Missouri	Whiteman AFB	Conventional Munitions Maintenance (AFR)	\$1,850
Montana	Great Falls AGS	Squadron Operations (ANG)	\$8,500
Montana	Great Falls AGS	Upgrade Avionics & ECM (ANG)	\$1,150
Montana	Great Falls AGS	Add/Alter Weapons & Release Shop (ANG)	\$1,900
Montana	Great Falls AGS	Add/Alter ASE Shop (ANG)	\$2,550
Nevada	Nellis AFB	Aircraft Operations Facilities	\$25,000
Nevada	Nellis AFB	Flight Simulator Facility	\$10,600
Nevada	Nellis AFB	Aircraft Maintenance Shop Facilities	\$9,900
Nevada	Nellis AFB	Aircraft Maintenance Complex	\$13,200
Nevada	Nellis AFB	Construct Training Facility (AFR)	\$10,800
North Carolina	Seymour Johnson	F-100 Propulsion Shop	\$4,090
North Carolina	Seymour Johnson	Add/Alter Squad Ops & AMU (AFR)	\$9,600
North Carolina	Seymour Johnson	Add/Alter Maintenance Shops (AFR)	\$1,100
North Carolina	Seymour Johnson	Flight Simulator (AFR)	\$3,500
North Carolina	Seymour Johnson	Corrosion Control Hangar (AFR)	\$9,400
North Carolina	Seymour Johnson	Add to KC-135 Parts Store, Bldg 4810 (AFR)	\$1,000
Ohio	Wright-Patterson	Facilities Infrastructure Upgrade	\$19,000
Oklahoma	Tinker AFB	Expand Fuel Hydrant System (AFR)	\$1,800
Oklahoma	Vance AFB	Add/Alter Survival Equipment Shop	\$877
Oklahoma	Vance AFB	Squadron Facilities	\$4,530
Oklahoma	Vance AFB	Add/Alter Aircraft Parking Apron	\$7,540
Oklahoma	Vance AFB	IFF No-Drop Range	\$2,750
Oklahoma	Vance AFB	Renovate Simulator Facility 672	\$1,820
Oklahoma	Will Rogers AGS	Air Traffic Relocation	\$4,600
Texas	Carswell ARS	Add/Alter Squadron Operations (AFR)	\$2,900
Texas	Carswell ARS	Add Munitions Maintenance (AFR)	\$780

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Texas	Carswell ARS	Add/Alter Aircraft Maintenance Squadron (AFR)	\$2,350
Texas	Carswell ARS	Add Weapons Release Shop (AFR)	\$2,350
Texas	Lackland AFB	Medical Administrative Center	\$13,800
Texas	Lackland AFB	Intelligence Operations Center	\$14,200
Texas	Laughlin AFB	Add/Alter Aircraft Parking Apron	\$4,550
Texas	Laughlin AFB	Add/Alter Student Training Complex	\$3,150
Texas	Laughlin AFB	Add/Alter Simulator Facility	\$1,050
Texas	Laughlin AFB	Construct 55 Person UOQ	\$9,200
Texas	Laughlin AFB	Add/Alter Egress Shop	\$900
Texas	Laughlin AFB	Add/Alter Aircraft Weather Shelter	\$2,000
Texas	Laughlin AFB	Add/Alter NDI Shop	\$1,100
Texas	Laughlin AFB	Construct No-Drop Bomb Range- Acquire Land	\$3,500
Texas	Randolph AFB	Renovate Hangar 6 MX Shop Relocation (IFF)	\$2,894
Texas	Randolph AFB, TX	Add/Alter Bldg 738 for IFF Sims	\$1,460
Virginia	Langley AFB, VA	Logistics Support Center	\$13,200
Virginia	Langley AFB, VA	Alter Alert Facility	\$2,450
Worldwide	Various Unspecified	AF BRAC - Planning and Design	\$34,414
Worldwide	Various Unspecified	AF BRAC - Unspecified Minor Construction	\$18,361
Worldwide	Various Unspecified	Air Force BRAC V Environmental Activities	1,965
Worldwide	Various Unspecified	Air Force BRAC V Operations and Maintenance	241,877
Worldwide	Various Unspecified	Air Force BRAC V Military Personnel PCS	22,459
Worldwide	Various Unspecified	Air Force BRAC V Other Services/Procurement (IT, comm, equipment)	126,062
Worldwide	Various Unspecified	Air Force BRAC V Homeowners Assistance Program	5,763
Air Force BRAC V Program Total:			906,940

Defense Agencies BRAC V Program for Fiscal Year 2007

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Georgia	DDD Warner Robins	DLA - General Purpose Warehouse	24,200
Pennsylvania	DDD New Cumberland	DLA - General Purpose Warehouse	38,350
Worldwide	Various Unspecified	DLA BRAC V - Planning and Design	6,080
Worldwide	Various Unspecified	DISA BRAC V Planning and Design	140
Worldwide	Various Unspecified	TMA BRAC V Planning and Design	244
Virginia	Fort Belvoir	NGA Site Development Campus	94,400
Virginia	Fort Belvoir	NGA Access Roads Improvement	12,800
Worldwide	Various Unspecified	NGA BRAC V Planning and Design	15,000
Worldwide	Various Unspecified	CIFA BRAC V Planning and Design	2,883
Worldwide	Various Unspecified	AFIS BRAC V Planning and Design	5,819
Worldwide	Various Unspecified	DTRA BRAC V Planning and Design	2,977
Virginia	Fort Belvoir	DOD IG Administration Facility	13,222
Virginia	Fort Belvoir	DHRA BRAC V Planning & Design Admin Fac	8,313

<u>State</u>	<u>Installation</u>	<u>Project Title</u>	<u>Amount</u>
Worldwide	Various Unspecified	DTSA BRAC V Planning and Design	2,404
Worldwide	Various Unspecified	DODEA BRAC V Planning and Design	1,734
Ohio	DSD Columbus	DODEA Convert Industrial Space to Admin Space	1,780
Worldwide	Various Unspecified	WHS BRAC V Planning and Design	89,467
Worldwide	Various Unspecified	Defense Agencies Environmental Activities	2,191
Worldwide	Various Unspecified	Defense Agencies Operations & Maintenance	84,169
Worldwide	Various Unspecified	Defense Agencies Military Personnel PCS	40
Worldwide	Various Unspecified	Defense Agencies BRAC V Other Services/Procurement (IT, comm, equipment)	14,516
Worldwide	Various Unspecified	Defense Agencies Homeowners Assistance Program	730
Defense Agencies BRAC V Program Total:			421,459

Department of Defense BRAC V Program for Fiscal Year 2007 5,626,222

Recognition of Representative Joel Hefley upon his retirement from the House of Representatives (sec. 2002)

The conferees agree to include a provision that would recognize and commend the accomplishments of Representative Joel Hefley for 20 years of public service to the people of Colorado, members of the Armed Forces and their families, and the United States.

TITLE XXI-ARMY

Budget Item

Overview

The budget request included \$2,059.8 million for military construction and \$1,271.8 million for family housing for the Army in fiscal year 2007.

The House bill would authorize appropriations of \$2,135.6 million for military construction and \$1,253.4 million for family housing.

The Senate amendment would authorize appropriations of \$2,180.8 million for military construction and \$1,271.8 million for family housing.

The conferees agree to authorize appropriations of \$2,264.0 million for military construction and \$1,254.4 million for family housing for the Army in fiscal year 2007.

The conferees agree to decrease the authorization of appropriations for military construction for the Army by \$31.0 million for a project to acquire a temporary administrative facility at Fort Belvoir, Virginia. The conferees acknowledge that the substantial annual cost to lease the facility could be avoided by the acquisition of the building. Therefore, the conferees direct the Secretary of the Army to review the administrative space requirements for Fort Belvoir related to the 2005 Defense Base Closure and Realignment (BRAC) round. If the Secretary determines that this temporary building will be used to satisfy BRAC requirements, the conferees direct the Secretary to carry out the acquisition of the facility in fiscal year 2007 with funds authorized for BRAC activities, consistent with BRAC statutes.

The conferees agree to decrease the authorization of appropriations for military construction for the Army by \$15.4 million for two projects to construct barracks at Camp Humphreys, Republic of Korea due to a favorable bid climate in the country.

The conferees agree to decrease the authorization of appropriations for Army housing construction improvements by \$16.2 million for a project to privatize housing at Fort McNair, Washington, D.C. The conferees note that the Secretary has

decided that the best course of action to restore the houses to an adequate condition is to use military construction funds to renovate 18 historic houses. The conferees are concerned that the current cost estimates to restore these houses to an acceptable condition meeting historical preservation requirements exceeds \$1.0 million per house. At a time when the Army is struggling to budget funds for the recapitalization and sustainment of critical mission facilities and infrastructure, the conferees do not support the current estimated costs for these units. Understanding the need to perform critical repairs for the safety and security of the housing occupants, the conferees direct the Secretary to reassess the costs and proposed renovation or replacement actions to be carried out to these houses, and to include in the budget request for fiscal year 2008 an amount that will allow the Army to carry out minimum essential repairs required to ensure adequate living conditions.

The conferees agree to decrease the authorization of appropriations for Army housing maintenance by \$1.2 million for a project to repair a housing unit at Stuttgart, Germany, and direct that the Secretary consider a burden-sharing agreement with the host nation to complete the repair of this facility.

Legislative Provisions Adopted

Authorized Army construction and land acquisition projects (sec. 2101)

The House bill contained a provision (sec. 2101) that would authorize Army military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2101).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2102)

The House bill contained a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2102).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this

conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize improvements to existing units of Army family housing in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2103).

The conference agreement includes this provision.

Authorization of appropriations, Army (sec. 2104)

The House bill contained a provision (sec. 2104) that would authorize specific appropriations for each line item contained in the Army's military construction budget in fiscal year 2007. The provision would also provide an overall limit on the amount the Army is authorized to spend on military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2104).

The conference agreement includes this provision.

Items of Special Interest

Impact of 2005 Defense Base Closure and Realignment decisions to the transportation infrastructure in Northern Virginia

The conferees note that the decisions of the 2005 Defense Base Closure and Realignment (BRAC) round will have a significant impact on the transportation infrastructure and national highway system in Northern Virginia supporting Fort Belvoir and Marine Corps Base Quantico. These impacts, if not studied and addressed through a long-term investment strategy, have the potential to adversely affect timely access to these two critical military installations, as well as the quality of life for military members and their families on the installations and in the local communities.

The conferees acknowledge that the Department of the Army is currently studying the impact to the environment resulting from relocation of functions and personnel to Fort Belvoir and the former Engineering Proving Grounds in Fairfax County, Virginia. The conferees direct the Secretary of the Army to work with appropriate Federal, Commonwealth, and local agencies to ensure the draft and final environmental impact statements address the following factors:

- 1) a description of the demographic, population, and other planning assumptions used to determine traffic infrastructure requirements;
- 2) an analysis of the direct and indirect impact to the transportation infrastructure resulting from the BRAC decisions;
- 3) a description of the standards and methodologies for the traffic impact studies contained in the study; and
- 4) an assessment of specific traffic infrastructure improvements and new construction projects identified to mitigate the effects of the increase of personnel, and estimates of the costs to carry out the projects.

Request for data related to unaccompanied housing requirements in the Department of the Army

The conferees note that the Department of the Army is carrying out programs to transform its force structure and global presence within the next 5 years, which will result in the permanent relocation of over 100,000 unaccompanied soldiers among Army installations. Concurrently, the Department of the Army is in the process of implementing business plans to carry out the decisions of the 2005 Defense Base Closure and Realignment (BRAC) round. In the budget justification material accompanying the fiscal year 2007 budget request for BRAC 2005, the Army included an assessment that the military construction, environmental, and related requirements, currently identified by the Army to implement its BRAC recommendations, will cost \$5.7 billion more than the \$9.5 billion budgeted by the Department of Defense for the Army over the Future Years Defense Program. In subsequent testimony to Congress, Army officials estimated that the shortfall may be as high as \$8.0 billion.

In both BRAC and transformation initiatives, a major expense for the Army will be the construction of new unaccompanied housing facilities to support the relocation of military personnel. The conferees are concerned that the inadequate planning and scarce resources within the Department of the Army to carry out BRAC and transformation initiatives will result in too many unaccompanied junior enlisted personnel having to find adequate quarters off base due to a lack of adequate on-base facilities. The conferees recognize that local communities have limited resources to be able to accommodate the increase in demand for barracks-type housing at market rates commensurate with a military member's Basic Allowance for Housing. The conferees are concerned that this limited availability could force military personnel to seek housing at substantial distances from military bases, detrimentally affecting both readiness and their quality of life.

To address this substantial requirement to construct unaccompanied housing on military installations, the conferees note that Congress has granted authority to the Department of the

Army to enter into agreements with eligible entities to provide for the acquisition or construction of military unaccompanied housing units on or near military installations. Similar authorities have been used to dramatically improve the quality of family housing for military personnel across all services.

In the statement of managers accompanying the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), the conferees encouraged "the Secretary of the Army to consider the use of alternate authorities for the construction of unaccompanied housing in the development of plans for permanent facilities at installations planned for substantial increases in the number of unaccompanied personnel." The conferees acknowledge that the Department of the Army has initiated a project to acquire unaccompanied housing using alternative authorities at Fort Drum, New York. To date, no other similar projects have been initiated at other Army installations planned for a substantial population increase of military personnel.

In order to more accurately understand the Department of the Army's current status concerning the housing of unaccompanied personnel, the conferees direct the Secretary of the Army to submit to the congressional defense committees, not later than March 1, 2007, a report on the following:

(1) the current number of each rank of unaccompanied personnel living either on or off post at each major Army installation in the United States;

(2) the number of each rank of unaccompanied personnel projected to be living either on or off post at each major Army installation in the United States by 2011;

(3) a description of the Department of the Army's policy concerning the use of alternate authorities for the acquisition of unaccompanied housing; and

(4) an assessment by the Secretary of the Army of the costs, benefits, utility, and restrictions of using the alternate authorities to acquire unaccompanied housing.

TITLE XXII-NAVY

Budget Item

Overview

The budget request included \$1,162.0 million for military construction and \$814.2 million for family housing for the Navy in fiscal year 2007.

The House bill would authorize appropriations of \$1,219.9 million for military construction and \$818.1 million for family housing.

The Senate amendment would authorize appropriations of \$1,268.8 million for military construction and \$803.6 million for family housing.

The conferees agree to authorize appropriations of \$1,291.3 million for military construction and \$818.1 million for family housing for the Navy in fiscal year 2007.

The conferees agree to fully authorize the project to recapitalize Hangar 5 at Whidbey Island, Washington, but to decrease the authorization of appropriations for military construction for the Navy by \$31.2 million for this project. The conferees expect the Secretary of the Navy to carry out this project in fiscal year 2007 using incremental appropriations, as was initially proposed by the Department of the Navy during the preparation of the budget request for fiscal year 2007.

The conferees agree to decrease the authorization of appropriations for military construction for the Navy by \$1.4 million for a project to construct an addition to Hockmuth Hall, Marine Corps Base Quantico, Virginia due to an error in the amount included in the budget request for fiscal year 2007.

Legislative Provisions Adopted

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would authorize Navy military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2201).

The conference agreement includes this provision. The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Navy in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2202).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations

for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2203)

The House bill contained a provision (sec. 2203) that would authorize improvements to existing units of Navy family housing in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2203).

The conference agreement includes this provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize specific appropriations for each line item contained in the Navy's military construction budget in fiscal year 2007. The provision would also provide an overall limit on the amount the Navy is authorized to spend on military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2204).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2004, 2005, and 2006 projects (sec. 2205)

The House bill contained a provision (sec. 2205) that would amend section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136), as amended, and the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375), as amended, to consolidate into one project the authorities currently provided in two separate projects for the construction of an outlying landing field at Washington County, North Carolina.

The Senate amendment contained a provision (sec. 2205) that would amend section 2201 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163) to change project authorizations for Marine Corps Base, Camp Pendleton, California and Marine Corps Base, Quantico, Virginia.

The Senate recedes with an amendment that would change a project authorization for Marine Corps Base, Camp Pendleton, California.

TITLE XXIII-AIR FORCE

Budget Item

489.

Overview

The budget request included \$1,156.1 million for military construction and \$1,938.2 million for family housing for the Air Force in fiscal year 2007.

The House bill would authorize appropriations of \$1,233.7 million for military construction and \$1,924.2 million for family housing.

The Senate amendment would authorize appropriations of \$1,258.3 million for military construction and \$1,937.2 million for family housing.

The conferees agree to authorize appropriations of \$1,308.2 million for military construction and \$1,923.2 million for family housing for the Air Force in fiscal year 2007.

The conferees agree to decrease the authorization of appropriations for military construction for the Air Force by \$15.5 million for a project to construct a large vehicle inspection center and access road at Andersen Air Force Base, Guam due to the lack of a comprehensive masterplan that incorporates all proposed infrastructure and facility projects and investments required to support new missions in Guam, including the relocation of 7,000 U.S. Marines from Okinawa, Japan, to Guam.

The conferees agree to decrease the authorization of appropriations for military construction for the Air Force by \$9.3 million for a project to construct a dormitory at Kunsan Air Base, Republic of Korea due to a favorable bid climate in the country.

The conferees agree to decrease the authorization of appropriations for military construction for the Air Force by \$14.2 million for a project to construct a common battlefield airman training complex at an unspecified worldwide location due to concerns with the status of an environmental impact analysis.

The conferees agree to decrease the authorization of appropriations for military construction for the Air Force by \$26.0 million for a project to construct a Global Hawk aircraft maintenance and operations complex at Naval Base Sigonella, Italy because approval from the host nation to proceed with the project has not yet been received.

The conferees agree to decrease the authorization of appropriations for family housing military construction for the Air Force by \$1.0 million for a project to replace housing at Minot Air Force Base, North Dakota due to the cost efficiencies gained by the substantial scope of the project.

The conferees agree to decrease the authorization of appropriations for family housing military construction for the Air Force by \$14.0 million for a project to replace housing at Ramstein Air Base, Germany due to errors in the budget request for fiscal year 2007 in the calculation of supporting costs for the project.

The conferees agree to decrease the authorization of appropriations for military construction for the Air Force by \$8.5

million for planning and design due to excess amounts in the budget request for fiscal year 2007 identified by the Air Force, which would be available for other projects.

The conferees agree to change a project title for the Air Force at Cape Canaveral, Florida in the table entitled "Military Construction Authorizations for Fiscal Year 2006," as contained in the statement of managers accompanying the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), from "Satellite Processing Operations Support Facility" to "Satellite Alert Facility."

Legislative Provisions Adopted

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize Air Force military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2301).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2302).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize improvements to existing units of Air Force family housing in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2303).

The conference agreement includes this provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize specific appropriations for each line item contained in the Air Force's military construction budget in fiscal year 2007. The provision would also provide an overall limit on the amount the Air Force is authorized to spend on military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2304).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2006 project (sec. 2305)

The Senate amendment contained a provision (sec. 2305) that would amend section 2301 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163) to decrease a project authorization for MacDill Air Force Base, Florida.

The House bill contained no similar provision.

The House recesses.

Item of Special Interest

Military construction project for Phase 1 of a Basic Expeditionary Airman Skill Training Campus at Lackland Air Force Base, Texas

The conferees note that the Chief of Staff of the Air Force recently requested additional authorization for a "critical" military construction requirement not included in the President's budget request for fiscal year 2007. The conferees agree that the construction of Phase 1 of a Basic Expeditionary Airman Skill Training Campus at Lackland Air Force Base, Texas could significantly enhance the ability of the Air Force to deploy in expeditionary environments. The conferees note that the Secretary of the Air Force currently has authorities provided by Congress to address urgent, unforeseen military construction requirements. Section 2803 of title 10, United States Code, authorizes the Secretary concerned to carry out a military construction project not otherwise authorized by law if determined to be vital to the national security or to the protection of health, safety, or the quality of the environment and urgent enough not to wait for the next budget cycle.

Therefore, the conferees encourage the Secretary of the Air Force to use this authority to carry out this military

construction project, if the Secretary of the Air Force determines it is a critical requirement, using amounts from within the total authorization of appropriations for military construction for the Air Force included in this Act.

TITLE XXIV-DEFENSE AGENCIES

Budget Item

Overview

The budget request included \$1,339.2 million for military construction (including construction of chemical demilitarization facilities) and \$59.8 million for family housing for defense agencies in fiscal year 2007.

The House bill would authorize appropriations of \$1,283.1 million for military construction and \$59.8 million for family housing.

The Senate amendment would authorize appropriations of \$1,344.7 million for military construction and \$59.8 million for family housing.

The conferees agree to authorize appropriations of \$1,286.2 million for military construction and \$59.8 million for family housing for defense agencies in fiscal year 2007.

The conferees agree to decrease the authorization of appropriations for military construction for the TRICARE Management Agency by \$41.4 million for a project to replace the clinic at MacDill Air Force Base, Florida. The conferees agree to fully authorize the project and expect the Director of Health Affairs to carry out this project in fiscal year 2007 using incremental appropriations, as was initially proposed by the TRICARE Management Agency during the preparation of the budget request for fiscal year 2007.

The conferees agree to decrease the authorization of appropriations for military construction for the defense agencies by \$30.0 million for a project to construct increment 2 of a regional security operations center at Fort Gordon, Georgia due to delays in the award of the construction contract.

The conferees agree to decrease the authorization of appropriations for military construction for the defense agencies by \$4.5 million for the first phase of a project to upgrade utilities at the headquarters complex at Fort Meade, Maryland. The conferees support the requirement to upgrade the existing Supervisory Control and Data Acquisition system servers, workstations, and associated software to improve the energy control and management systems and encourage the Director of the National Security Agency to fund the improvements with appropriations provided for operation and maintenance.

Legislative Provisions Adopted

Authorized Defense Agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize Defense Agencies military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2401).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2402)

The House bill contained a provision (sec. 2402) that would authorize construction and planning and design of family housing units for defense agency activities in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2402).

The conference agreement includes this provision.

The amounts authorized are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorizations for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

Energy conservation projects (sec. 2403)

The House bill contained a provision (sec. 2403) that would authorize the Secretary of Defense to carry out energy conservation projects.

The Senate amendment contained a similar provision (sec. 2403).

The conference agreement includes this provision.

Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005 (sec. 2404)

The House bill contained a provision (sec. 2404) that would authorize the amount for base closure and realignment (BRAC) activities and projects in fiscal year 2007. The provision would also amend the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163) to authorize the

amount for BRAC activities and projects for fiscal year 2006.
The Senate amendment contained no similar provision.
The Senate recesses.

Authorization of appropriations, Defense Agencies (sec. 2405)

The House bill contained a provision (sec. 2405) that would authorize specific appropriations for each line item contained in the Defense Agencies' military construction budget in fiscal year 2007. The provision would also provide an overall limit on the amount the Defense Agencies are authorized to spend on military construction projects in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2404).

The conference agreement includes this provision.

Modification of authority to carry out certain fiscal year 2006 project (sec. 2406)

The House bill contained a provision (sec. 2406) that would amend the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163) to increase project authorizations for the National Security Agency for Augusta, Georgia; Kunia, Hawaii; and Menwith Hill, United Kingdom.

The Senate amendment contained a similar provision (sec. 2405).

The House recesses with an amendment that would increase the project authorization for the National Security Agency for Menwith Hill, United Kingdom.

The conferees note that the project authorizations for the National Security Agency for Augusta, Georgia and Kunia, Hawaii were amended by sections 7016 and 7017 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

TITLE XXV-NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Budget Item

Overview

The budget request included \$221.0 million for the North Atlantic Treaty Organization Security Investment program.

The House bill would authorize appropriations of \$201.0 million, a decrease of \$20.0 million.

The Senate amendment would authorize appropriations of \$206.0 million, a decrease of \$15.0 million.

The conferees agree to authorize appropriations of \$201.0 million, a decrease of \$20.0 million.

Legislative Provisions Adopted

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment program in an amount equal to the sum of the amount specifically authorized elsewhere in this conference report, and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate amendment contained an identical provision (sec. 2501).

The conference agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriation of \$200.9 million for the U.S. contribution to the North Atlantic Treaty Organization Security Investment program.

The Senate amendment contained a similar provision (sec. 2502)

The Senate recesses.

TITLE XXVI-GUARD AND RESERVE FORCES FACILITIES

Budget Item

Overview

The budget request included \$858.8 million for military construction for National Guard and reserve facilities in fiscal year 2007.

The House bill would authorize appropriations of \$1,012.7 million.

The Senate amendment would authorize appropriations of \$1,052.9 million.

The conferees agree to authorize appropriations of \$1,153.1 million for National Guard and reserve facilities in fiscal year 2007, as set forth in the following table:

<u>Reserve Component</u>	<u>\$ (millions)</u>
Army National Guard	561.4
Air National Guard	294.3
Army Reserve	190.6
Naval and Marine Corps Reserve	50.0
Air Force Reserve	56.8
Total	1,153.1

The conferees agree to decrease the authorization of appropriations for military construction for the Naval and Marine Corps Reserve by \$5.2 million for a project to relocate a reserve center at Camp Lejeune, North Carolina due to a notification received by the Secretary of the Navy that the project is no longer required.

Legislative Provision Adopted

Authorized Guard and Reserve construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would authorize appropriations for military construction for the Guard and reserve components in fiscal year 2007.

The Senate amendment contained a similar provision (sec. 2601).

The conference agreement includes this provision.

A State list of projects contained in the table at the beginning of Division B of this conference report entitled "Military Construction Authorization for Fiscal Year 2007" provides the binding list of specific construction projects authorized at each location.

TITLE XXVII-EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Legislative Provisions Adopted

Expiration of authorizations and amounts required to be specified by law (sec. 2701)

The House bill contained a provision (sec. 2701) that would provide that authorizations for military construction projects,

repair of real property, land acquisition, family housing projects and facilities, contributions to the North Atlantic Treaty Organization Security Investment program, and National Guard and reserve projects will expire on October 1, 2009, or the date of enactment of an act authorizing funds for military construction for fiscal year 2010, whichever is later. This requirement would not apply to funds obligated prior to the expiration date.

The Senate amendment contained an identical provision (sec. 2701).

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 2004 projects (sec. 2702)

The Senate amendment contained a provision (sec. 2702) that would provide for the extension of authorizations of certain fiscal year 2004 military construction projects until October 1, 2007, or the date of enactment of an act authorizing funds for military construction for fiscal year 2008, whichever is later.

The House bill contained no similar provision.

The House recedes with an amendment that would delete certain projects for which the military department concerned has notified the conferees that the extension is no longer required.

Extension of authorizations of certain fiscal year 2003 projects (sec. 2703)

The Senate amendment contained a provision (sec. 2703) that would provide for the extension of authorizations of certain fiscal year 2003 military construction projects until October 1, 2007, or the date of enactment of an act authorizing funds for military construction for fiscal year 2008, whichever is later.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Effective date (sec. 2704)

The House bill contained a provision (sec. 2702) that would provide that titles XXI, XXII, XXIII, XXIV, XXV, and XXVI of this Act shall take effect on October 1, 2006, or the date of enactment of this Act, whichever is later.

The Senate amendment contained an identical provision (sec. 2704).

The conference agreement includes this provision.

TITLE XXVIII-MILITARY CONSTRUCTION GENERAL PROVISIONS

Items of Special Interest

Incremental funding of military construction projects

The conferees note that, in a memo dated January 10, 2006, the Associate Director of National Security Programs in the Office of Management and Budget (OMB) provided guidance to the Under Secretary of Defense (Comptroller) and Chief Financial Officer about requests for incremental funding of military construction projects. OMB has stated the intent to limit incremental funding of military construction projects to an exceptional practice, as intended by OMB Circular A-11. This guidance represents a change in policy for the budgeting of certain military construction projects.

The conferees acknowledge that requesting full funding to ensure a military construction project results in a complete and useable facility, or useable improvement to an existing facility, should be the preferred practice consistent with law and current policy to ensure an accurate accounting of all obligations incurred by the Federal Government. The conferees also acknowledge that, for certain military construction projects estimated to exceed \$50.0 million and where the construction period is planned to exceed 2 years, Congress has supported the use of incremental funding to address the fact that not all military construction funds appropriated by Congress for a project will be expended in the first year. In these cases, the Department of Defense has had the option of requesting only those appropriated amounts expected to be expended in the budget year, and notifying potential contractors that the project's completion is subject to subsequent appropriations. This option then allows the Department to address additional military requirements in the military construction budget request; and accelerating the completion of critical projects for military readiness, operations, and service members' quality of life. Because of the efficiencies gained by this method, the conferees' agreement includes the use of incremental funding not proposed in the budget request for certain military construction projects.

The conferees also note that the Department has requested incremental funding for single military construction projects that will construct multiple complete and useable facilities. The conferees are concerned that this practice will encourage the bundling of facility requirements into very large contracts, thereby curtailing contractor competition. Therefore, the conferees encourage the Department to avoid the use of incremental funding requests for projects with multiple complete and useable facilities, except in cases where operational requirements dictate a compelling need for facilities.

Updating foreign currency fluctuation adjustment for certain military family housing leases in Korea

The conferees note that section 2801 of the National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) amended section 2828 of title 10, United States Code, to authorize the Secretaries of military departments to lease an additional 2,800 family housing units in Korea at a maximum amount of \$35,000 per unit per year. This authority was in addition to existing authority to lease a certain number of family housing units at \$25,000 per unit per year, which was provided by Congress in 1987. Both authorities include a statutory requirement in section 2828 to adjust the maximum amounts annually to account for foreign currency fluctuation and changes to the consumer price index.

Congress clearly intended that section 2801 provide the Secretary concerned permanent authority to lease a certain number of family housing units in Korea at a greater maximum amount that was then currently authorized by statute. Therefore, any adjustments for foreign currency fluctuation and the consumer price index to maximum lease amounts should reflect this intent.

As such, the conferees direct the Secretary of a military department, in making adjustments required by paragraph (5) (B) of section 2828(e), to the maximum lease amount provided in paragraph (4) of such section for up to 2,800 units of family housing in Korea subject to a maximum lease amount of \$35,000 per unit per year, to base such adjustments on the same beginning date specified in law for adjustments required by paragraph (5) (A) of such section.

Subtitle A-Military Construction Program and Military Family Housing Changes

Legislative Provisions Adopted

Increase in maximum annual amount authorized to be obligated for emergency military construction (sec. 2801)

The House bill contained a provision (sec. 2801) that would amend section 2803 of title 10, United States Code, to increase from \$45.0 million to \$60.0 million the maximum amount of funds the Secretary of each military department may annually obligate using emergency construction authorities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would increase from \$45.0 million to \$50.0 million the maximum amount of funds the Secretary concerned may annually obligate using emergency construction authorities.

One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States (sec. 2802)

The House bill contained a provision (sec. 2810) that would extend through 2007 the authority provided by section 2808 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), which permits the Secretary of Defense to utilize operation and maintenance funds to construct facilities necessary for temporary operational requirements related to a declaration of war, national emergency, or contingency.

The Senate amendment contained a similar provision (sec. 2801) that would extend the authority by 3 years.

The Senate recedes.

Repeal of requirement to determine availability of suitable alternative housing for acquisition in lieu of construction of new family housing (sec. 2803)

The Senate amendment contained a provision (sec. 2808) that would repeal section 2823 of title 10, United States Code, which requires the Secretaries of military departments to consult with the Secretary of Housing and Urban Development on the availability of suitable alternate housing before entering into contracts to construct authorized family housing units in the United States.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Authority to continue to occupy leased family housing for United States Southern Command personnel (sec. 2804)

The Senate amendment contained a provision (sec. 2816) that would provide temporary authority to the Secretary of the Army to manage the occupancy of housing units leased under the authority of section 2828(b)(4) of title 10, United States Code, in a manner consistent with Army housing policy as it relates to allowing the family members of a member of the armed forces deployed overseas on an unaccompanied tour to continue to occupy military housing.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Consideration of alternative and more efficient uses for general officer and flag officer quarters in excess of 6,000 square feet (sec. 2805)

The House bill contained a provision (sec. 2808) that would amend section 2831 of title 10, United States Code, to require the Secretary of Defense to identify and consider alternative uses for general and flag officer housing units that exceed 6,000 square feet.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Modification of notification requirements related to cost variation authority (sec. 2806)

The Senate amendment contained a provision (sec. 2803) that would amend section 2853(c) of title 10, United States Code, to modify the requirement for the Secretary of a military department to notify the congressional defense committees of a variation in the cost of a military construction contract.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Consideration of local comparability of floor areas in construction, acquisition, and improvement to military unaccompanied housing (sec. 2807)

The House bill contained a provision (sec. 2802) that would amend section 2826 of title 10, United States Code, to require the Secretary concerned to ensure that floor areas in unaccompanied housing be built to standards consistent with local private construction.

The Senate amendment contained a similar provision (sec. 2804)

The House recesses with a technical amendment.

The conferees encourage the Secretary of the Navy to implement, for the future construction, acquisition, and improvement of military unaccompanied housing, a policy which provides a consistent floor area standard between the Navy and the Marine Corps, and which does not exceed the floor areas of similar local private housing.

Certification required for military construction projects for facilities designed to provide training in urban operations (sec. 2808)

The Senate amendment contained a provision (sec. 2811) that would restrict the obligation of funds for military construction projects that would provide training in urban operations, including urban assault courses, range complexes, shoot houses, and combined arms training facilities, beginning in fiscal year 2007, until the Under Secretary of Defense for Personnel and Readiness certifies to the congressional defense committees that the Department of Defense has developed a training strategy and assessed the project against that strategy.

The House bill contained no similar provision.

The House recesses with an amendment that would allow the Secretary of Defense to obligate funds for such projects, if carried out under specific emergency authorities identified in this section.

Authority to carry out military construction projects in connection with industrial facility investment program (sec. 2809)

The Senate amendment contained a provision (sec. 2802) that would authorize the Secretary of Defense to carry out a military construction project not previously authorized, using funds appropriated or otherwise made available for that purpose, to carry out activities to reengineer industrial processes in support of the goals of section 2474(a)(2) of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that this section authorizes the Secretary to include in the annual budget request for military construction an unspecified authorization for an amount to be used for projects not otherwise authorized, similar to the Energy Conservation Investment Program. The conferees expect that projects submitted by the services, which meet guidelines established for process improvements in industrial facilities, will compete for funding based on an assessment of their value and rate of economic return. The conferees intend for this authority to be used by the Secretary to encourage investment in process improvements to enhance the performance of the Department's equipment maintenance facilities.

Repeal of special requirement for military construction contracts on Guam (sec. 2810)

The House bill contained a provision (sec. 2804) that would repeal section 2864 of title 10, United States Code, which places special limitations on military construction contracts in Guam.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees note that while the Davis-Bacon law is not applicable to military construction projects in Guam, in general, federal labor laws, including the Fair Labor Standards Act and the federal minimum wage, do apply in Guam. The conferees expect the military departments, the government of Guam, the U.S. Commissioner of Immigration and Naturalization, and other federal entities as appropriate, to ensure that non-immigrant alien workers who perform construction work for the Department of Defense in Guam are treated fairly and in accordance with applicable law.

Temporary expansion of authority to convey property at military installations to support military construction (sec. 2811)

The House bill contained a provision (sec. 2806) that would amend section 2869 of title 10, United States Code, to authorize

the Secretaries of the military departments to exchange excess property at any military installation for construction projects, land, housing, or to support agreements to limit encroachments under section 2684a of title 10, United States Code.

The Senate amendment contained a provision (sec. 2807) that would repeal section 2869 to authorize the Secretary of a military department to transfer property at military installations that have been closed or are subject to closure to persons who, in exchange, construct or provide family housing, unaccompanied housing, and military construction activities.

The Senate recedes with an amendment that would establish an expiration date of September 30, 2008, to the authority granted to the Secretaries of the military departments to exchange real property, deemed excess to the requirements of the Department of Defense, in return for the construction of new facilities.

Pilot projects for acquisition or construction of military unaccompanied housing (sec. 2812)

The House bill contained a provision (sec. 2807) that would amend section 2881a of title 10, United States Code, to reduce notification and wait periods required before the Secretary of the Navy may enter into a contract for the privatization of unaccompanied housing using the authorities in section 2881a. The provision would also extend from September 30, 2007, to September 30, 2011, the expiration of the pilot authority in section 2881a and increase the number of pilot projects authorized from three to six.

The Senate amendment contained a provision (sec. 2810) that would amend section 2881a to extend the expiration date of the authorization for the pilot projects for unaccompanied housing privatization from September 30, 2007, to September 30, 2009.

The House recedes.

Subtitle B-Real Property and Facilities Administration

Congressional notice requirements, in advance of acquisition of land by condemnation for military purposes (sec. 2821)

The House bill contained a provision (sec. 2825) that would express the sense of Congress that the Secretary of Defense, when acquiring land for military purposes, should make every effort to do so by purchases from willing sellers, and that the use of condemnation, eminent domain, or seizure procedures should only be employed as a matter of last resort in cases of compelling national security requirements. The provision would also amend section 2663 of title 10, United States Code, to require prior

notification to Congress before the Secretary of Defense may begin condemnation, eminent domain, or seizure procedures to acquire property.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would clarify the reporting requirement. The amendment would also authorize the Secretary of a military department, in cases where the requirement is vital to national security or where any delay would be detrimental to life, health, or safety, to begin legal proceedings to acquire any interest in land through the use of condemnation, eminent domain, or seizure procedures prior to congressional notification. In such cases, the Secretary concerned would be required to notify the congressional defense committees within 7 days of the commencement of legal proceedings.

Consolidation of Department of Defense authorities regarding granting of easements for rights-of-way (sec. 2822)

The House bill contained a provision (sec. 2821) that would amend section 2668 of title 10, United States Code, to consolidate and make technical corrections to authorities available to the Secretaries of the military departments to grant real property easements.

The Senate amendment contained a similar provision (sec. 2821).

The Senate recesses.

Authority to grant restrictive easements for conservation purposes in connection with land conveyances (sec. 2823)

The House bill contained a provision (sec. 2822) that would authorize the Secretaries of the military departments to grant restrictive easements for conservation purposes to State or local governments, or qualified organizations, in connection with the conveyance of real property.

The Senate amendment contained a similar provision (sec. 2822).

The Senate recesses with a clarifying amendment that would limit the granting of such restrictive easements unless the proposed recipient of the easement consents to the receipt of the easement.

Maximum term of leases for structures and real property relating to structures in foreign countries needed for purposes other than family housing (sec. 2824)

The House bill contained a provision (sec. 2823) that would amend section 2675 of title 10, United States Code, to increase

from 5 years to 10 years the maximum time period authorized for the lease of a structure required for a military purpose other than family housing in a foreign country.

The Senate amendment contained a similar provision (sec. 2826).

The Senate recesses.

Consolidation of laws relating to transfer of Department of Defense real property within the Department of Defense and to other Federal agencies (sec. 2825)

The House bill contained a provision (sec. 2824) that would amend section 2696 of title 10, United States Code, to consolidate and clarify the requirement for the Secretary of Defense to screen for use by the Department of Defense or other Federal agencies proposed transfers or conveyances of real property currently deeded to the Department.

The Senate amendment contained a similar provision (sec. 2823).

The Senate recesses with a technical amendment.

Defense access road program (sec. 2826)

The House bill contained a provision (sec. 2826) that would amend section 2837 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163) to add the consideration of transit systems to the requirement for the Secretary of Defense to conduct a study of the impact to local transportation infrastructure around military installations affected by significant personnel realignments.

The Senate amendment contained no similar provision.

The Senate recesses with a technical amendment.

Reports on Army operational ranges (sec. 2827)

The Senate amendment contained a provision (sec. 2828) that would require the Secretary of the Army to submit a report to the congressional defense committees not later than November 30, 2006, containing an analysis of any potential expansion of the Pinon Canyon Maneuver Site, Fort Carson, Colorado. The provision would also restrict the Secretary from carrying out any actions related to the expansion of the site until after 30 days of receipt of the report by the congressional defense committees. The provision would also require the Secretary to submit a report to the congressional defense committees not later than February 1, 2007, containing an assessment of training ranges operated by the Army to support major training units. The House bill contained no similar provision.

The House recesses with a technical amendment. The conferees agree to require the Secretary to include other types of Army operational ranges in the report.

Subtitle C-Base Closure and Realignment

Modification of deposit requirements in connection with lease proceeds received at military installations approved for closure or realignment after January 1, 2005 (sec. 2831)

The House bill contained a provision (sec. 2831) that would amend section 2667 of title 10, United States Code, to authorize the Secretary of Defense to deposit into the appropriate base closure and realignment account lease proceeds received at a military installation closed or realigned by the 2005 Defense Base Closure and Realignment round.

The Senate amendment contained a similar provision (sec. 2833).

The House recesses with a clarifying amendment.

Report on Air Force and Air National Guard bases affected by 2005 round of defense base closure and Realignment (sec. 2832)

The Senate amendment contained a provision (sec. 2834) that would require the Secretary of the Air Force to submit to the congressional defense committees a report not later than January 1, 2007, on planning by the Department of the Air Force for future roles and missions for each Air Force and Air National Guard installation affected by the 2005 Defense Base Closure and Realignment process.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Subtitle D-Land Conveyances

Conveyance of easement, Pine Bluff Arsenal, Arkansas (sec. 2841)

The conferees agree to include a provision that would authorize the Secretary of the Army to convey, without consideration, to Jefferson County, Arkansas an easement over approximately 38.18 acres of property adjacent to Pine Bluff Arsenal, Arkansas for the purpose of permitting the county to construct, maintain, and operate a railroad on the property encumbered by the easement. The provision would require the Secretary to determine that the conveyance, and the subsequent use of the easement by the county, would not adversely impact the mission of Pine Bluff Arsenal.

Modification of land transfer authority, Potomac Annex, District of Columbia (sec. 2842)

The Senate amendment contained a provision (sec. 2827) that would amend section 2831 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201) to authorize the Secretary of the Navy to convey, without consideration other than certain reimbursement requirements, to the United States Institute of Peace administrative jurisdiction over one acre and two buildings located thereon, known as building 6 and building 7, in addition to the 3 acres originally authorized.

The House bill contained no similar amendment.

The House recedes with a technical amendment.

Land conveyance, Naval Air Station, Barbers Point, Hawaii (sec. 2843)

The House bill contained a provision (sec. 2841) that would direct the Secretary of the Navy, not later than September 30, 2008, to dispose of approximately 499 acres at the former Naval Air Station Barbers Point, Hawaii that are subject to the Ford Island Master Development Agreement for the purpose of promoting the beneficial development of the real property.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the action required to be completed by the Secretary by September 30, 2008.

The conferees note the concurrence of the Secretary of the Navy with this directive provision. The conferees also acknowledge the special circumstances surrounding this parcel of land and reaffirm a commitment to minimize the use of legislation to direct the Secretaries of the military departments to dispose of land under their jurisdiction.

Land conveyances, Omaha, Nebraska (sec. 2844)

The Senate amendment contained a provision (sec. 2843) that would authorize the Secretaries of the Army and the Navy to convey to the Metropolitan Community College area four parcels of property consisting of approximately 12 acres currently under the control of the Army and Navy Reserve at the Fort Omaha campus of the College in Omaha, Nebraska for educational purposes.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Hopkinton, New Hampshire (sec. 2845)

The Senate amendment contained a provision (sec. 2854) that would authorize the Secretary of the Army to convey to the Town of Hopkinton, New Hampshire a parcel of property consisting of approximately 90 acres known as Kast Hill for the purpose of permitting the town to use the existing sand and gravel resources on the property and to ensure perpetual conservation of the property.

The House bill contained no similar provision.

The House recesses.

Land conveyance, North Hills Army Reserve Center, Allison Park, Pennsylvania (sec. 2846)

The House bill contained a provision (sec. 2844) that would authorize the Secretary of the Army to convey to the North Allegheny School District a parcel of property consisting of approximately 11 acres and containing the North Hills Army Reserve Center in Allison Park, Pennsylvania for the purpose of permitting the school district to use the property for educational and recreational purposes and for related parking facilities.

The Senate amendment contained no similar provision.

The Senate recesses.

Transfer of jurisdiction, Fort Jackson, South Carolina (sec. 2847)

The conferees agree to include a provision that would authorize the Secretary of the Army to transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property consisting of approximately 600 acres at Fort Jackson, South Carolina for the purpose of permitting the Secretary of Veterans Affairs to establish a national cemetery on the property.

Sense of Congress regarding land conveyance involving Army Reserve Center, Marshall, Texas (sec. 2848)

The House bill contained a provision (sec. 2846) that would express the sense of Congress that the Secretary of the Army should consider the feasibility of conveying an Army Reserve Center in Marshall, Texas to the Marshall-Harrison County Veterans Association for the purpose of assisting in the erection of a veteran's memorial, the creation of a park, and the establishment of a museum honoring the sacrifices and accomplishments of the veterans of the armed forces.

The Senate amendment contained no similar provision.

The Senate recesses.

Modifications to land conveyance authority, Engineering Proving Grounds, Fort Belvoir, Virginia (sec. 2849)

The House bill contained a provision (sec. 2845) that would amend section 2836 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107) to authorize the Secretary of the Army to carry out an alternate agreement with the Commonwealth of Virginia for the design and construction of a parkway portion as part of the conveyance of two parcels of real property totaling 182 acres at the Engineering Proving Grounds, Fort Belvoir, Virginia.

The Senate amendment contained a similar provision (sec. 2842)

The Senate recesses.

Land conveyance, Radford Army Ammunition Plant, New River Unit, Virginia (sec. 2850)

The House bill contained a provision (sec. 2843) that would authorize the Secretary of the Army to convey, without consideration, to the Commonwealth of Virginia, on behalf of the Virginia Department of Veterans Services, a parcel of property consisting of approximately 85 acres located at the Radford Army Ammunition Plant, Radford, Virginia for the purpose of establishing a veterans' cemetery.

The Senate amendment contained a similar provision (sec. 2841).

The Senate recesses with a clarifying amendment.

Subtitle E-Energy Security

Consolidation and enhancement of laws to improve Department of Defense energy efficiency and conservation (sec. 2851)

The Senate amendment contained a provision (sec. 2806) that would amend section 2865 of title 10, United States Code, to require the Secretary of Defense to designate energy performance goals consistent, where appropriate, with the Energy Policy Act of 2005 (Public Law 109-58). The provision would also expand the application of the section to include the consideration of alternate energy initiatives for vehicles and military support equipment, and make other technical clarifications. The provision would require the Secretary to ensure energy efficient products that meet the requirements of the Secretary are included in the construction of new facilities for the Department of Defense.

The House bill contained no similar provision.

The House recesses with an amendment that would revise various sections in title 10, United States Code, related to energy usage

and conservation, and would incorporate this provision within the revision. Elsewhere in this report, the conferees agree to include a separate provision on the use of energy efficient products in the construction of new facilities.

The conferees intend for the Secretary to establish energy performance goals across all aspects of military operations, training, and the Department's facilities, which can be evaluated on a consistent basis to determine progress towards achievement. The conferees also acknowledge that certain energy saving measures adopted by the Secretary may not demonstrate an immediate economic payback. Therefore, the conferees agree to expand the Secretary's flexibility to evaluate energy conservation measures to include consideration of alternate energy initiatives and energy reduction performance goals, as opposed to requiring the Secretary to assess measures based solely on a specific economic return within 10 years to justify the investment.

Department of Defense goal regarding use of renewable energy to meet electricity needs (sec. 2852)

The Senate amendment contained a provision (sec. 2829) that would establish goals for the Department of Defense for the use of renewable energy sources.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Congressional notification of cancellation ceiling for Department of Defense energy savings performance contracts (sec. 2853)

The House bill contained a provision (sec. 2805) that would amend section 2865 of title 10, United States Code, to require a notice and wait period for the Secretary of Defense before the award of an energy savings performance contract that contains a cancellation ceiling in excess of \$7.0 million.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Use of energy efficiency products in new construction (sec. 2854)

The conferees agree to include a provision that would require the Secretary of Defense to ensure energy efficient products that meet the requirements of the Secretary are included in the construction of new facilities for the Department. These requirements were originally included in section 2806 of the Senate amendment.

Subtitle F-Other Matters

Availability of research and technical assistance under Defense Economic Adjustment Program (sec. 2861)

The Senate amendment contained a provision (sec. 2831) that would amend section 2391 of title 10, United States Code, to authorize the Secretary of Defense to award grants, conclude cooperative agreements, or enter into contracts for research and technical assistance.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Availability of community planning assistance relating to encroachment of civilian communities on military facilities used for training by the armed forces (sec. 2862)

The House bill contained a provision (sec. 2851) that would amend section 2391 of title 10, United States Code, to authorize the Secretary of Defense to award grants for the purposes of addressing encroachment upon state-owned and operated National Guard facilities subject to significant use by the armed forces.

The Senate amendment contained a similar provision (sec. 2832).

The Senate recedes with a technical amendment.

Prohibitions against making certain military airfields or facilities available for use by civil aircraft (sec. 2863)

The House bill contained a provision (sec. 2852) that would prohibit the Secretary of the Navy from entering into an agreement that would allow the regular use of property at, or conveyance of property for, civil aviation purposes at Marine Corps Air Station and Marine Corps Base Camp Pendleton, Marine Corps Air Station Miramar, and Naval Station North Island, California.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Modification of certain transportation projects (sec. 2864)

The Senate amendment contained a provision (sec. 2851) that would amend section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) to clarify the purpose for a project numbered 4651 authorized for Rickenbacker airport, Columbus, Ohio.

The House bill contained no similar provision.

The House recedes with an amendment that would combine this provision with a similar provision (sec. 2852) and would amend sections 1702 and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public

Law 109-59) to clarify the purpose for projects numbered 4333 and 196 authorized for Detroit, Michigan.

Availability of funds for South County Commuter Rail project, Providence, Rhode Island (sec. 2865)

The Senate amendment contained a provision (sec. 1095) that would make funds authorized by paragraphs (34) and (35) of section 3034(d) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) available for the purchase of commuter rail equipment for the South County Commuter Rail project, Providence, Rhode Island, upon the receipt by the Secretary of the Rhode Island Department of Transportation of an approved environmental assessment.

The House bill contained no similar provision.

The House recesses with a clarifying amendment.

Fox Point Hurricane Barrier, Providence, Rhode Island (sec. 2866)

The Senate amendment contained a provision (sec. 2853) that would direct the Secretary of the Army to assume responsibility for the annual operation and maintenance of the Fox Point Hurricane Barrier, Providence, Rhode Island.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Federal funding for fixed guideway projects (sec. 2867)

The Senate amendment contained a provision (sec. 2855) that would direct certain requirements prescribed by the Federal Transit Administration for cost effectiveness ratings not to apply to the Northstar Corridor Commuter Rail project in Minnesota.

The House bill contained no similar provision.

The House recesses.

Feasibility study regarding use of General Services Administration property for Fort Belvoir, Virginia, realignment (sec. 2868)

The conferees agree to include a provision that would require the Secretary of the Army, in consultation with the Administrator of General Services, to conduct a study that considers the potential costs, benefits, feasibility, and suitability of the exchange or purchase of property under the control of the General Services Administration in Springfield, Virginia.

The conferees note that the relocation of thousands of military and civilian personnel to Fort Belvoir, Virginia may present significant transportation challenges. The conferees have

taken steps to address these concerns in three other provisions in this report.

The first provision would facilitate the construction of a segment of the Fairfax County parkway on the former Engineering Proving Grounds at Fort Belvoir.

The second provision would urge the inclusion of mass transit improvements in the defense access roads program. The third provision would require the Secretary of the Army to incorporate within an ongoing environmental impact assessment a review of traffic infrastructure requirements, in collaboration with other Federal, State, and local agencies, at Fort Belvoir related to the impact of the realignment of personnel.

The conferees believe that the Army should make every effort to proactively address the potential traffic congestion that could result from the relocation of personnel to Fort Belvoir. The conferees urge the Army to incorporate as many transportation improvements as possible into plans to support the arrival of these additional personnel.

Legislative Provisions Not Adopted

Authority to use proceeds from sale of military family housing to support military housing privatization initiative

The House bill contained a provision (sec. 2803) that would amend section 2831 of title 10, United States Code, to authorize the transfer of proceeds from the handling and disposal of family housing units into the Department of Defense Family Housing Improvement Fund, which is used to support military family housing privatization activities.

The Senate amendment contained no similar provision.

The House recesses.

Increase in thresholds for unspecified minor military construction projects

The Senate amendment contained a provision (sec. 2805) that would amend section 2805(a)(1) of title 10, United States Code, to raise the threshold of the cost of a construction project authorized by this section from \$1.5 million to \$2.5 million. This provision would also raise the threshold of the cost of a construction project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening from \$3.0 million to \$4.0 million.

The House bill contained no similar provision.

The Senate recesses.

Repeal of temporary minor military construction program

The House bill contained a provision (sec. 2809) that would repeal section 2810 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163), which provides for temporary authority to expend minor construction funds at increased limits for construction of child development centers.

The Senate amendment contained no similar provision.
The House recesses.

Updating foreign currency fluctuation adjustment for certain military family housing leases in Korea

The Senate amendment contained a provision (sec. 2809) that would amend section 2828 of title 10, United States Code, to modify the adjustments made by a Secretary of a military department to maximum lease amounts for family housing in Korea to account for foreign currency fluctuations.

The House bill contained no similar provision.
The Senate recesses.

Naming of research laboratory at Air Force Rome Research Site, Rome, New York in honor of Sherwood L. Boehlert, a member of the House of Representatives

The Senate amendment contained a provision (sec. 2813) that would designate the new laboratory building at the Air Force Rome Research Site, Rome, New York as the "Sherwood L. Boehlert Engineering Center."

The House bill contained no similar provision.
The Senate recesses.

Naming of administrative building at Joint Systems Manufacturing Center in Lima, Ohio after Michael G. Oxley, a member of the House of Representatives

The Senate amendment contained a provision (sec. 2814) that would designate the administrative building under construction at the Joint Systems Manufacturing Center in Lima, Ohio as the "Michael G. Oxley Administration and Technology Center."

The House bill contained no similar provision.
The Senate recesses.

Naming of military family housing facility at Fort Carson, Colorado, in honor of Joel Hefley, a member of the House of Representatives

The Senate amendment contained a provision (sec. 2815) that would require the Secretary of the Army to designate one of the

military family housing areas or facilities constructed for Fort Carson, Colorado, using housing privatization authorities provided by subchapter IV of chapter 169 of title 10, United States Code, in honor of Representative Joel Hefley.

The House bill contained no similar provision.

The Senate recesses.

Authority to use excess property as exchange under agreements to limit encroachments on military training, testing, and operations

The Senate amendment contained a provision (sec. 2824) that would authorize the Secretary concerned to use land that is determined to be excess to the needs of the Department of Defense in an exchange under an agreement with eligible third parties under section 2684a of title 10, United States Code, to create buffer zones to address the use or development of real property in the vicinity of a military installation to prevent encroachment or preserve habitat that may relieve environmental restrictions on military training, testing, or operations.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that authority to use excess lands as part of the contribution to the acquisition costs of real property, or an interest in real property, as part of agreements under section 2864a is included in section 2811 of this report.

Modification of utility system authority and related reporting requirements

The Senate amendment contained a provision (sec. 2825) that would amend section 2688 of title 10, United States Code, to modify the authority provided to the Secretary of a military department for the conveyance of utility systems.

The House bill contained no similar provision.

The Senate recesses.

Naming of Navy and Marine Corps Reserve Center at Rock Island, Illinois, in honor of Lane Evans, a member of the House of Representatives

The Senate amendment contained a provision (sec. 2830) that would designate the Navy and Marine Corps Reserve Center at Rock Island, Illinois, in honor of Lane Evans, a member of the House of Representatives.

The House bill contained no similar provision.

The Senate recesses.

*Modification of land acquisition authority, Perquimans County,
North Carolina*

The House bill contained a provision (sec. 2842) that would amend section 2846 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107), as amended by section 2865 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375), to increase, from 840 acres to 1,540 acres, the amount of acreage that the Secretary of the Navy is authorized to acquire.

The Senate amendment contained a similar provision (sec. 2812).

The conference agreement does not include this provision. The conferees note that the provision was included in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234).

Highway projects, Detroit, Michigan

The Senate amendment contained a provision (sec. 2852) that would amend sections 1702 and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59) to clarify the purpose for projects numbered 4333 and 196 authorized for Detroit, Michigan.

The House bill contained no similar provision.

The Senate recesses.

The conferees agree to include this provision in section 2864 of this Act.

**DIVISION C-DEPARTMENT OF ENERGY
NATIONAL SECURITY AUTHORIZATIONS
AND OTHER AUTHORIZATIONS**

**TITLE XXXI-DEPARTMENT OF ENERGY NATIONAL
SECURITY PROGRAMS**

Overview

Title XXXI authorizes appropriations for atomic energy defense activities of the Department of Energy for fiscal year 2007, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons activities; naval nuclear propulsion; environmental cleanup; operating expenses; and other expenses necessary to carry

out the purposes of the Department of Energy Organization Act (Public Law 95-91). This title authorizes appropriations in four categories, which are: (1) National Nuclear Security Administration (NNSA); (2) defense environmental cleanup; (3) other defense activities; and (4) defense nuclear waste disposal.

The budget request included \$15.8 billion for atomic energy defense activities, a 2.5 percent decrease below the fiscal year 2006 appropriated level. Of the total amount requested:

- (1) \$9.3 billion is for NNSA, of which
 - (a) \$6.4 billion is for weapons activities,
 - (b) \$1.7 billion is for defense nuclear nonproliferation activities,
 - (c) \$795.1 million is for naval reactors, and
 - (d) \$386.6 million is for the Office of the Administrator;

- (2) \$5.4 billion is for defense environmental cleanup;
- (3) \$717.8 million is for other defense activities; and
- (4) \$388.1 million is for defense nuclear waste disposal.

The budget request also included \$6.1 million within energy supply.

The conferees agree to authorize \$15.8 billion for atomic energy defense activities, the amount of the budget request.

Of this amount, the conferees agree to authorize:

- (1) \$9.3 billion for NNSA, of which
 - (a) \$6.4 billion would be for weapons activities, an increase of \$9.8 million above the budget request;
 - (b) \$1.7 billion would be for defense nuclear nonproliferation, a decrease of \$24.8 million below the budget request;
 - (c) \$795.1 million would be for naval reactors, the amount of the budget request; and
 - (d) \$386.6 million would be for the Office of the Administrator, the amount of the budget request;
- (2) \$5.4 billion would be for defense environmental cleanup activities, an increase of \$45.0 million above the budget request;
- (3) \$717.8 million would be for other defense activities, the amount of the budget request; and
- (4) \$358.1 million would be for defense nuclear waste disposal, a decrease of \$30.0 million below the budget request.

The conferees agree to authorize \$6.1 million for energy supply, the amount of the budget request.

The following table summarizes the budget request and the authorizations:

Offset Folios.....1.....to.....19.....Insert

Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
ATOMIC ENERGY DEFENSE ACTIVITIES (053)					
Department of Energy	6,079	6,079			6,079
Energy Supply					
National nuclear security administration:					
Weapons activities	6,407,889	6,467,889	6,455,389	9,787	6,417,676
Defense nuclear nonproliferation	1,726,213	1,616,213	1,726,213	-24,787	1,701,426
Naval reactors	795,133	795,133	795,133		795,133
Office of the administrator	386,576	386,576	356,576		386,576
Total, National nuclear security administration	9,315,811	9,265,811	9,333,311	-15,000	9,300,811
Environmental and other defense activities:					
Defense environmental cleanup	5,390,312	5,440,312	5,430,312	45,000	5,435,312
Other defense activities	717,788	717,788	624,530		717,788
Defense nuclear waste disposal	388,080	388,080	333,080	-30,000	358,080
Total, Environmental & other defense activities	6,496,180	6,546,180	6,387,922	15,000	6,511,180
Total, Department of Energy	15,818,070	15,818,070	15,721,233		15,818,070
OTHER ACTIVITIES (Discretionary)					
Defense Nuclear Facilities Safety Board	22,260	22,260	22,260		22,260
Total, Other Activities Discretionary	22,260	22,260	22,260		22,260
Atomic Energy Defense Activities (053) Discretionary	15,840,330	15,840,330	15,743,493		15,840,330

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
Energy Supply	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
Weapons Activities	<u>6,079</u>	<u>6,079</u>	<u>6,079</u>	<u>6,079</u>
Directed stockpile work				
Life extension programs				
B61 Life extension program	58,934	58,934	58,934	58,934
W76 Life extension program	151,684	151,684	151,684	151,684
W80 Life extension program	102,044	102,044	102,044	-80,000
Total, Life extension programs	312,662	312,662	312,662	-80,000
Stockpile systems				
B61 Stockpile systems	63,782	63,782	63,782	63,782
W62 Stockpile systems	3,738	3,738	3,738	3,738
W76 Stockpile systems	56,174	56,174	56,174	56,174
W78 Stockpile systems	50,662	50,662	50,662	50,662
W80 Stockpile systems	27,230	27,230	27,230	27,230
B83 Stockpile systems	23,365	23,365	23,365	23,365
W84 Stockpile systems	1,465	1,465	1,465	1,465
W87 Stockpile systems	59,333	59,333	59,333	59,333
W88 Stockpile systems	39,796	39,796	39,796	39,796
Total, Stockpile systems	325,545	325,545	325,545	325,545
Reliable replacement warhead	27,707	27,707	27,707	20,000
Weapons dismantlement and disposition	75,000	75,000	75,000	75,000

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Conference</u>
				<u>Authorized</u>
Stockpile services				
Production support	236,115	236,115	236,115	236,115
Research and development support	63,948	63,948	63,948	63,948
R&D certification and safety	194,199	194,199	194,199	194,199
Management, technology, and production	159,662	159,662	159,662	159,662
Responsive infrastructure	15,430	15,430	15,430	15,430
Total, Stockpile services	669,354	669,354	669,354	669,354
QMU study (non-add)		[2,000]		[2,000]
Total, Directed stockpile work	1,410,268	1,410,268	1,410,268	-60,000
Campaigns				
Science campaign				
Primary assessment technologies	50,527	50,527	50,527	50,527
Test readiness	14,757	14,757	14,757	14,757
Dynamic materials properties	80,727	80,727	80,727	80,727
Advanced radiography	36,745	36,745	36,745	36,745
Secondary assessment technologies	81,006	81,006	81,006	81,006
Total, Science campaign	263,762	263,762	263,762	263,762
Engineering campaign				
Enhanced surety	26,731	26,731	26,731	26,731
Weapon systems engineering assessment				
technology	21,156	21,156	21,156	21,156
Nuclear survivability	14,973	14,973	14,973	14,973
Enhanced surveillance	86,526	86,526	86,526	86,526
Engineering campaign construction activities				
MESA, other project costs	4,613	4,613	4,613	4,613

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
Construction:					
01-D-108 Microsystem & engineering science applications (MESA), SNL, Albuquerque, NM	6,920	6,920	6,920		6,920
Total, Engineering campaign construction activities	6,920	6,920	6,920		6,920
Total, Engineering campaign	160,919	160,919	160,919		160,919
Inertial confinement fusion ignition and high yield campaign					
Ignition	79,763	79,763	79,763		79,763
Support of stockpile programs	5,872	5,872	5,872		5,872
NIF diagnostics, cryogenics and experimental support	45,959	45,959	45,959		45,959
Pulsed power inertial confinement fusion	10,603	10,603	10,603		10,603
University grants/other ICF support	8,903	8,903	8,903		8,903
Facility operations and target production	43,021	43,021	43,021	10,000	53,021
NIF demonstration program	143,438	143,438	143,438		143,438
High-energy petawatt laser development	2,213	2,213	2,213		2,213
Subtotal, Inertial confinement fusion and high yield campaign	339,772	339,772	339,772	10,000	349,772
Construction:					
96-D-111 National ignition facility (NIF), Lawrence Livermore National Laboratory, Livermore, CA	111,419	111,419	111,419		111,419
Program increase (NIF target production)		10,000			
Total, Inertial confinement fusion and high yield campaign	451,191	461,191	451,191	10,000	461,191

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Authorized</u>
Advanced simulation and computing campaign	617,955	617,955	617,955	617,955
Operations and maintenance	617,955	617,955	617,955	617,955
Total, Advanced simulation and computing campaign				
Pit manufacturing and certification campaign	147,658	147,658	147,658	147,658
W88 pit manufacturing	56,605	56,605	56,605	56,605
W88 pit certification	33,335	33,335	33,335	33,335
Pit manufacturing capability	237,598	237,598	237,598	237,598
Total, Pit manufacturing and certification campaign				
Readiness Campaign	17,576	17,576	17,576	17,576
Stockpile readiness	17,188	17,188	17,188	17,188
High explosives and weapon operations	31,171	31,171	31,171	31,171
Non-nuclear readiness				
Tritium readiness campaign	86,385	86,385	86,385	86,385
Operations and maintenance	86,385	86,385	86,385	86,385
Total, Tritium readiness campaign				
Advanced design and production technologies	53,645	53,645	53,645	53,645
Total, Readiness campaign	205,965	205,965	205,965	205,965
Total Campaigns	1,937,390	1,947,390	1,937,390	10,000
Readiness in technical base and facilities (RTBF)	1,203,786	1,203,786	1,215,486	1,203,786
Operations of facilities	75,167	75,167	75,167	75,167
Program readiness				

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Department of Energy National Security Programs

(Dollars in Thousands)

	FY2007		House		Senate		Conference	
	Request	Authorized	Authorized	Authorized	Change	Authorized	Authorized	
Material recycle and recovery								
Containers	69,982	69,982	69,982	69,982		69,982	69,982	
Storage	20,130	20,130	20,130	20,130		20,130	20,130	
Y-12	35,285	35,285	35,285	35,285		35,285	35,285	
Repair and replacement-Pantex		2,000	2,000					
Repair and replacement-Y-12		17,000	17,000		17,000	17,000	17,000	
Subtotal, Readiness in technical base and facilities	1,404,350	1,438,350	1,438,350	1,416,050	32,000	1,436,350	1,436,350	
Construction:								
07-D-140 Project engineering and design (PED) various locations	4,977	4,977	4,977	4,977		4,977	4,977	
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	14,828	14,828	14,828	14,828		14,828	14,828	
06-D-140 Project engineering and design (PED) various locations	51,577	51,577	51,577	51,577		51,577	51,577	
06-D-402 NTS replace fire stations 1 & 2 Nevada Test Site, NV	13,919	13,919	13,919	13,919		13,919	13,919	
06-D-403 Tritium facility modernization Lawrence Livermore National Laboratory, Livermore, CA	7,810	7,810	7,810	7,810		7,810	7,810	
05-D-140 Project engineering and design various locations	9,615	9,615	9,615	9,615		9,615	9,615	

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
05-D-402 Beryllium capability project, Y-12 National Security Complex, Oak Ridge, TN	5,084	5,084	5,084		5,084
04-D-125 Chemistry and metallurgy research facility replacement, Los Alamos National Laboratory, Los Alamos, NM	112,422	112,422	112,422		112,422
04-D-128 TA-18 Criticality experiments facility, Los Alamos National Laboratory, Los Alamos, NM	24,197	24,197	24,197		24,197
03-D-103 Project engineering and design (PED) various locations	14,161	14,161	14,161		14,161
01-D-103 Project engineering and design (PED) various locations	1,565	1,565	1,565		1,565
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN	21,267	21,267	31,267	10,000	31,267
Total, Construction	281,422	281,422	291,422	10,000	291,422
Total, Readiness in technical base and facilities	1,685,772	1,719,772	1,707,472	42,000	1,727,772
Secure transportation asset					
Operations and equipment	130,484	130,484	130,484		130,484
Program direction	78,780	78,780	78,780		78,780
Total, Secure transportation asset	209,264	209,264	209,264		209,264

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
	135,354	135,354	135,354		135,354
Nuclear weapons incident response					
Facilities and infrastructure recapitalization program					
Operation and maintenance	245,283	245,283	245,283	-8,013	237,270
Construction					
07-D-253 TA I heating systems modernization, Sandia National Laboratory, Albuquerque, NM	14,500	14,500	14,500		14,500
06-D-160 Project engineering and design various locations	2,700	2,700	2,700		2,700
06-D-601 Electrical distribution system upgrade, Pantex Plant, Amarillo, TX	6,429	6,429	6,429		6,429
06-D-602 Gas main and distribution system upgrade, Pantex Plant, Amarillo, TX	3,145	3,145	3,145		3,145
06-D-603 Steam plant life extension project (SLEP), Y-12, National Security Complex, Oak Ridge, TN	17,811	17,811	17,811		17,811
05-D-160 Facilities and infrastructure recapitalization program project engineering and design (PED), various locations	648	648	648		648

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Authorized</u>
05-D-601 Compressed air upgrades project (CAUP), Y-12, National security complex, Oak Ridge, TN	702	702	702	702
Total, Construction	45,935	45,935	45,935	45,935
Total, Facilities and infrastructure recapitalization program	291,218	291,218	291,218	-8,013
Environmental projects and operations Long Term Response Actions	17,211	17,211	17,211	17,211
Safeguards and security Operations and maintenance Pantex unfunded safeguards and security Y-12 unfunded safeguards and security Cybersecurity	665,701	681,701 [8,000] [8,000]	691,501	25,800 [11,800] [14,000]
Total, Safeguards and security	88,711	88,711	88,711	88,711
Subtotal, Weapons Activities	754,412	770,412	780,212	25,800
	6,440,889	6,500,889	6,488,389	9,787
Adjustments				
Less security charge for reimbursable work	-33,000	-33,000	-33,000	-33,000
Total, Adjustments	-33,000	-33,000	-33,000	-33,000
Total, Weapons Activities	6,407,889	6,467,889	6,455,389	9,787
Defense Nuclear Nonproliferation Nonproliferation and verification R&D Operations and maintenance	260,967	260,967	260,967	260,967

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Conference</u>
				<u>Authorized</u>
Construction:				
07-SC-05, Physical sciences facility, Pacific Northwest National Laboratory, Richland, WA	4,220	4,220	4,220	4,220
06-D-180 Physical sciences facility, project engineering and design (PED), Pacific Northwest National Laboratory, Richland, WA	3,700 7,920 268,887	3,700 7,920 268,887	3,700 7,920 268,887	3,700 7,920 268,887
Total, Construction				
Total, Nonproliferation & verification R&D				
Nonproliferation and international security	127,411	127,411	127,411	127,411
International nuclear materials protection and cooperation	413,182	433,182	413,182	15,000
Material consolidation and conversion		[5,000]		
Second line of defense-Megaports		[15,000]		[15,000]
Elimination of weapons-grade plutonium production program	206,654	206,654	206,654	206,654
Fissile materials disposition				
U.S. surplus materials disposition	235,051	235,051	235,051	235,051
Russian surplus materials disposition	34,695		34,695	-34,695
Construction:				
99-D-141 Pit disassembly and conversion facility, Savannah River, SC	78,700	78,700	78,700	78,700

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	289,510	174,205	289,510	-25,092	264,418
Total, Construction	368,210	252,905	368,210	-25,092	343,118
Total, Fissile materials disposition	637,956	487,956	637,956	-59,787	578,169
Global threat reduction initiative	106,818	126,818	106,818	20,000	126,818
Program increase for activities outside the U.S.		[15,000]		[15,000]	
International radiological threat reduction		[5,000]		[5,000]	
Subtotal, Defense Nuclear Nonproliferation	1,760,908	1,650,908	1,760,908	-24,787	1,736,121
Adjustments:					
Use of prior year balances	-34,695	-34,695	-34,695		-34,695
Total, Defense Nuclear Nonproliferation	1,726,213	1,616,213	1,726,213	-24,787	1,701,426
Naval Reactors					
Naval reactors development	761,176	761,176	761,176		761,176
Operation and maintenance					
Construction:					
07-D-190 Materials research technology complex, project engineering and design, West Mifflin, PA	1,485	1,485	1,485		1,485
05-D-900 Materials development facility building, Schenectady, NY	1,287	1,287	1,287		1,287
Total, Construction	2,772	2,772	2,772		2,772
Total, Naval reactors development	763,948	763,948	763,948		763,948

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
Program direction	31,185	31,185	31,185		31,185
Subtotal, Naval Reactors	795,133	795,133	795,133		795,133
Total, Naval Reactors	795,133	795,133	795,133		795,133
Office Of The Administrator	386,576	386,576	356,576		386,576
Office of the administrator	386,576	386,576	356,576		386,576
Total, Office Of The Administrator					
Defense Environmental Cleanup					
Closure sites:					
Ashtabula	295	295	295		295
Closure sites administration	25,896	25,896	25,896		25,896
Fernald	258,877	258,877	258,877		258,877
Miamisburg	34,869	34,869	34,869		34,869
Rocky Flats	1,000	1,000	1,000		1,000
Total, Closure sites	320,937	320,937	320,937		320,937
Hanford site:					
2012 completion projects					
Nuclear material stabilization and disposition PFP	81,651	81,651	81,651		81,651
SNF stabilization and disposition	81,069	81,069	81,069		81,069
Nuclear facility D&D river corridor closure project	221,022	221,022	221,022		221,022
Solid waste stabilization and disposition	39,876	39,876	39,876		39,876
Total, 2012 completion projects	423,618	423,618	423,618		423,618

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
2035 completion projects					
Solid waste stabilization and disposition 200 area	188,989	188,989	188,989		188,989
Soil and water remediation - groundwater vadose zone	75,973	75,973	75,973		75,973
Nuclear facility D&D - remainder of Hanford	94,270	94,270	94,270		94,270
Operate waste disposal facility	3,534	3,534	3,534		3,534
Community and regulatory support	18,332	18,332	18,332		18,332
Total, 2035 completion projects	381,098	381,098	381,098		381,098
Total, Hanford site	804,716	804,716	804,716		804,716
Office of River Protection:					
Waste treatment and immobilization plant					
Project decrease			-10,000		
01-D-16A Low activity waste facility	77,800	77,800	77,800		77,800
01-D-16B Analytical laboratory	21,800	21,800	21,800		21,800
01-D-16C Balance of facilities	48,900	48,900	48,900		48,900
01-D-16D High level waste facility	253,700	253,700	253,700		253,700
01-D-16E Pretreatment facility	287,800	287,800	287,800		287,800
Total, Waste treatment and immobilization plant	690,000	690,000	680,000		690,000
Tank farm activities					
Rad liquid tank waste stabilization and disposition	273,656	273,656	283,656		273,656
Community and regulatory support	471	471	471		471
Total, Tank farm activities	274,127	274,127	284,127		274,127
Total, Office of River protection	964,127	964,127	964,127		964,127

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Authorized</u>
Idaho National Laboratory:				
Nuclear material stabilization and disposition	1,000	1,000	1,000	1,000
SNF stabilization and disposition - 2012	18,415	18,415	18,415	18,415
Solid waste stabilization and disposition	193,910	193,910	193,910	193,910
Radioactive liquid tank waste stabilization and disposition	73,514	73,514	73,514	73,514
Construction				
06-D-401 Sodium bearing waste treatment project, Idaho	31,000	31,000	31,000	31,000
Total, Construction	31,000	31,000	31,000	31,000
Soil and water remediation - 2012	120,510	120,510	120,510	120,510
Nuclear facility D & D	67,562	67,562	67,562	67,562
Non-nuclear facility D & D	3,010	3,010	3,010	3,010
Community and regulatory support	3,683	3,683	3,683	3,683
Total, Idaho National Laboratory	512,604	512,604	512,604	512,604
NNSA sites and Nevada off-sites				
Lawrence Livermore National Laboratory	11,580	11,580	11,580	11,580
NNSA Service Center	26,122	26,122	26,122	26,122
Nevada	79,668	79,668	79,668	79,668
California site support	370	370	370	370
Pantex	23,726	23,726	23,726	23,726
Los Alamos National Laboratory	90,602	90,602	90,602	90,602
Total, NNSA sites and Nevada off-sites	232,068	232,068	232,068	232,068

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Oak Ridge Reservation:					
Solid waste stabilization and disposition - 2012	48,888	48,888	48,888		48,888
Soil and water remediation - offsites	15,381	15,381	15,381		15,381
Nuclear facility D & D, E, Tennessee Technology Park	10,094	10,094	10,094		10,094
Nuclear facility D & D Y-12	40,000	40,000	40,000		40,000
Nuclear facility D & D ORNL	21,956	21,956	21,956		21,956
Science current generation	18,544	18,544	18,544		18,544
Community and regulatory support	4,999	4,999	4,999		4,999
Total, Oak Ridge Reservation	159,862	159,862	159,862		159,862
Savannah River sites:					
2012 completion projects					
Nuclear facility D&D	3,664	3,664	3,664		3,664
Nuclear material stabilization and disposition	208,233	208,233	218,233		208,233
Construction:					
04-D-423 Container surveillance capability in 235F	21,300	21,300	21,300		21,300
04-D-414 Container surveillance capability in 235F Project engineering and design	2,935	2,935	2,935		2,935
Total, Construction	24,235	24,235	24,235		24,235
Total, 2012 completion projects	236,132	236,132	246,132		236,132
2035 completion projects					
Community and regulatory support	12,542	12,542	12,542		12,542
Nuclear material stabilization and disposition	41,160	41,160	41,160		41,160

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
			<u>Authorized</u>	<u>Authorized</u>
Spent nuclear fuel stabilization and disposition	22,668	22,668	22,668	22,668
Solid waste stabilization and disposition	85,276	85,276	90,276	85,276
Soil and water remediation	103,150	103,150	125,150	103,150
Nuclear facility D & D	12,542	12,542	20,542	12,542
Total, 2035 completion projects	277,338	277,338	312,338	277,338
Tank farm activities				
Radioactive liquid tank waste stabilization and disposition	507,724	507,724	542,724	35,000
Construction:				
05-D-405 Salt waste processing facility, Savannah River	25,700	25,700	25,700	25,700
03-D-414 Salt waste processing facility				
PED, Savannah River	37,500	37,500	37,500	37,500
Total, Construction	63,200	63,200	63,200	63,200
Total, Tank farm activities	570,924	570,924	605,924	35,000
Site increase for cleanup activities	30,000	30,000		
Total, Savannah River site	1,084,394	1,114,394	1,164,394	35,000
Waste Isolation Pilot Plant				
Waste isolation pilot plant	132,026	132,026	132,026	132,026
Central characterization project	23,190	23,190	23,190	23,190
Transportation	32,940	32,940	32,940	32,940
Community and regulatory support	25,122	25,122	25,122	25,122
Total, Waste Isolation Pilot Plant	213,278	213,278	213,278	213,278

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
	<u>291,216</u>	<u>291,216</u>	<u>251,216</u>	<u>291,216</u>
	<u>37,881</u>	<u>37,881</u>	<u>37,881</u>	<u>37,881</u>
				<u>Conference</u>
				<u>Authorized</u>
Program direction				4,324
Program support				22,889
				1,216
				1,600
				8,707
				15,642
				77,836
				163,626
				295,840
Safeguards and Security:				
Waste Isolation Pilot Project	4,324	4,324	4,324	4,324
Oak Ridge Reservation	22,889	22,889	22,889	22,889
Fernald	1,216	1,216	1,216	1,216
West Valley	1,600	1,600	1,600	1,600
Paducah	8,707	8,707	8,707	8,707
Portsmouth	15,642	15,642	15,642	15,642
Richland/Hanford Site	77,836	77,836	77,836	77,836
Savannah River Site	163,626	163,626	163,626	163,626
Total, Safeguards and Security	295,840	295,840	295,840	295,840
Technology development	21,389	21,389	21,389	10,000
Uranium enrichment D&D fund contribution	452,000	452,000	452,000	452,000
Subtotal, Defense environmental cleanup	5,390,312	5,420,312	5,430,312	45,000
EM increase (tank waste cleanup R&D)		20,000		
Total, Defense Environmental Cleanup	5,390,312	5,440,312	5,430,312	45,000
Other Defense Activities				
Office of security and safety performance assurance				
Nuclear safeguards and security	182,548	182,548	182,548	182,548
Security investigations	40,000	40,000	40,000	40,000

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Department of Energy National Security Programs
(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
Program direction	75,949	75,949	75,949		75,949
Total, Security and safety performance assurance	298,497	298,497	298,497		298,497
Environment, safety & health					
Environment, safety and health (defense)	60,738	60,738	60,738		60,738
Program direction	20,076	20,076	20,076		20,076
Total, Environment, safety and health	80,814	80,814	80,814		80,814
Office of Legacy Management					
Legacy management	156,790	156,790	156,790		156,790
Program direction	11,061	11,061	11,061		11,061
Total, Office of Legacy Management	167,851	167,851	167,851		167,851
Nuclear energy					
Infrastructure					
Idaho site-wide safeguards and security	75,949	75,949	75,949		75,949
Total, Infrastructure	75,949	75,949	75,949		75,949
Total, Nuclear energy	75,949	75,949	75,949		75,949
Defense related administrative support					
Office of hearings and appeals	93,258	93,258			93,258
	4,422	4,422	4,422		4,422
Subtotal, Other defense activities	720,791	720,791	627,533		720,791

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Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2007</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>
				<u>Authorized</u>
Adjustments:				
Use of prior year balances				
Less security charge for reimbursable work (NE)	-3,003	-3,003	-3,003	-3,003
Total, Adjustments	-3,003	-3,003	-3,003	-3,003
Total, Other Defense Activities	717,788	717,788	624,530	717,788
Defense Nuclear Waste Disposal				
Defense nuclear waste disposal	388,080	388,080	333,080	-30,000
Total, Department of Energy	15,818,070	15,818,070	15,721,233	15,818,070
OTHER ACTIVITIES (Discretionary)				
Defense Nuclear Facilities Safety Board	22,260	22,260	22,260	22,260
Total, Other Activities Discretionary	22,260	22,260	22,260	22,260
Atomic Energy Defense Activities (053) Discretionary	15,840,330	15,840,330	15,743,493	15,840,330

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Legislative Provisions Adopted

Subtitle A-National Security Programs Authorizations

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize \$9.3 billion for the National Nuclear Security Administration (NNSA) of the Department of Energy, including funds for weapons activities, defense nuclear nonproliferation programs, naval reactor programs, and the Office of the Administrator, a decrease of \$50.0 million below the budget request. The Senate amendment contained a similar provision (sec. 3101). The provision would authorize \$9.3 billion, an increase of \$17.5 million above the budget request.

The conferees agree to authorize \$9.3 billion for NNSA, a decrease of \$15.0 million below the budget request.

The budget request included \$6.4 billion for weapons activities. The House bill would authorize \$6.5 billion, an increase of \$60.0 million above the budget request. The Senate amendment would authorize \$6.5 billion, an increase of \$47.5 million above the budget request. The conferees agree to authorize \$6.4 billion, an increase of \$9.8 million above the budget request.

Within weapons activities, the conferees agree to authorize \$22.0 million for the W80 life extension program, a decrease of \$80.0 million below the budget request, to be used for the orderly closeout of program activities due to the postponement of the W80 life extension by the Nuclear Weapons Council. The conferees agree to authorize an additional \$20.0 million for the reliable replacement warhead to support a second warhead design competition. Within inertial confinement fusion ignition and high yield campaign, the conferees agree to authorize an increase of \$10.0 million to support enhanced target production and characterization capabilities and for tests on the Omega and Z facilities. Within readiness in technical base and facilities, the conferees agree to authorize an additional \$17.0 million to address deferred maintenance and repair at the Pantex Plant, an additional \$15.0 million to address deferred maintenance and repair at the Y-12 National Security Complex, and an additional \$10.0 million for the High Enriched Uranium Materials Facility [project 01-D-124] at the Y-12 National Security Complex. Within safeguards and security, the conferees agree to authorize an additional \$11.8 million for safeguards and security requirements at the Pantex Plant and an additional \$14.0 million for safeguards and security requirements at the Y-12 National Security Complex.

The budget request included \$1.7 billion for defense nuclear nonproliferation. The conferees agree to authorize \$1.7 billion, a decrease of \$24.8 million below the budget request. The conferees agree to provide an additional \$15.0 million in funding for the Second Line of Defense Megaports program to accelerate cooperation with international partners to improve their capability to detect and interdict nuclear and radiological materials that could be passing through foreign ports. The conferees agree to authorize an additional \$20.0 million in funding for the Global Threat Reduction Initiative (GTRI) program. Of that amount, \$5.0 million is authorized for international radiological threat reduction and \$15.0 million is authorized to be used exclusively for other GTRI activities conducted outside the United States. The conferees agree to provide no funding for the Russian Surplus Fissile Materials Disposition program, a decrease of \$34.7 million. The conferees agree to provide \$264.4 million for construction of the U.S. Mixed Oxide Fuel Fabrication Facility, a decrease of \$25.1 million below the budget request. The views of the conferees regarding the Fissile Materials Disposition program are discussed elsewhere in this conference report.

The budget request included \$795.1 million for naval reactors programs and \$386.6 million for the Office of the NNSA Administrator. The conferees agree to authorize these programs at the requested levels.

Defense environmental cleanup (sec. 3102)

The House bill contained a provision (sec. 3102) that would authorize \$5.4 billion for the Department of Energy for defense environmental cleanup for fiscal year 2007, an increase of \$50.0 million above the budget request.

The Senate amendment contained a similar provision (sec. 3102). The provision would authorize \$5.4 billion for defense environmental cleanup, an increase of \$40.0 million above the budget request.

The conferees agree to include a provision that would authorize \$5.4 billion for defense environmental cleanup, an increase of \$45.0 million above the budget request. Within this increase, the conferees agree to provide an additional \$35.0 million in funding for radioactive liquid tank waste stabilization and disposition at the Savannah River Site in South Carolina and to provide an additional \$10.0 million in funding for a research and development program to support tank waste cleanup technologies consistent with recommendations made in the National Research Council report entitled "Tank Waste Retrieval, Processing, and On-Site Disposal at Three Department of Energy Sites, April 2006."

Other defense activities (sec. 3103)

The House bill contained a provision (sec. 3103) that would authorize \$717.8 million for the Department of Energy for other defense activities for fiscal year 2007, the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3103). The provision would authorize \$624.5 million for the Department for other defense activities, a decrease of \$93.3 million below the budget request.

The conferees agree to include a provision that would authorize \$717.8 million, the amount of the budget request.

Defense nuclear waste disposal (sec. 3104)

The House bill contained a provision (sec. 3104) that would authorize \$388.1 million for defense nuclear waste disposal, the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3104). The provision would authorize \$333.1 million for defense nuclear waste disposal, a decrease of \$55.0 million below the budget request.

The conferees agree to include a provision that would authorize \$358.1 million, a decrease of \$30.0 million below the budget request. The conferees note that the Department of Energy has issued a revised schedule for the development of a geologic repository, delaying the completion of the license application for the repository until June of 2008.

Subtitle B-Program Authorizations, Restrictions, and Limitations

Plan for transformation of National Nuclear Security Administration nuclear weapons complex (sec. 3111)

The House bill contained a provision (sec. 3111) that would direct the Secretary of Energy and the Secretary of Defense to develop a plan to transform the nuclear weapons complex so as to achieve a responsive infrastructure by the year 2030 and to transmit a report to the congressional defense committees, not later than February 1, 2007, on the transformation plan.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Energy to develop the transformation plan in consultation with the Secretary of Defense and the Nuclear Weapons Council. The amendment would also modify the objectives of the plan to acknowledge the continued utilization of Category I and II special nuclear material, beyond the year 2012, at the national security laboratory at which a pit production capability is located. The amendment would make further technical changes.

Extension of Facilities and Infrastructure Recapitalization Program (sec. 3112)

The House bill contained a provision (sec. 3112) that would extend the Facilities and Infrastructure Recapitalization Program for 2 years, until September 30, 2013.

The Senate amendment contained a similar provision (sec. 3114).

The Senate recesses.

Utilization of contributions to Global Threat Reduction Initiative (sec. 3113)

The House bill contained a provision (sec. 3113) that would provide the Secretary of Energy authority to accept international contributions to the Global Threat Reduction Initiative program.

The Senate amendment contained a similar provision (sec. 3112).

The House recesses with a technical amendment.

Utilization of contributions to Second Line of Defense program (sec. 3114)

The House bill contained a provision (sec. 3114) that would provide the Secretary of Energy authority to accept international contributions to the Second Line of Defense program.

The Senate amendment contained a similar provision (sec. 3113).

The House recesses with a technical amendment.

Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel (sec. 3115)

The House bill contained a provision (sec. 3115) that would amend section 4601(c)(1) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)(1)) to extend excepted service authority for an additional two years, until September 30, 2008.

The Senate amendment contained an identical provision (sec. 3115).

The conference agreement includes this provision.

National Academy of Sciences study of quantification of margins and uncertainty methodology for assessing and certifying the safety and reliability of the nuclear stockpile (sec. 3116)

The House bill contained a provision (sec. 3116) that would direct the Secretary of Energy to enter into an arrangement with the National Research Council of the National Academy of Sciences to carry out a study of the quantification of margins and

uncertainty methodology used by the national security laboratories for assessing and certifying the safety and reliability of the nuclear stockpile. The provision would further direct the National Research Council to submit a report on the study to the Secretary of Energy and to the Committees on Armed Services of the Senate and the House of Representatives not later than 1 year after the date on which the Council enters into the arrangement for such study.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would narrow the matters to be included in the study, and would make technical changes to the funding of the study.

The conferees acknowledge the aggressive schedule directed for completion of the study and the report thereon. The conferees are aware of ongoing work on complementary topics being conducted by the Nuclear Weapons Complex Assessment Committee of the American Association for the Advancement of Science. The conferees encourage the National Research Council to seek opportunities to support mutual study objectives and to coordinate the use of any study contributors and subject matter experts between these studies, as appropriate.

Consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration (sec. 3117)

The House bill contained a provision (sec. 3117) that would consolidate the counterintelligence programs of the Department of Energy and the National Nuclear Security Administration (NNSA) under the Department of Energy. The provision would also establish the Intelligence Executive Committee within the Department of Energy consisting of the Deputy Secretary of Energy, who would chair the committee, and each Under Secretary of Energy. The provision would require the Secretary of Energy to use the committee to assist in developing and promulgating the counterintelligence and intelligence policies, requirements, and priorities of the entire Department.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish, within the staff of the Administrator of the NNSA, a position of NNSA Intelligence and Counterintelligence Liaison that would be responsible for liaison between the NNSA and the Department's Office of Intelligence and Counterintelligence. The amendment would also sunset on September 30, 2010, the transfer of functions, personnel, funds, assets, and other resources transferred to the Secretary of Energy, returning them to the control of the Administrator of the NNSA.

The conferees reluctantly provide this authority to consolidate the counterintelligence programs of the Department of Energy and NNSA, despite the ongoing skepticism of many in

Congress over the Department's ability to implement a strong security program for the Department and its laboratories. The conferees note that with the recent Departmental initiative to combine the Offices of Intelligence and Counterintelligence and with the authority provided in this provision, the intelligence and counterintelligence functions will be organized as they were when the Department experienced significant counterintelligence problems.

The conferees believe that the Department could have addressed many of the perceived issues associated with having separate counterintelligence offices for the Department and NNSA by demonstrating greater management resourcefulness. The conferees are unpersuaded that the Department fully and faithfully implemented the counterintelligence program structure called for in the National Nuclear Security Administration Act (Title 32 of the National Defense Authorization Act for Fiscal Year 2000, Public Law 106-65, as amended).

Nevertheless, the conferees note that the Department has continued -- under the leadership of two different Secretaries of Energy and two different Deputy Secretaries -- to identify the counterintelligence structure of the NNSA Act as an impediment to the smooth functioning of security operations within the Department of Energy complex. The conferees have agreed, therefore, to include a provision that would provide temporary authority for the disestablishment of the Office of Defense Nuclear Counterintelligence within NNSA and the transfer of NNSA counterintelligence personnel to the Department's Office of Counterintelligence.

Because NNSA and its programs contain the assets of greatest national security concern, the conferees would incorporate three important safeguards into the new organizational structure. First, the provision would require the establishment of an Intelligence Executive Committee within the Department of Energy consisting of the Deputy Secretary of Energy, who would chair the Committee, and each Under Secretary of Energy. One of the Under Secretaries is also the Administrator of the NNSA. Second, conferees would create, within the staff of the Administrator of the NNSA, a position of NNSA Intelligence and Counterintelligence Liaison that would be responsible for liaison between NNSA and the Department's Office of Intelligence and Counterintelligence. Third, the conferees would include a section to sunset the transfer effective September 30, 2010. This sunset would allow future Congresses to examine the effectiveness of the new, consolidated office and to take appropriate action, either to continue, modify, or reverse this organizational structure, based on that examination. Taken together, these measures are intended to ensure a continued strong voice for the NNSA in counterintelligence policy and requirements within the Department.

The conferees also wish to emphasize to the Department of Energy the existing requirement, already in law, regarding the

selection and appointment of leadership for the new organization. The conferees remind the Department that section 1014 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) requires the Secretary of Energy to obtain the concurrence of the Director of National Intelligence before appointing an individual to fill the positions of Director of Intelligence and Director of Counterintelligence for the Department of Energy. Section 1014 further states that if the Director of National Intelligence does not concur in the recommendation, the Secretary of Energy may not appoint the individual to the position. The conferees support this requirement. The conferees further note that the recently appointed Director of Counterintelligence for the Department is detailed from the Federal Bureau of Investigation (FBI) for 2 years. The conferees believe that an individual having experience in counterintelligence matters as either a current or former agent of the FBI continues to be the most appropriate choice to lead the Department's counterintelligence efforts.

Notice-and-wait requirement applicable to certain third-party financing arrangements (sec. 3118)

The Senate amendment contained a provision (sec. 3111) that would require the Secretary of Energy to notify the congressional defense committees 30 days prior to entering into certain alternative financing arrangements.

The House bill contained no similar provision.
The House recesses.

Extension of deadline for transfer of lands to Los Alamos County, New Mexico, and of lands in trust for the Pueblo of San Ildefonso (sec. 3119)

The Senate amendment contained a provision (sec. 3116) that would amend section 632 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119) to extend, by five years, the deadline for completing certain land transfers by the Secretary of Energy to Los Alamos County, New Mexico and to the Secretary of the Interior of lands to be held in trust for the Pueblo of San Ildefonso.

The House bill contained no similar provision.
The House recesses.

Limitations on availability of funds for Waste Treatment and Immobilization Plant (sec. 3120)

The Senate amendment contained a provision (sec. 3117) that would prohibit the Secretary of Energy from obligating or

expending more than a percentage of the amount authorized to be appropriated for the Waste Treatment and Immobilization Plant prior to performing certain actions.

The House bill contained no similar provision.

The House recedes with an amendment that would increase the amount available to be obligated or expended from 30 percent to 90 percent of the funds appropriated or otherwise available prior to the Secretary certifying to the congressional defense committees that the earned value management system for the project has been recommended for acceptance by the Defense Contract Management Agency. The amendment would also alter the limitation related to the establishment of final seismic criteria for the project by prohibiting the obligation or expenditure of any of the amount appropriated or otherwise available for the project for construction or for procurement of critical equipment affected by the seismic criteria prior to the establishment of final seismic and ground motion criteria for the project. The conferees encourage the Department of Energy to sequence the obligation and expenditure of engineering funds on the project in a manner that minimizes the risk of incurring additional costs should the interim seismic criteria ultimately be found to be inadequate.

Report on Russian Surplus Fissile Materials Disposition Program
(sec. 3121)

The Senate amendment contained a provision (sec. 3118) that would prohibit the obligation of fiscal year 2007 funds to implement the Russian Surplus Fissile Materials Disposition Program, other than continuation of the research and development associated with the Gas Turbine-Modular Helium Reactor (GT-MHR), until 30 days after the Secretary of Energy provides to the congressional defense committees written recommendations regarding whether and in what manner the program should proceed. The provision would require the recommendations to include: (1) a description of the disposition method Russia has agreed to use; (2) a description of the assistance the United States plans to provide under the program; (3) an estimate of the total cost and schedule of the U.S. assistance to the program; and (4) an explanation of how parallelism is to be defined for purposes of the program and whether such parallelism can be achieved if the U.S. mixed-oxide (MOX) approach to plutonium disposition continues on the current planned schedule without further delays.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Energy to provide a report, no later than March 1, 2007, to the congressional defense committees. The report shall include: (1) a description of the disposition method Russia has agreed to use under the program; (2) a description of the assistance the United States plans to provide under the program;

(3) an estimate of the total cost and schedule of such assistance; and (4) an explanation of how parallelism is to be defined for purposes of the program, including projected goals for the disposition of Russian weapons-grade plutonium under the 2000 Plutonium Disposition and Management Agreement, and whether such parallelism can be achieved if the U.S. MOX program continues on the current planned schedule without further delays.

The conferees note their support for the goals of the September 2000 Plutonium Management and Disposition Agreement to dispose of 34 metric tons of surplus weapons-grade plutonium in both the United States and Russia on roughly parallel paths. For the past 2 years, the Russian program has been delayed pending completion of a liability agreement between the United States and the Russian Federation, and that in turn caused a delay in the U.S. program. The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) cut \$250.0 million in funding for the U.S. MOX program due to the impasse over liability. Although the liability agreement has now been signed, Russian officials have stated that the agreement will require ratification by the Russian Duma.

In a new development arising out of U.S.-Russian negotiations on the plutonium disposition program in February 2006, Russia has now indicated that it is not prepared to proceed with the program as originally conceived. Representatives of the National Nuclear Security Administration and the Department of State have indicated that Russia no longer wishes to use MOX fuel in VVER-1000 light water reactors unless the United States and the international community agree to bear the full life cycle cost of this approach, estimated at \$2.7 billion. Rather, Russia would like to explore a new two-pillar approach to the plutonium disposition program, consisting of limited disposition in an existing BN-600 reactor (disposition in such a reactor was part of the originally envisioned program), and eventually larger-scale disposition in one or more BN-800 fast breeder reactors (FBR). It is unclear how much this new approach would cost and how it would be funded. The United States has not previously supported the FBR design due to proliferation concerns.

While generally pleased with the progress of DOE programs with the Russian Federation to cooperatively reduce the nuclear threat, the conferees are troubled by the uncertainty that now surrounds the Russian Surplus Materials Disposition Program. The conferees note the July 13, 2006, Joint Statement by the Secretary of Energy and the Director of the Federal Atomic Energy Agency of the Russian Federation reaffirming the joint commitment to the 2000 Agreement to dispose of 34 metric tons of excess weapons-grade plutonium. Nevertheless, the conferees remain concerned about the lack of any plan, implementing agreement, or concrete timetable for implementing this renewed commitment. Such a plan should include the method of disposition, the amount of the Russian contribution to the disposition program, and how much and

what type of assistance the United States and the international community will be asked to provide to the program. The conferees believe that these questions must be resolved before the United States invests further in this important cooperative program. Therefore, the conferees recommend no funds for the Russian Surplus Fissile Materials Disposition Program, a reduction of \$34.7 million. Of those funds available from prior fiscal years for the Russian Surplus Fissile Materials Disposition Program, no more than \$20.0 million shall be available for expenditure until 30 days after the Secretary of Energy has provided to the congressional defense committees the report required by this section. The conferees note that there are adequate prior year funds available for the Russian Surplus Fissile Materials Disposition Program in the event that Russia and the United States agree on a path forward and are prepared to resume cooperative work on a plutonium disposition program that is consistent with the 2000 Agreement, and to which Russia and the United States are fully committed.

The conferees expect the GT-MHR technology cooperation efforts to proceed without interruption using the prior year funds that are unaffected by this funding restriction.

Limitation on availability of funds for construction of MOX Fuel Fabrication Facility (sec. 3122)

The Senate amendment contained a provision (sec. 3119) that would prohibit the obligation of fiscal year 2007 funds for construction of the Mixed Oxide (MOX) Fuel Fabrication Facility until 30 days after the Secretary of Energy provides to the congressional defense committees: (1) an independent cost estimate for the U.S. Surplus Fissile Materials Disposition program and facilities; and (2) a written certification that the Department of Energy intends to use the MOX Fuel Fabrication Facility for U.S. plutonium disposition regardless of the future direction of the Russian Surplus Fissile Materials Disposition program.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the obligation of fiscal year 2007 funds for construction of the MOX Fuel Fabrication Facility until 30 days after the Secretary of Energy provides to the congressional defense committees: (1) an independent cost estimate for the U.S. Surplus Fissile Materials Disposition program and facilities; (2) a written certification that the Department intends to use the MOX Fuel Fabrication Facility for U.S. plutonium disposition regardless of the future direction of the Russian Surplus Fissile Materials Disposition program; and (3) a corrective action plan for issues raised by the Department of Energy Inspector General (IG) in the December 2005 report titled "The Status of the Mixed Oxide Fuel Fabrication Facility."

The conferees support the goals of the September 2000 Plutonium Management and Disposition Agreement to dispose of 34 metric tons of surplus weapons-grade plutonium in both the United States and Russia on roughly parallel paths, but note their ongoing concern regarding the implementation of this program. Under the agreement, the United States and Russia each agreed to dispose of 34 metric tons of surplus weapons-grade plutonium, and both countries planned to dispose of the plutonium by fabricating it into MOX fuel for use in existing nuclear reactors. It has been both executive branch policy and a condition of the Congress that the U.S. and Russian programs would proceed on parallel paths. This program was delayed for more than 2 years as the United States and Russia negotiated an agreement on liability protections for U.S. contractors associated with the project. Now Russia has indicated it wishes to pursue alternative disposition methods under this program, rather than relying on the MOX method that had been planned. Uncertainties surrounding the Russian program have led to questions regarding the continued relationship of that program to the U.S. Surplus Fissile Materials Disposition program, given that these two programs are required to proceed on roughly parallel paths.

The conferees are further concerned that the U.S. MOX program has experienced significant cost overruns and schedule delays, irrespective of the problems with the Russian program. A December 2005 audit by the IG concluded that while the original 2002 budget estimate for the U.S. MOX facility was \$1.0 billion, the total cost is now estimated at around \$3.5 billion, and the plant will not begin producing MOX fuel until 2015, 6 years later than originally planned. The IG audit was highly critical of the Department's management of the MOX program, asserting that weaknesses in project management and limited administration of the program contributed to cost growth. More recent information suggests that the cost of the U.S. MOX program is expected to rise significantly higher than the IG estimated.

In light of these developments, the conferees believe it is necessary to have an independent cost estimate for the program; a certification from the Secretary that the Department will use the MOX facility for plutonium disposition regardless of the future direction of the Russian program; and a corrective action plan for issues raised by the IG, before fiscal year 2007 funds are obligated for construction of the MOX Fuel Fabrication Facility.

Based on preliminary discussions with the Department, the conferees are operating under the assumption that the Savannah River Site MOX project is a cost-effective and efficient method for the United States to dispose of a significant portion of its excess weapons-grade plutonium inventory as part of a broader plutonium disposition plan. Accordingly, the conferees believe that moving forward expeditiously with construction and operation of the U.S. MOX facility will significantly reduce the costs and risks associated with managing domestic weapons-grade plutonium.

The conferees direct the Department to provide to the congressional defense committees an assessment of whether, given the sunk costs to date for the U.S. MOX project and an evaluation of other alternatives for plutonium disposition, proceeding with the U.S. MOX project is the most effective means, from both a cost and technical perspective, for managing and disposing of excess U.S. weapons-grade plutonium.

The conferees reaffirm their view that proceeding with construction and operation of the U.S. MOX facility is important in order to demonstrate the continuing commitment of the United States to fulfilling its obligations under both the 2000 Plutonium Management and Disposition Agreement, and under Article VI of the Nuclear Non-Proliferation Treaty.

Education of future nuclear engineers (sec. 3123)

The Senate amendment contained a provision (sec. 3121) that would direct the Secretary of Energy to conduct a study on the feasibility and merit of establishing a scholarship or fellowship program to educate future nuclear engineers at the postsecondary and postgraduate levels and to submit a report on the study to the congressional defense committees.

The House bill contained no similar provision.

The House recesses with a technical amendment.

Technical correction related to authorization of appropriations for fiscal year 2006 (sec. 3124)

The Senate amendment contained a provision (sec. 3120) that would strike the amount "\$9,196,456" and insert "\$9,196,456,000" in section 3101(a) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

The House bill contained no similar provision.

The House recesses.

TITLE XXXII-DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Legislative Provision Adopted

Authorization (sec. 3201)

The House bill contained a provision (sec. 3201) that would authorize \$22.3 million for the Defense Nuclear Facilities Safety Board, the amount of the budget request.

The Senate amendment contained an identical provision (sec. 3201).

The conference agreement includes this provision. The conferees note their concern regarding the untimely resolution by the Department of Energy of technical issues raised by the Board. The conferees believe that the Board and the Department would benefit from a more structured process for issue resolution that would allow issues to be raised, evaluated, and adjudicated at logical points in the design and construction process. The conferees urge the Board to evaluate whether more frequent use of the Board's formal recommendation process would drive both parties towards this more structured process. The conferees also encourage the Board to take a constructive role in the problem-solving process by quickly evaluating corrective actions proposed by the Department and its contractors.

The conferees are encouraged by efforts between the Department and the Board to develop a process to provide for more timely identification and resolution of technical differences over design standards and other issues at the Department's nuclear facilities. Specifically, conferees support the pending revision of the Department's Order 413.3 to require critical safety determinations be made prior to Critical Decision 1 in the Department's project management system. The conferees direct the Board and the Department to continue these discussions and to report jointly to the congressional defense committees on their efforts to improve the timeliness of issue resolution, including recommendations, if any, for legislation that would strengthen and improve technical oversight of the Department's nuclear design and operational activities. Until such time as this report is submitted, the conferees further direct the Board to provide to the congressional defense committees quarterly reports to identify and report the status of significant unresolved issues.

The conferees expect the Board to exercise its existing statutory authority at all Department of Energy defense nuclear facilities. This includes the Waste Treatment and Immobilization Plant [Project 01-D-416] at the Department's Hanford site in the State of Washington.

TITLE XXXIII-NATIONAL DEFENSE STOCKPILE

Legislative Provision Adopted

Authorized uses of National Defense Stockpile funds (sec. 3301)

The House bill contained a provision (sec. 3301) that would authorize \$52.1 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National Defense Stockpile for fiscal year 2007. The provision would also permit the use of additional funds for extraordinary or emergency conditions 45 days after Congress receives notification.

The Senate amendment contained no similar provision.
The Senate recesses.

Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile (sec. 3302)

The House bill contained a provision (sec. 3302) that would authorize increased sales of certain materials in the National Defense Stockpile through the end of fiscal year 2013.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would reduce the amount of the increased sales.

TITLE XXXIV-NAVAL PETROLEUM RESERVES

Legislative Provision Adopted

Authorization of appropriations (sec. 3401)

The House bill contained a provision (sec. 3401) that would authorize \$18.8 million for the operation and maintenance of the Naval Petroleum and Oil Shale Reserves.

The Senate amendment contained no similar provision.

The Senate recesses.

Legislative Provision Not Adopted

The Senate amendment contained a provision (sec. 3401) that would require the 'Shallow Oil Zone Provisional Recommendation of Equity Participation' of the independent petroleum engineer for Naval Petroleum Reserve Numbered 1 to become the final recommendation, unless the Department of Energy and Chevron U.S.A. Inc. agree that the independent petroleum engineer shall not be liable for any cost or expense incurred as a result of good faith services.

The House bill contained no similar provision.

The Senate recesses.

TITLE XXXV-MARITIME ADMINISTRATION

Legislative Provisions Adopted

Authorization of appropriations for fiscal year 2007 (sec. 3501)

The House bill contained a provision (sec. 3501) that would authorize a total of \$164.4 million for fiscal year 2007, an increase of \$19.5 million above the budget request. Of the amount authorized, \$25.7 million would be for the disposal of obsolete vessels. Within the funds included for operation and training programs, the provision would authorize \$19.5 million to provide for the reimbursement of non-emergency repairs under the provisions of section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note), as amended by section 3503 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would increase the amount authorized by an additional \$15.6 million. Of the additional amount authorized, \$15.0 million would be for assistance to small shipyards under section 3506 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), and \$0.6 million for fuel payments for the six State maritime academies to operate their training ships.

The amendment would further clarify the amount authorized for administrative expenses related to the implementation of the loan guarantee program under title XI of the Merchant Marine Act, 1936 (46 U.S.C. App. 1271 et seq.) and the non-emergency repair reimbursement, and small shipyard assistance programs described above.

Amendments relating to the Maritime Security Fleet program (sec. 3502)

The House bill contained a provision (sec. 3502) that would amend section 53105(e) of the Maritime Security Act of 2003 (46 U.S.C. 53101 note) to prohibit the transfer of an operating agreement to a person that is not a citizen of the United States, as that term is used in section 2 of the Shipping Act, 1916 (46 U.S.C. 802), unless the Secretary of Defense determines that there is no citizen under that section who is interested in obtaining the operating agreement for a vessel that is otherwise eligible to be included in the Maritime Security Fleet program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that in order for a vessel to be considered eligible for an operating agreement to be transferred the vessel must meet the specific Department of Defense requirements for that operating agreement. The amendment would also amend section 53103(c)(4) of title 46, United States Code, to provide an alternative approach for operators of the Maritime Security Fleet program product tankers to meet U.S.-built replacement vessel requirements. The alternative approach would include the construction and operation of equivalent domestic trade tank vessels. The amendment would

further amend section 53106 of title 46, United States Code, to establish priority for allocation of payments to vessels, in the event that the amounts available for payments under operating agreements are not sufficient to pay the full amount authorized under each agreement.

Applicability to certain Maritime Administration vessels of limitations on overhaul, repair, and maintenance of vessels in foreign shipyards (sec. 3503)

The House bill contained a provision (sec. 3503) that would require that certain U.S. Maritime Administration vessels activated in support of Department of Defense missions be subject to section 7310 of title 10, United States Code.

The Senate amendment contained no similar provision.
The Senate recesses.

Vessel transfer authority (sec. 3504)

The House bill contained a provision (sec. 3504) that would authorize the Secretary of Transportation to transfer any vessels that are in the National Defense Reserve Fleet to another Federal agency.

The Senate amendment contained no similar provision.
The Senate recesses.

United States Merchant Marine Academy graduates: service requirements (sec. 3505)

The House bill contained a provision (sec. 3505) that would exempt graduates of the United States Merchant Marine Academy, who serve on active duty in the Armed Forces for the 5 years following graduation, from certain commitment agreement requirements which were entered into upon admission.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would include exemption of graduates of the United States Merchant Marine Academy, who serve on active duty in the Public Health Service for the 5 years following graduation, from the agreement requirements specified in this provision.

United States Merchant Marine Academy graduates: service obligation performance reporting requirement (sec. 3506)

The House bill contained a provision (sec. 3506) that would allow the Department of Defense, the United States Coast Guard, and the National Oceanic and Atmospheric Administration to verify to the Maritime Administration that academy graduates have in fact

remained on active duty or continued in a ready reserve status for the amount of their obligation.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would also allow the Public Health Service to verify to the Maritime Administration that academy graduates have in fact remained on active duty or continued in a ready reserve status for the amount of their obligation.

Temporary authority to transfer obsolete combatant vessels to Navy for disposal (sec. 3507)

The House bill contained a provision (sec. 3507) that would require the Secretary of Transportation to transfer to the Secretary of the Navy for disposal by scrapping, during fiscal year 2007, no fewer than six combatant vessels of the nonretention fleet of the Maritime Administration.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would reduce the number of combatant vessels subject to transfer by the Secretary of Transportation to the Secretary of the Navy, during fiscal year 2007, to no fewer than three.

Qualifying Reserve duty for receipt of student incentive payments (sec. 3508)

The conferees agree to include a provision that would amend title 13 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1295c(g)(2)) to include service in the United States Coast Guard Reserve as fulfillment of enlisted reserve requirements for receipt of student incentive payments.

Large passenger ship crew requirements (sec. 3509)

The conferees agree to include a provision that would amend section 8103 of title 46, United States Code, to establish crew requirements for large passenger vessels. Specifically, the provision would expand the pool of non-citizens that can be employed on U.S.-flag large passenger vessels to include certain non-resident alien visa holders. The provision would also establish rules, restrictions, and background check requirements for non-resident alien employees, which have been deemed necessary by the Department of Homeland Security to maintain the security and safety of passenger vessels.

The conferees direct the Commandant of the Coast Guard to closely monitor implementation of affected procedures for employment of non-citizens. The Commandant shall notify Congress of any measures, beyond changes to Coast Guard regulations, that may be required to maintain the security and safety of the subject

passenger vessels consistent with standards for U.S.-flagged vessels.

The conferees agree that the relief to employment requirements of this provision warrant documentation within the security plan for each large passenger vessel employing non-resident aliens. The Secretary of Homeland Security shall ensure that vessel security plans prohibit non-resident alien seamen from working in:

- (1) any position with the authority to receive stores or provisions;
 - (2) any position allowing unescorted access to restricted spaces on the vessel;
 - (3) any position with security-related responsibilities;
- and
- (4) any position with any operationally critical shipboard duties.

Miscellaneous Maritime Administration provisions (sec. 3510)

The conferees agree to include a provision that would make technical corrections to (1) section 1208(a) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1288(a)), (2) section 8 of the Merchant Marine Decorations and Medals Act (46 U.S.C. App. 2007), and (3) section 3509 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163). The provision would also authorize funding for an intermodal or marine facility comprising a component of the Hawaii Port Infrastructure Expansion Program.

Legislative Provision Not Adopted

Temporary requirement to maintain Ready Reserve Force

The House bill contained a provision (sec. 3508) that would require the Secretary of Defense, in consultation with the Secretary of Transportation, to submit to Congress by March 1, 2007, a report describing a 5-year plan for maintaining the capability of the Ready Reserve Force of the National Defense Reserve Fleet necessary to support Department of Defense wartime mission and support to civil authorities. The provision would also require the Secretary of Transportation to maintain 58 vessels in the Ready Reserve Force of the National Defense Reserve Fleet until 45 days after the date the report is required.

The Senate amendment contained no similar provision. The House recedes.

The conferees request that the U. S. Transportation Command advise the congressional defense committees prior to further reductions to the Ready Reserve Force and include plans for providing capacity to meet related readiness requirements.

EARMARKS

Pursuant to House Resolution 1000, entitled "Providing for earmarking reform in the House of Representatives," adopted on September 14, 2006, the committee finds the following earmarks contained in this conference report:

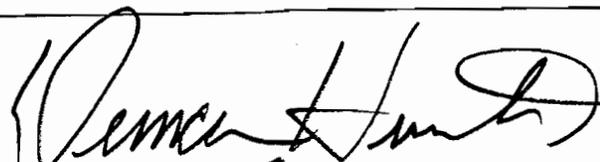
<u>Member</u>	<u>Program/Project Title</u>	<u>Account/Line #</u>	<u>Amount</u> (dollars in millions)
Hunter, Duncan (CA) Bartlett, Roscoe (MD)	Low cost domestic titanium reduction to powder initiative	RDA 183 78045A	\$5.0
Kline, John (MN)	Traumatic brain injury treatment and rehabilitation	Defense Health Program O&M	\$12.0
Warner, John (VA)	East Coast Asymmetric Warfare Initiative	RDDW 54 63828D8Z	\$4.0
Kingston, Jack (GA) Marshall, Jim (GA)	Construct Software Support Facility, Phase 2, Robins AFB, Georgia	Air Force Construction and Land Acquisition Projects	\$7.0
Chafee, Lincoln (RI) Reed, Jack (RI)	Replace Vehicle Bridge, Increment 2, Naval Station Newport, Rhode Island	Navy Construction and Land Acquisition Projects	\$3.41

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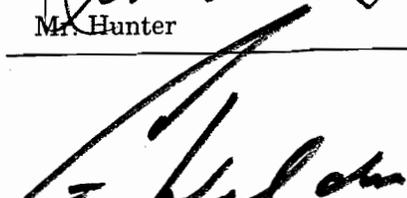
*Managers on the part of the
HOUSE*

*Managers on the part of the
SENATE*

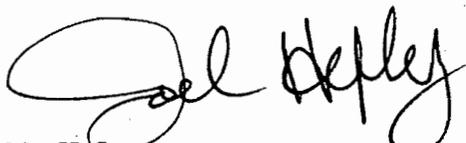
From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:



Mr. Hunter



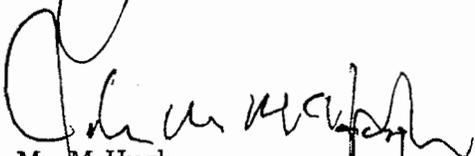
Mr. Weldon of Pennsylvania



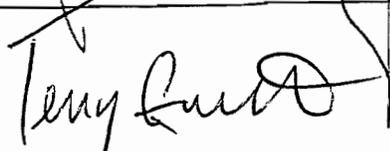
Mr. Hefley



Mr. Saxton



Mr. McHugh

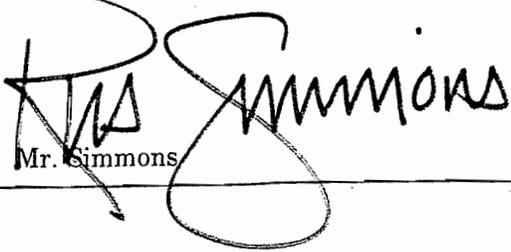


Mr. Everett

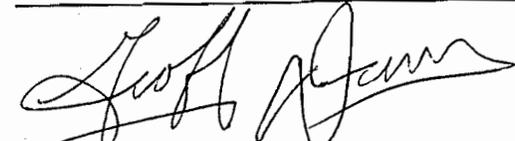
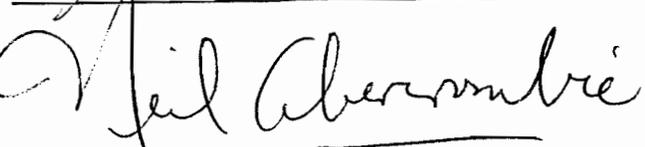


Mr. Bartlett of Maryland

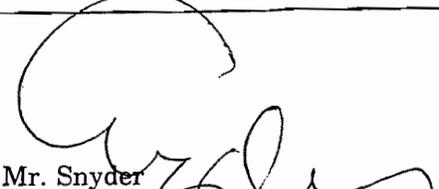
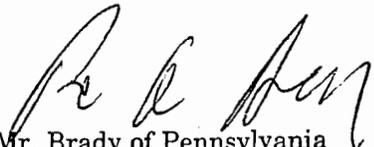
H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
 Mr. Thornberry	
 Mr. Hostettler	
Mr. Jones of North Carolina	
 Mr. Ryan of Kansas	
 Mr. Gibbons	
 Mr. Hayes	
 Mr. Calvert	
 Mr. Simmons	

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
 Mrs. Drake	
 Mr. Davis of Kentucky	
 Mr. Skelton	
 Mr. Spratt	
 Mr. Ortiz	
 Mr. Taylor of Mississippi	
 Mr. Abernombie	
Mr. Meehan	

H.R. 5122—Continued

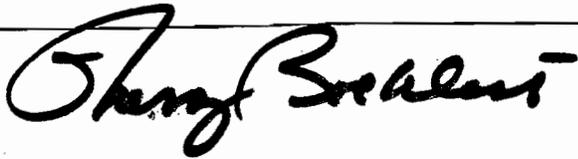
<i>Managers on the part of the</i> HOUSE	<i>Managers on the part of the</i> SENATE
 Mr. Reyes	
 Mr. Snyder	
 Mr. Smith of Washington	
 Ms. Loretta Sanchez of California	
 Mrs. Tauscher	
 Mr. Brady of Pennsylvania	
 Mr. Andrews	

H.R. 5122—Continued

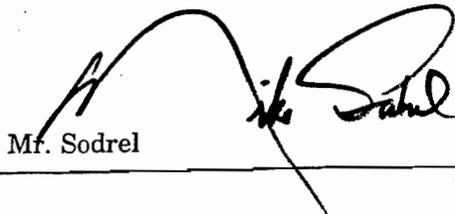
Managers on the part of the
HOUSE

Managers on the part of the
SENATE

From the Committee on Science, for consideration of secs. 312 and 911 of the House bill, and secs. 333, 874, and 1082 of the Senate amendment, and modifications committed to conference:



Mr. Boehlert



Mr. Sodrel

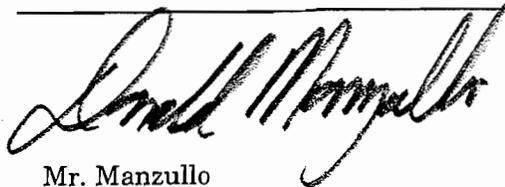
~~Mr. Gordon~~

H.R. 5122—Continued

*Managers on the part of the
HOUSE*

*Managers on the part of the
SENATE*

From the Committee on Small Business, for consideration of secs. 874 and 1093 of the Senate amendment, and modifications committed to conference:



Mr. Manzullo



Mrs. Kelly

~~Ms. Velázquez~~

H.R. 5122—Continued

*Managers on the part of the
HOUSE*

*Managers on the part of the
SENATE*

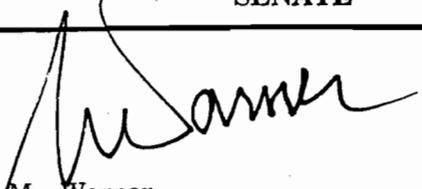
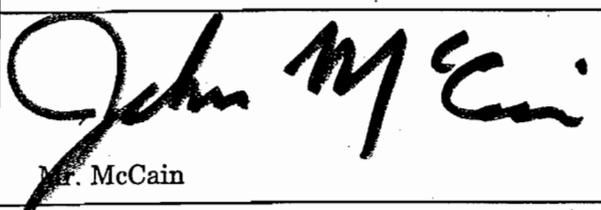
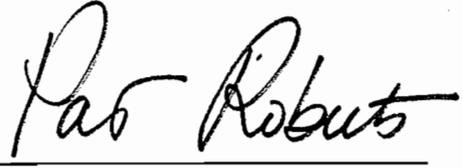
From the Committee on Transportation and Infrastructure, for consideration of secs. 312, 551, 601, 602, and 2845 of the House bill, and secs. 333, 584, 601, 1042, 1095, 2842, 2851-2853, and 2855 of the Senate amendment, and modifications committed to conference:

Don Young
Mr. Young of Alaska

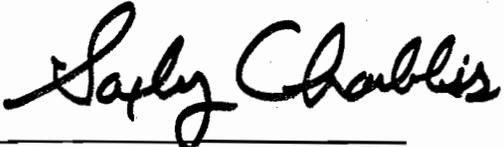
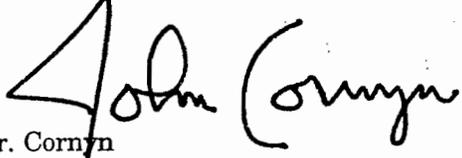
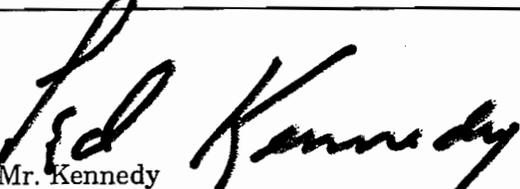
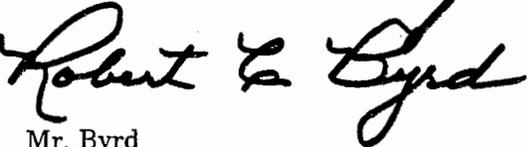
F. L. LoBiondo
Mr. LoBiondo

Jim Oberstar
Mr. Oberstar *except sections 1095, 2851, 2852, 2853 of the Senate Amendment*

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	 Mr. Warner
	 Mr. McCain
	 Mr. Inhofe
	 Mr. Roberts
	 Mr. Sessions
	 Ms. Collins
	 Mr. Ensign
	 Mr. Talent

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	Mr. Chambliss 
	Mr. Graham of South Carolina 
	Mrs. Dole 
	Mr. Cornyn 
	Mr. Thune 
	Mr. Levin 
	Mr. Kennedy 
	Mr. Byrd 

H.R. 5122—Continued

<i>Managers on the part of the HOUSE</i>	<i>Managers on the part of the SENATE</i>
	Mr. Lieberman 
	Mr. Reed 
	Mr. Akaka 
	Mr. Nelson of Florida 
	Mr. Nelson of Nebraska 
	Mr. Dayton 
	Mr. Bayh 
	Mrs. Clinton 