

S 1548

Department of Defense Authorization Act for Fiscal Year 2008

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Sponsor

Name: Sen. Levin, Carl [D-MI]

Party: Democratic • **State:** MI • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------------------|---------|---------------------------|--------------|
| Armed Services Committee | Senate | Reported Original Measure | Jun 5, 2007 |
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Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|---|
| 110 HR 1585 | Related bill | Jan 15, 2008: On motion to refer the bill and the accompanying veto message to the Committee on Armed Services. Agreed to by voice vote. |
| 110 S 1547 | Related bill | Jun 29, 2007: Placed on Senate Legislative Calendar under General Orders. Calendar No. 260. |

Department of Defense Authorization Act for Fiscal Year 2008 - **Title I: Procurement - Subtitle A: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations for FY2008 for the Army, Navy and Marine Corps, and Air Force for aircraft, missiles, weapons and tracked combat vehicles, ammunition, shipbuilding and conversion, and other procurement.

(Sec. 104) Authorizes appropriations for FY2008 for: (1) defense-wide procurement; and (2) the Rapid Acquisition Fund.

Subtitle B: Army Programs - (Sec. 111) Authorizes the Secretary of the Army, beginning with the FY2008 program year, to enter into a multiyear contract for procurement of: (1) M1A2 Abrams system enhancement package upgrades; and (2) M2A3/M3A3 Bradley fighting vehicle upgrades.

(Sec. 113) Prohibits Army weapons and tracked combat vehicle funds from being obligated or expended for procurement of the Stryker Mobile Gun System until 30 days after the Secretary of the Army certifies to Congress its operational effectiveness in anticipated deployment missions. Authorizes the Secretary of Defense (Secretary) to waive such certification requirement in the national security interest, after congressional notification.

(Sec. 114) Directs the Secretary of the Army to: (1) consolidate the Joint Network Node program and Warfighter Information Network-Tactical program into a single Army tactical network program; and (2) report to the congressional defense and appropriations committees on such consolidation.

Subtitle C: Navy Programs - (Sec. 131) Authorizes the Secretary of the Navy, beginning with the FY2009 program year, to enter into multiyear contracts for procurement of Virginia-class submarines and government-furnished equipment. Prohibits such Secretary from entering into such a contract until 30 days after certification to the defense and appropriations committees with respect to contract specifications.

Subtitle D: Air Force Programs - (Sec. 141) Prohibits the Secretary of the Air Force from retiring C-130E/H tactical airlift aircraft during FY2008. Requires such Secretary to maintain each such aircraft retired during FY2007 in a condition that will permit recall to future service.

(Sec. 142) Prohibits the Secretary of the Air Force from retiring any KC-135E aerial refueling aircraft in FY2008 unless such Secretary provides written notification to the defense and appropriations committees.

Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations - (Sec. 201) Authorizes appropriations for FY2008 for the Armed Forces for research, development, test, and evaluation (RDT&E). Earmarks specified amounts for the Defense Science and Technology Program.

Subtitle B: Program Requirements, Restrictions, and Limitations - (Sec. 211) Earmarks specified defense-wide RDT&E funds for transfer to the Advanced Sensor Applications program. Reassigns such program to the Defense Threat Reduction Agency.

(Sec. 212) Requires the Secretary to: (1) undertake comparative tests and a comprehensive assessment of foreign and domestic active protection systems for the consideration of the adoption of such systems in defense acquisition programs; and (2) report to the defense and appropriations committees on such assessment.

(Sec. 213) Requires the Secretary, with respect to funds authorized after FY2007 for the Joint Strike Fighter program, to ensure the obligation and expenditure of sufficient funds for the development and procurement of two options for the

propulsion system for such Fighter, thereby giving a choice of engines to the growing number of nations expressing an interest in procuring such aircraft.

Subtitle C: Missile Defense Programs - (Sec. 231) Prohibits the obligation or expenditure of funds for the procurement, construction, or deployment of a long-range missile defense system in Europe until specified conditions have been met, including that the Secretary: (1) has certified to Congress the reliability of the proposed interceptor to be deployed; and (2) select a federally funded research and development center (FFRDC) to conduct an independent assessment of options for ballistic missile defense for forward deployed forces of the United States and its allies in Europe. Requires the FFRDC to report assessment results to the Secretary and the defense and appropriations committees.

(Sec. 232) Prohibits funds from being obligated or expended to deploy more than 40 ground-based interceptors at Fort Greely, Alaska, until the Secretary certifies to Congress that the Block 2006 ground-based midcourse defense element of the Ballistic Missile Defense (BMD) system has demonstrated a high probability of working in an effective manner.

(Sec. 233) Requires the budget justification materials submitted to Congress in support of the Department of Defense (DOD) budget for any fiscal year after 2008 to set forth separately requested amounts for the Missile Defense Agency (MDA) for: (1) RDT&E; (2) procurement; (3) operation and maintenance; and (4) military construction. Outlines objectives for MDA acquisition activities. Specifies BMD system elements.

(Sec. 234) Requires the MDA Director to report promptly to the Director of Operational Test and Evaluation on the results of all tests, evaluations, and studies conducted by the MDA.

(Sec. 235) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2002 to extend through FY2013 Comptroller General (CG) assessments of BMD programs.

Subtitle D: Other Matters - (Sec. 251) Reduces from 30 to 7 days after notification of the defense and appropriations committees the wait required before the obligation of funds for the foreign comparative test program.

(Sec. 252) Modifies the cost-sharing requirement under the Technology Transition Initiative.

(Sec. 253) Directs the Secretary to develop, and update on a biennial basis, a strategic plan for the Manufacturing Technology program.

(Sec. 254) Amends the NDAA for Fiscal Year 1995 to authorize (under current law, requires) all solicitations under the Defense Experimental Program to Stimulate Competitive Research to be made to, and awards made through, the state committees established for such Program.

(Sec. 255) Amends the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Stump Act) to: (1) revise program purposes under the defense nanotechnology research and development program; (2) replace the Director of Defense Research and Engineering with the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) as the program's administrator; (3) include under program activities the development of a strategic plan for the National Nanotechnology Initiative; (4) require the Under Secretary to report on the program to the defense and appropriations committees, in each of 2009, 2011, and 2013; and (5) require a one-time report from the CG to such committees assessing DOD progress made in achieving program purposes.

Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations - (Sec. 301) Authorizes appropriations for FY2008 for operation and maintenance (O&M) for the Armed Forces and specified activities and agencies of DOD.

Subtitle B: Environmental Provisions - (Sec. 311) Authorizes the Secretary to transfer specified funds to the Moses Lake Wellfield Superfund Site Special Account to reimburse the Environmental Protection Agency (EPA) for costs incurred in overseeing a remedial investigation and feasibility study performed by the Army.

(Sec. 312) Authorizes the Secretary to transfer specified funds to the Hazardous Substance Superfund to reimburse the EPA for costs incurred in connection with the Arctic Surplus Superfund Site, Fairbanks, Alaska.

(Sec. 313) Authorizes the Secretary of the Navy to transfer specified funds to the Hazardous Substance Superfund to pay a stipulated penalty assessed by the EPA against the Jackson Park Housing Complex, Washington.

Subtitle C: Program Requirements, Restrictions, and Limitations - (Sec. 321) Allows funds in the Defense Information Systems Agency Working Capital Fund to be used for expenses directly related to technology upgrades to the Defense Information Systems Network, with limitations. Requires an annual report on the use of such authority from the Director of the Defense Information Systems Agency to the defense and appropriations committees. Terminates the authority on October 1, 2011.

(Sec. 322) Amends the Stump Act to extend through FY2012 the temporary authority for the contractor performance of DOD security guard functions.

(Sec. 323) Amends the John Warner National Defense Authorization Act for Fiscal Year 2007 (Warner Act) to include, in a required report, the reporting of additional incremental costs resulting from the deployment of forces in Iraq and Afghanistan above the levels deployed to such countries on January 1, 2007.

(Sec. 324) Requires the Directors of Operational Test and Evaluation and Defense Research and Engineering to jointly: (1) conduct an assessment of various domestic technological approaches for body armor systems for protection against ballistic threats at or above military requirements; and (2) report assessment results to the Secretary and the defense and appropriations committees.

Subtitle D: Workplace and Depot Issues - (Sec. 341) Extends through FY2014 the authority for Army industrial facilities to engage in cooperative activities with non-Army entities to carry out specified military or commercial projects. Requires: (1) annual reports from the Secretary of the Army to Congress on the use of such authority; and (2) a one-time report from such Secretary to the defense and appropriations committees on the advisability of making such authority permanent and eliminating the limitation on the number of contracts that may be entered into under such authority.

(Sec. 342) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 to extend through FY2010 the arsenal support demonstration program (and a related report requirement).

Subtitle E: Other Matters - (Sec. 351) Replaces provisions requiring the Secretary to designate a DOD officer, employee, or standing board or committee as the official or organization responsible for the prevention and mitigation of corrosion of DOD military equipment and infrastructure with provisions establishing an Office of Corrosion Policy and Oversight (headed by a Director) within the Office of the Under Secretary. Gives the Director additional authorities relating to the oversight of corrosion-related training, the development of directives, and interaction with non-DOD corrosion prevention activities, organizations, and research institutions. Includes the use of cooperative corrosion research agreements within the DOD corrosion reduction strategy. Requires annual reports from the Secretary and the CG concerning the use of DOD funds for corrosion prevention and mitigation activities.

(Sec. 352) Directs the Secretary to require a federal agency to which law enforcement support or support to a national

special security event is provided by National Guard personnel to reimburse DOD for the costs of that support.

(Sec. 353) Extends through 2013 the authority of the Secretary of Transportation to provide insurance and reinsurance for commercial air carriers supporting DOD transportation activities.

(Sec. 354) Authorizes the Secretary of the Navy to prescribe regulations for the accounting for property of the Navy and Marine Corps and for the fixing of responsibility for such property. Prohibits members of the Navy or Marine Corps from selling, lending, or giving any clothing, arms, or equipment obtained by or furnished to such member to any person other than a member of the Navy or Marine Corps, other military officer, or other individual authorized to receive it. Allows for the seizure and retention of property disposed of in violation of such requirements. Standardizes the language of current provisions relating to the unauthorized disposition of Army and Air Force clothing, arms, or equipment with the language of the Navy and Marine Corps requirements.

(Sec. 355) Authorizes the Secretary to require compliance with reasonable conditions before a member or DOD civilian employee receives full replacement value for personal property lost or damaged while being transported at government expense.

(Sec. 356) Permits the Secretary of the military department concerned (Secretary concerned) to authorize members to retain combat uniforms and individual equipment issued in connection with their deployment in support of contingency operations.

(Sec. 357) Amends the Warner Act to extend and expand the elements required in a report from the General Accountability Office (GAO) relating to readiness of Army and Marine Corps ground forces.

Title IV: Military Personnel Authorizations - Subtitle A: Active Forces - (Sec. 401) Sets forth authorized end strengths for active-duty forces as of the end of FY2008.

Subtitle B: Reserve Forces - (Sec. 411) Sets forth authorized end strengths as of the end of FY2008 for members of the Selected Reserve and reserve personnel on active duty in support of the reserves.

(Sec. 413) Sets forth minimum end strengths for FY2008 for Army and Air Force dual status military technicians.

(Sec. 414) Provides a FY2008 limitation on the number of non-dual status Army and Air Force military technicians.

(Sec. 415) Sets, during FY2008, the maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C: Authorization of Appropriations - (Sec. 421) Authorizes appropriations for FY2008 for military personnel.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy - (Sec. 501) Increases, in order to meet increased force structure requirements, the authorized end strength limits for active-duty Army officers in the grade of major and active-duty Navy officers in the grades of lieutenant commander, commander, and captain.

(Sec. 503) Increases from 50 to 85 the number of permanent military professors that may be excluded from active-duty, commissioned officer end strength limits for officers below general and flag grades.

(Sec. 505) Authorizes the Secretary to waive the eight-year minimum service obligation in the case of initial appointments of commissioned officers in critically short health professional specialties. Makes such minimum service period two years or the period of obligated service associated with receipt of an accession bonus or special pay.

(Sec. 506) Increases from 22 to 28 the authorized number of permanent professors at the U.S. Military Academy.

(Sec. 507) Allows regular Army and Air Force officers (under current law, allows only reserve officers) to reenlist (under certain conditions) in their former enlisted grade.

(Sec. 508) Excludes from active-duty general and flag officer end strength limitations certain reserve general and flag officers serving on active duty for not more than 365 days.

(Sec. 509) Authorizes the promotion of Navy career military professors to the grade of captain or colonel.

Subtitle B: Enlisted Personnel Policy - (Sec. 521) Authorizes an increase in the maximum authorized daily average of active-duty enlisted members in pay grade E-9 from 1% to 1.25% of the enlisted force.

Subtitle C: Reserve Component Management - (Sec. 531) Redesignates the Reserve Forces Policy Board as the Reserve Policy Advisory Board. Restructures Board membership and experiential requirements. Requires the Board to provide the Secretary independent advice and recommendations on strategies, policies, and practices to improve the capability, efficiency, and effectiveness of the reserve components.

(Sec. 532) Requires the Secretary (under current law, the Secretaries of the Army and Air Force) to prescribe a charter for the National Guard Bureau.

(Sec. 533) Elevates from lieutenant general to general the grade of the Chief of the National Guard Bureau. Requires that an officer appointed to such position be recommended by his or her governor and by the Secretary of the Army or Air Force, have at least ten years of federally recognized active-status commissioned service in the National Guard, be in the grade of major general or above, have significant joint duty experience, and have a detailed understanding of the status and capabilities of National Guard forces and National Guard Bureau missions. Repeals the 64-year age limit for service in such position. Makes the Chief an advisor to the Secretary on matters involving the National Guard not employed in a federal status. Authorizes the President to defer until age 68 the retirement of an officer serving as Chief.

(Sec. 534) Requires the transfer of reserve officers to the Retired Reserve, or discharge from the officer's reserve appointment, within 30 days after completion of 38 years of commissioned service.

(Sec. 535) Increases from 6 to 12 months the period of temporary recognition as an officer of the Army or Air National Guard that can be granted during the period that the individual's appointment as a reserve Army or Air officer is pending.

Subtitle D: Education and Training - (Sec. 551) Requires medical students at the Uniformed Services University of the Health Sciences and participants in military health professions scholarship and financial assistance programs who have prior commissioned service to serve, while on active duty, in pay grade O-1, or in pay grade O-2 if they meet specified promotion criteria.

(Sec. 552) Authorizes the Secretary to support, with DOD funds, the establishment and operation of up to four (under current law, two) STARBASE academies in a state.

(Sec. 553) Repeals a provision prohibiting any increase in cadet end strength limits at the U.S. Military Academy after the 2007-2008 academic year.

(Sec. 554) Allows three named high schools in Suffolk County, New York, to be treated as a single institution for purposes of maintaining a Navy Junior Reserve Officers' Training Corps (ROTC) unit.

Subtitle E: Defense Dependents' Education Matters - (Sec. 561) Earmarks specified FY2008 DOD O&M funds for the continuation of DOD assistance to local educational agencies (LEAs) that have significant numbers of military dependent students or experience significant enrollment changes due to base closures, force structure changes, or force relocations.

(Sec. 562) Earmarks specified DOD O&M funds for impact aid for children with severe disabilities under provisions of the Elementary and Secondary Education Act of 1965.

(Sec. 563) Amends the Warner Act to include dependents of non-DOD employees employed on federal property in the plan and annual reports required to identify and assist LEAs experiencing growth in enrollment due to force structure changes, relocation of military units, or base closures and realignments.

(Sec. 564) Amends the Defense Dependents' Education Act of 1978 to authorize the Secretary to pay private boarding school tuition for military dependents in overseas areas not served by the defense dependents' school system.

Subtitle F: Military Justice and Legal Assistance Matters - (Sec. 571) Authorizes judges of the U.S. Court of Appeals for the Armed Forces to administer oaths.

(Sec. 572) Allows the Secretary concerned to provide legal assistance to civilian DOD employees in locations where legal assistance from non-military providers is not reasonably available.

(Sec. 573) Requires judge advocate generals to serve in the grade of lieutenant general or vice admiral. Excludes such judges from end strength limits for officers serving in grades above major general or rear admiral. Redesignates assistant judge advocate generals as deputy judge advocate generals.

Establishes a Legal Counsel to the Chairman of the Joint Chiefs of Staff (JCS).

Subtitle G: Military Family Readiness - (Sec. 581) Establishes the Department of Defense Military Family Readiness Council to provide certain advisory, monitoring, and assessment services with respect to DOD military family readiness programs and activities. Requires annual reports from the Council to the Secretary and the defense and appropriations committees.

(Sec. 582) Directs the Secretary to: (1) develop policy and plans for DOD for the support of military family readiness; and (2) report to the defense and appropriations committees on the policy developed.

Subtitle H: Other Matters - (Sec. 591) Increases from 60 to 90, for all military personnel, the number of days of accumulated leave they may carry over from one fiscal year to the next. Allows personnel serving in support of contingency operations an additional fiscal year after the current fiscal year to retain (without losing) any accumulated leave in excess of 90 days. Allows enlisted personnel who have accumulated more than 120 days of leave to sell back, on a one-time basis, up to 30 days of any leave in excess of the 120-day limit.

(Sec. 592) Prohibits DOD bands, choruses, or similar musical units from: (1) engaging in the performance of music in competition with local civilian musicians; or (2) receiving remuneration for official performances. Authorizes members of such a unit to perform music in their personal capacity if the member does not wear a military uniform or otherwise identify their self as a member of DOD. Allows such units to produce recordings for distribution to the public, at a cost not to exceed production and distribution expenses.

(Sec. 593) Authorizes the President to award the Medal of Honor to: (1) Woodrow W. Keeble, for acts of valor during the Korean War; (2) Leslie H. Sabo, Jr., for acts of valor in Vietnam; (3) Philip G. Shadrach, for acts of valor during the Civil

War; (4) Henry Svehla, for acts of valor during the Korean War; and (5) George D. Wilson, for acts of valor during the Civil War.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances - (Sec. 601) Waives any FY2008 pay increases tied to increases in the General Schedule of Compensation for government employees. Increases by 3.5%, effective January 1, 2008, the rates of basic pay for military personnel.

(Sec. 602) Authorizes a member of the Individual Ready Reserve to be paid a stipend for participation in electronic screening for force readiness purposes. Limits to \$50 the maximum stipend amount. Prohibits members from receiving retirement credit for such participation.

(Sec. 603) Authorizes DOD to make bimonthly payments to the Thrift Savings Plan (TSP) on behalf of participating members.

Subtitle B: Bonuses and Special and Incentive Pays - (Sec. 611) Extends through 2008 specified authorities currently scheduled to expire at the end of 2007 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 615) Increases from \$50,000 to \$75,000 the incentive special pay and multiyear retention bonus for medical officers in the Armed Forces.

(Sec. 616) Increases from: (1) \$4,000 to \$10,000 the maximum special pay for military dental officers with less than three years of retirement-creditable service; and (2) \$6,000 to \$12,000 the maximum special pay for such officers with more than three but less than ten years of service.

(Sec. 617) Increases from \$750 to \$1,500 the maximum monthly amount of hardship duty pay. Allows such payment in a lump sum (under current law, only on a monthly basis).

(Sec. 618) Makes eligible for career sea pay off-cycle crewmembers of multi-crewed ships.

(Sec. 619) Eliminates the: (1) six-year Selected Reserve reenlistment bonus option; and (2) tiered bonus amounts (instead having one bonus not to exceed \$15,000).

(Sec. 620) Extends from 26 to 30 years of commissioned service the period of eligibility for nuclear officer continuation pay.

(Sec. 621) Authorizes the Secretary, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, to waive the 25-year service limitation on the eligibility to receive the retention bonus for certain members with designated critical military skills.

(Sec. 622) Codifies provisions of the NDAA for Fiscal Year 2006 which authorized a bonus to encourage Army personnel to refer other individuals for enlistment in the Army. Increases from \$1,000 to \$2,000 the maximum bonus amount, and extends the bonus authority through 2008 (under current law, 2007).

(Sec. 623) Authorizes the Secretary concerned to pay a bonus of up to \$2,000 to current or former military personnel or DOD civilian employees who refer for appointment as military health profession officers a person who has not previously served in the Armed Forces. Prohibits payment for referral of an immediate family member. Authorizes bonus payments through 2008.

(Sec. 624) Authorizes the Secretary to pay an accession bonus of up to \$20,000 to participants in the Armed Forces Health Professions Scholarship and Financial Assistance Program.

Subtitle C: Travel and Transportation Allowances - (Sec. 641) Authorizes the Secretary to pay travel and related expenses of a dependent of a member assigned to a very remote location outside the United States, for travel for obstetrical purposes to a location inside the United States.

(Sec. 642) Authorizes DOD to reimburse the moving expenses of JROTC instructors who agree to serve at least two years at an educational institution in a position that is hard to fill for geographic or economic reasons, as determined by the Secretary concerned.

Subtitle D: Retired Pay and Survivor Benefits - (Sec. 651) Revises the prioritized list of beneficiaries to which a member's death gratuity shall be payable to place at the top of such list any individual designated by the member in writing.

(Sec. 652) Allows an unmarried member with one or more dependent children to elect to provide a Survivor Benefit Plan (SBP) annuity to a person who acts as guardian or caretaker to such child or children.

(Sec. 653) Expands eligibility for combat-related special compensation to include all servicemembers eligible for retirement pay who have a combat-related disability, including those retired or separated, or transferred to a temporary disability retired list, due to physical disability. Reduces such compensation amount with respect to retirees with fewer than 20 years of retirement-creditable service.

(Sec. 654) Revises the retired pay multiplier percentage with respect to members with over 30 years of retirement-creditable service.

(Sec. 655) Reduces below 60 the age at which a member of the Ready Reserve may receive retired pay by three months for every aggregate of 90 days of active-duty service performed under certain mobilization authorities, including responding to a national emergency. Prohibits such eligibility age from being reduced below age 50.

Subtitle E: Education Benefits - (Sec. 671) Authorizes the Secretary concerned to pay tuition and related expenses of members of the Selected Reserve, or members of the Individual Ready Reserve in designated military occupational specialties, for off-duty training or education. Requires a member receiving such assistance to agree to serve at least four years after completion of the training or education. Requires repayment of unearned benefits.

(Sec. 672) Includes within loans eligible for repayment under the Selected Reserve education loan repayment program any loan incurred for educational purposes and made by a lender that is: (1) an agency or instrumentality of a state; (2) a financial or credit institution subject to examination and supervision by a federal or state agency; (3) an approved pension fund; or (4) a nonprofit private entity designated and regulated by a state and approved by the Secretary. Makes Selected Reserve officers (under current law, only enlisted personnel) eligible for such loan repayment.

Subtitle F: Other Matters - (Sec. 681) Revises eligibility criteria for income replacement payments for reserve members experiencing extended and frequent mobilizations for active-duty service. Changes the method for measuring cumulative periods of qualifying service by counting cumulative days rather than months. Allows the continuation of such payments for reserve members who are retained on active duty to receive authorized medical care or be evaluated for disability.

(Sec. 682) Amends the Immigration and Nationality Act to allow the overseas naturalization of any person who is: (1) lawfully admitted for permanent residence; (2) a spouse or child of a member of the Armed Forces; (3) authorized to

accompany such member in a foreign country pursuant to the member's official orders; and (4) residing with the member.

Title VII: Health Care Provisions - (Sec. 701) Provides that, with respect to any prescription filled on or after October 1, 2007, the TRICARE (a DOD managed health care program) retail pharmacy program shall be covered by the federal pricing limits applicable to covered drugs under the Department of Veterans Affairs (VA) retail pharmacy program.

(Sec. 702) Directs the Secretary to: (1) conduct surveys on the current and future viability of the TRICARE Standard and TRICARE Extra health care programs; (2) establish benchmarks for primary and specialty care providers to determine the adequacy of health care provided to TRICARE beneficiaries; and (3) designate a senior DOD official to take necessary actions to achieve and maintain the participation of health care and mental health care providers in TRICARE Standard and TRICARE Extra throughout TRICARE in a manner adequate to ensure the viability of TRICARE Standard for TRICARE beneficiaries. Requires the CG to: (1) conduct an ongoing review of DOD processes, procedures, and analyses to determine the adequacy of health care and mental health care providers; and (2) report review results biannually to the defense committees.

Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Provisions Relating to Major Defense Acquisition Programs - (Sec. 801) Directs the Secretary to define in defense contracting regulations the term "substantial savings" under multiyear contracts awarded by DOD, requiring to be considered as substantial savings, savings that exceed 10% of the total anticipated costs of carrying out a major defense acquisition program (MDAP) through annual contracts. Requires the head of the defense agency seeking the multiyear contract to report to the defense and appropriations committees specific facts demonstrating that the statutory requirements for entering into such a contract have been met. Requires a report from the Secretary to such committees, in each of 2008 through 2010, on savings achieved through the use of multiyear contracts.

(Sec. 802) Requires the program manager for an MDAP that has received Milestone B certification to immediately notify the milestone decision authority of any changes to the MDAP that: (1) are inconsistent with such certification; or (2) deviate significantly from the certification material provided to the milestone decision authority. Requires the milestone decision authority to receive a business case analysis prior to making a certification.

(Sec. 803) Directs the CG to report to the defense and appropriations committees on potential modifications of the DOD organization and structure for MDAPs.

(Sec. 804) Requires the Secretary to report to the defense and appropriations committees on: (1) DOD strategies for the allocation of funds and other resources under MDAPs; and (2) the extent of implementation of recommendations contained in the February 2003 report of the GAO entitled "Setting Requirements Differently Could Reduce Weapon Systems' Total Ownership Costs."

Subtitle B: Amendments Relating to General Contracting Authorities, Procedures, and Limitations - (Sec. 821) Requires that DOD task or delivery order contracts in excess of \$100 million be awarded to multiple contractors (with certain exceptions). Establishes additional competition requirements (including requirements for debriefings and authorization of bid protests) for task or delivery orders in excess of \$5 million under such multiple award contracts.

(Sec. 822) Outlines conditions under which a subsystem of, or component or spare part for, a major weapon system shall be treated as a commercial item and purchased under procedures established for the procurement of commercial items. Requires the contractor, in the case of a subsystem, component, or spare part purchased under commercial item authority, to provide data other than certified cost or pricing data that is adequate for evaluating the reasonableness of the price of the contract, subcontract, or modification under which such system, subsystem, component, or spare

part will be purchased.

(Sec. 823) Prohibits the use of time and materials contracts or labor-hour contracts to purchase as commercial items any category of commercial services other than: (1) commercial services procured for support of a commercial item, as defined under the Office of Federal Procurement Policy Act; or (2) emergency repair services.

(Sec. 824) Directs the Secretary, before purchasing a product listed in the latest edition of the Federal Prison Industries (FPI) catalog for which FPI does not have a significant market share, to conduct market research to determine whether the product is comparable to products available from the private sector that best meet the needs of DOD in terms of price, quality, and time of delivery. Authorizes the Secretary to purchase a product listed in the latest edition of the FPI catalog for which FPI does have a significant market share only if the Secretary uses competitive procedures for the procurement of the product or makes an individual purchase under a multiple award contract in accordance with applicable competition requirements. Requires the Secretary to publish a list of product categories for which FPI's share of the DOD market is greater than 5%.

(Sec. 825) Amends the NDAA for Fiscal Year 1994 to extend through FY2013 DOD authority to carry out certain prototype projects.

(Sec. 826) Authorizes the Secretary to enter into multiyear contracts, for up to ten-year periods, for the purchase of electricity from sources of renewable energy. Provides circumstances under which the Secretary may enter into such multiyear contracts for periods in excess of five years.

Subtitle C: Acquisition Policy and Management - (Sec. 841) Directs the Under Secretary and the Under Secretary of Defense (Comptroller) to serve as advisors to the Joint Requirements Oversight Council. Requires the Secretary to consult with the Council regarding MDAP requirements before certifying a program to Congress.

(Sec. 842) Authorizes each senior official responsible for the management of acquisition of contract services to establish a Contract Support Acquisition Center to act as executive agent for the acquisition of contract services. Outlines provisions concerning Center direction, staff, and support.

(Sec. 843) Requires defense budget justification materials submitted for any fiscal year after 2008 to clearly and separately identify amounts requested in each budget account for the procurement of contract services.

(Sec. 844) Directs the Secretary to establish the Department of Defense Acquisition Workforce Fund for the recruitment, training, and retention of DOD acquisition personnel. Requires an annual report from the Secretary to the defense and appropriations committees on Fund operations. Provides expedited hiring authority with respect to DOD acquisition positions.

(Sec. 845) Requires: (1) the Secretary of each military department and the head of each defense agency to submit annually to the Secretary a list of activities performed pursuant to contracts for services for or on behalf of such department or agency under which the contractor is paid on the basis of cost or time of performance, rather than specific tasks performed or results achieved; (2) such lists to be made available to the public; and (3) the Secretary to review the contracts and activities included on the list to, among other things, ensure compliance with statutory and regulatory requirements and ensure that such activities do not include inherently governmental functions. Authorizes interested parties to submit a challenge to the omission of a particular activity from, or inclusion on, a list. Provides for challenge resolution.

(Sec. 846) Prohibits any DOD official from placing an order or otherwise procuring property or services for DOD in an amount in excess of \$100,000 through a non-defense agency in any fiscal year if: (1) the head of the non-defense agency has not certified that it will comply with defense procurement requirements; (2) a determination of noncompliance with defense procurement requirements has not been terminated; or (3) in the case where a memorandum of understanding is required, the DOD Inspector General and the inspector general of the non-defense agency have not yet entered into such memorandum. Provides an exception when procurement through the non-defense agency is necessary in the interest of DOD. Outlines provisions concerning inspector general reviews and determinations concerning non-defense agency compliance with applicable defense procurement policies, procedures, and internal controls, and the resolution of disagreements.

Subtitle D: Department of Defense Contractor Matters - (Sec. 861) Includes, among others, a representative of a committee of Congress, an Inspector General, and the GAO among those to whom a contractor employee may disclose information concerning contractor fraud, waste, or abuse while being protected from reprisals for such disclosure (whistleblower protections). Provides for expedited determinations of alleged contractor reprisals. Establishes a private right of action for contractor employees subjected to reprisals. Requires each DOD contract in excess of \$5 million, other than a contract for the purchase of commercial items, to include a clause requiring the contractor to provide an employee notice of rights under the contract, including rights related to protection from reprisal.

(Sec. 862) Requires each DOD contract for the procurement of goods or services in excess of \$10 million, other than a contract for the procurement of commercial items, to include a provision under which the contractor agrees to submit to the Secretary, for each year for which the contract is in effect, information concerning compensation paid by the contractor to certain former senior military personnel and DOD officials.

(Sec. 863) Directs the CG to report to the defense committees on the internal ethics programs of major defense contractors (those that received more than \$500 million in DOD contract awards during FY2006).

(Sec. 864) Directs the Secretary to: (1) conduct a study on contracting with DOD by actual and potential contractors and subcontractors who employ members of the Selected Reserve; and (2) report study results to Congress.

Subtitle E: Other Matters - (Sec. 871) Requires the: (1) Secretary to prescribe regulations on the selection, training, equipping, and conduct of personnel performing private security functions under a federal contract or subcontract in an area of combat operations; and (2) Federal Acquisition Regulation to be revised to require the insertion into each covered contract or subcontract of a clause addressing such selection, training, equipping, and conduct.

(Sec. 872) Authorizes the Secretary to establish a preference for the acquisition of products and services that are produced in Iraq and Afghanistan if: (1) the product or service is to be used only by military forces, police, or other security forces in Iraq or Afghanistan; (2) the preference is necessary to provide a stable source of jobs and employment in Iraq or Afghanistan; and (3) the preference will not have an adverse effect on U.S. military operations or the U.S. industrial base.

(Sec. 873) Requires the Secretary to: (1) direct the Defense Science Board to review DOD policies and procedures for the acquisition of information technology; and (2) report review results to the defense and appropriations committees.

(Sec. 874) Revises the acquisition authority provided to the U.S. Joint Forces Command to: (1) include the sustainment of equipment; and (2) extend such authority through FY2010.

(Sec. 875) Amends the NDAA for Fiscal Year 2004 to repeal a required annual report from the Secretary listing essential

items, assemblies, and components of military systems and identifying where they are produced.

Title IX: Department of Defense Organization and Management - Subtitle A: Department of Defense Management

- (Sec. 901) Repeals a provision limiting the number of DOD headquarters activities personnel.

(Sec. 902) Designates the Deputy Secretary of Defense as Chief Management Officer of DOD. Outlines required duties, including a strategic plan for DOD business reform and performance goals to improve the overall economy, efficiency, and effectiveness of DOD business operations. Designates an Under Secretary of Defense for Management to assist the Deputy Secretary in the performance of Chief Management Officer duties. Makes the Under Secretary of each military department the Chief Management Officer of that department, with specified duties.

(Sec. 903) Removes the requirement that the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) have extensive management experience in the private sector.

(Sec. 904) Establishes a Department of Defense Board of Actuaries to review, and report to the President and Congress on, valuations of the Department of Defense Military Retirement Fund, Department of Defense Education Benefits Fund, and any related DOD funds. Requires annual Board reports to the Secretary. Terminates the Department of Defense Retirement Board of Actuaries and the Department of Defense Education Benefits Board of Actuaries.

(Sec. 905) Designates one Assistant Secretary of the: (1) Army as the Assistant Secretary of the Army for Acquisition, Technology, and Logistics; (2) Navy as the Assistant Secretary of the Navy for Research, Development, and Acquisition; and (3) Air Force as the Assistant Secretary of the Air Force for Acquisition. Outlines duties for each position.

(Sec. 906) Authorizes the Secretary of the Army to determine the number of deputy chiefs of staff and assistant chiefs of staff on the Army staff, not to exceed eight total positions. (Current law provides for up to five deputy chiefs and three assistant chiefs.)

(Sec. 907) Expresses the sense of Congress that the term of office of the DOD Director of Operational Test and Evaluation should not be less than five years.

Subtitle B: Space Matters - (Sec. 921) Requires the Secretary and the Director of National Intelligence to conduct, and report to the defense and intelligence committees on, a joint review of the space posture of the United States over the ten-year period beginning on February 1, 2009.

(Sec. 922) Amends the Stump Act to extend into 2008 a reporting requirement concerning oversight of acquisition for defense space programs.

Subtitle C: Other Matters - (Sec. 931) Requires the first national security strategy and national defense strategy prepared after the enactment of this Act to include guidance for military planners for consideration of the effect of projected climate change on DOD facilities, capabilities, and missions.

(Sec. 932) Authorizes the Secretary (under current law, the President, by and with the advice and consent of the Senate) to appoint members for the Board of Regents for the Uniformed Services University of the Health Sciences (University). Redesignates the Dean of the University as the President of the University.

(Sec. 933) Directs the Secretary to establish in the University the United States Military Cancer Institute, headed by a Director, to: (1) establish and maintain a clearinghouse of data on the incidence and prevalence of cancer among members and former members of the Armed Forces; and (2) conduct research that contributes to the detection or

treatment of cancer among such members and former members. Requires the Director to: (1) carry out collaborative research with other cancer research organizations; and (2) report annually to the University President on the current status of research studies. Requires such President to submit each report to the Secretary and Congress.

(Sec. 934) Authorizes the Secretary, with the concurrence of the Secretary of State, to establish and operate the Western Hemisphere Center for Excellence in Human Rights to facilitate education, training, research, strategic planning, and reform on the respect for human rights into all aspects of military operations, education, etc., and to sponsor conferences, symposia, and other events on such matters. Requires such Secretaries to jointly formulate and coordinate human rights programs undertaken through the Center.

(Sec. 935) Includes on the Board of Visitors of the Western Hemisphere Institute for Security Cooperation the commanders of the combatant commands having geographic responsibility for the Western Hemisphere.

(Sec. 936) Requires the CG to submit to the defense and appropriations committees an assessment of the proposed reorganization of the office of the Under Secretary of Defense for Policy.

Title X: General Provisions - Subtitle A: Financial Matters - (Sec. 1001) Authorizes the Secretary, in the national interest, to transfer up to \$5 billion of the amounts made available to DOD in this Act between any such authorizations for that fiscal year, with limitations. Requires congressional notification of each transfer.

(Sec. 1002) Adjusts amounts authorized to be appropriated to DOD in the Warner Act by the amount by which appropriations pursuant to such authorizations are increased or decreased pursuant to the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.

(Sec. 1003) Amends the Warner Act to exempt transfers of funds to the Iraq Security Forces Fund and Joint Improvised Explosive Device Defeat Fund from dollar limits on the general transfer authority of such Act.

(Sec. 1004) Provides the total amount to be contributed by the Secretary in FY2008 for the common-funded budgets of NATO (rather than the maximum amount otherwise applicable under the FY1998 baseline limitation).

(Sec. 1005) Requires DOD's Director of the Business Transformation Agency to: (1) carry out an initiative for financial management transformation in the defense agencies in order to, among other things, eliminate or replace defense agency financial management systems that are duplicative, redundant, or fail to comply with current standards; and (2) submit to the defense and appropriations committees a plan for development and implementation of the initiative.

(Sec. 1006) Amends the Department of Defense Authorization Act, 1986 to repeal the requirement that DOD submit a biennial budget.

(Sec. 1007) Extends from two to five fiscal years the length of time by which funds can be transferred back to the Foreign Currency Fluctuations, Defense account to offset losses caused by fluctuations in foreign currency exchange rates.

Subtitle B: Counter-Drug Activities - (Sec. 1011) Amends the NDAA for Fiscal Year 1998 to include the Dominican Republic and Mexico among countries for which DOD may provide support for foreign counter-drug activities.

Subtitle C: Miscellaneous Authorities and Limitations - (Sec. 1021) Increases during FY2008, from \$200,000 to \$5 million, the total amount of monetary rewards available to DOD for assistance in combating terrorism. Increases from \$50,000 to \$1 million the total amount available, also during FY2008, for the commanders of combatant commands for such purpose. Requires the Secretary to consult with the Secretary of State regarding an award of over \$2 million during

FY2008.

(Sec. 1022) Repeals federal provisions, which includes an amendment under the Warner Act, which modified presidential authorities relating to the use of the Armed Forces in major public emergencies.

(Sec. 1023) Amends the Detainee Treatment Act of 2005 to require the Secretary to conduct Combatant Status Review Tribunals to determine the status of detainees who have been held by DOD as unlawful enemy combatants for more than two years. Outlines Tribunal procedures and requirements. Revises the definition of "unlawful enemy combatant." Provides conditions for the admission of: (1) detainee statements in which the degree of coercion is disputed; and (2) hearsay evidence not otherwise admissible under rules of evidence applicable in trial by general courts-martial.

(Sec. 1024) Makes permanent (under current law terminates December 31, 2007) the authority of the Secretary concerned to accept gifts on behalf of certain members, DOD civilian employees, and their dependents. Directs the Secretary to prescribe regulations prohibiting the solicitation by DOD of any gift if the nature or circumstances of the solicitation would compromise the integrity, or the appearance of integrity, of any DOD program or official.

(Sec. 1025) Allows DOD to enter into a cooperative agreement for the preservation, management, maintenance, and improvement of cultural resources located outside of a military installation if such agreement would relieve or eliminate current or anticipated restrictions on military training, testing, or operations. Includes Indian sacred sites as a covered cultural resource for such agreements.

(Sec. 1026) Authorizes the Secretary to award to air carriers participating in the Civil Reserve Air Fleet program on a fiscal year basis a one-year contract for airlift services with a minimum purchase amount of up to 80% of the annual average DOD expenditure for airlift during the prior five-year period. Provides for the adjustment of minimum purchase amounts for periods of air carrier unavailability for airlift.

(Sec. 1027) Authorizes the Secretary of the Air Force to provide to military and other state aircraft of a foreign country, on a reimbursable basis, routine airport services and miscellaneous supplies, if similar services and supplies are furnished on a reimbursable basis to military and state aircraft of the United States by that foreign country. Authorizes the provision of such services on a non-reimbursable basis if: (1) providing such services does not result in direct costs to the Air Force; or (2) the services are provided under a reciprocal agreement authorizing the provision of such services by that country to U.S. military and state aircraft.

(Sec. 1028) Authorizes the Secretary to: (1) enter into a multilateral memorandum of understanding authorizing the Strategic Airlift Capability Partnership to conduct the acquisition, equipping, and operation of strategic airlift aircraft; and (2) pay from DOD funds the U.S. equitable share of the costs of such activities and operations. Allows the Secretary to transfer one U.S. strategic airlift aircraft to the Partnership after notifying the defense and appropriations committees of the aircraft chosen.

(Sec. 1029) Requires the Secretary to prescribe directives to provide that the Air Force shall have responsibility for the missions and functions of fixed-wing support for Army intra-theater logistics.

(Sec. 1030) Prohibits DOD from selling any parts for the F-14 fighter aircraft. Provides an exception for the sale of parts to a museum or similar organization involved in the preservation of such aircraft for historical purposes.

Subtitle D: Reports - (Sec. 1041) Amends the NDAA for Fiscal Year 2004 to extend through 2009 an annual report on plans for the prompt global strike capability.

(Sec. 1042) Requires the Secretaries of Defense and State to jointly report to Congress on threats posed to the United States from ungoverned areas, including threats posed by terrorist groups.

(Sec. 1043) Directs the Secretary to enter into an agreement with an independent, nonprofit, nonpartisan organization to conduct a study on the national security interagency system. Requires the organization chosen to report study results to Congress and the President.

Subtitle E: Other Matters - (Sec. 1061) Requires the Secretary to: (1) conduct a comprehensive review of the U.S. nuclear posture for the next five to ten years; and (2) report review results to Congress. Expresses the sense of Congress that such review should be used as a basis for establishing future U.S. arms control objectives and negotiating positions.

(Sec. 1062) Amends the NDAA for Fiscal Year 2006 to terminate the Commission on the Implementation of the New Strategic Posture of the United States.

(Sec. 1065) Directs the Secretary to establish an advisory panel to assess DOD capabilities to provide support to U.S. civil authorities in the event of a chemical, biological, radiological, nuclear, or high-yield explosive incident. Requires: (1) interagency cooperation with the panel; and (2) a panel findings report to the Secretary and the defense committees.

(Sec. 1066) Expresses the sense of Congress that the Western Hemisphere Institute for Security Cooperation, which provides security education and training to military personnel, law enforcement officials, and civilians of nations of the Western Hemisphere that support democratic principles, is an invaluable education and training facility in fostering partnership and interoperability among the U.S. military and the militaries of participating nations.

(Sec. 1067) Makes technical amendments necessitated by the enactment of the Intelligence Reform and Terrorism Prevention Act of 2004.

(Sec. 1068) Establishes in the Executive Office of the President a National Foreign Language Coordination Council to, among other things, oversee, coordinate, and implement the National Security Language Initiative announced by the President on January 5, 2006. Requires an annual report from the Council to the President and specified congressional committees. Establishes the position of National Language Director to, among other things, develop and monitor the implementation of a national foreign language strategy.

(Sec. 1069) Authorizes the Secretary to determine whether an operational support mission can be conducted by aircraft under contract with the Armed Forces as a civil operation in compliance with Federal Aviation Regulations.

Title XI: Civilian Personnel Matters - (Sec. 1101) Authorizes the compensation of federal wage system employees for time spent returning from an event that cannot be scheduled administratively.

(Sec. 1102) Ensures retirement service credit for service as a cadet or midshipman at a military service academy.

(Sec. 1103) Authorizes federal civilian employees who are members of a reserve component called or ordered to active duty for a period of more than 30 consecutive days to continue coverage under Federal Employees' Group Life Insurance for up to 24 months after discontinuance of federal pay by reason of the performance of such duty.

(Sec. 1104) Revises provisions concerning the National Security Personnel System to: (1) exclude DOD wage-grade employees; and (2) terminate immediately (currently scheduled to terminate November 24, 2009) provisions allowing the Secretary to adjust the DOD labor relations system to address the role played by civilian personnel in DOD's national

security mission.

(Sec. 1105) Authorizes the head of an executive agency to waive current limitations on total compensation paid to an employee who performs overseas work related to a military operation or in response to a declared emergency within an area of responsibility of the U.S. Central Command. Limits to \$212,100 the total compensation that may be paid to an employee pursuant to the waiver.

(Sec. 1106) Amends the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Thurmond Act) to include within an experimental personnel program for DOD scientific and technical personnel not more than 20 scientific and engineering positions in the Office of the Director of Defense Research and Engineering.

Title XII: Matters Relating to Foreign Nations - Subtitle A: Assistance and Training - (Sec. 1201) Authorizes the Secretary, with the concurrence of the Secretary of State, to provide equipment, supplies, services, and personnel training to a foreign nation to assist DOD with recovery of and accounting for missing U.S. personnel. Limits to \$1 million the amount of any such assistance provided in a fiscal year. Requires an annual report from the Secretary to the defense and appropriations committees on assistance provided.

(Sec. 1202) Amends the NDAA for Fiscal Year 2006 concerning a program under which the Secretary provides funds to the Secretary of State for the provision of reconstruction, security, or stabilization assistance to a foreign country to: (1) increase from \$100 million to \$200 million the total funds that may be provided by the Secretary; (2) require the Secretary of State to coordinate with the Secretary in the formulation of a plan on the use of such funds; and (3) extend program authority through FY2008.

(Sec. 1203) Authorizes the Secretary to use specified FY2008 DOD O&M funds to fund the Commander's Emergency Response program (DOD provision of humanitarian and related relief to Iraq and Afghanistan). Requires quarterly reports from the Secretary to the defense and appropriations committees on the source and allocation of such funds.

(Sec. 1204) Requires a report from the CG to the defense, appropriations, and foreign relations committees assessing the Global Peace Operations Initiative.

Subtitle B: Other Authorities and Limitations - (Sec. 1211) Renames "arms cooperation opportunities documents" as "cooperative opportunities documents" for purposes of cooperative research and development agreements between the United States, NATO organizations, and other allied and friendly foreign countries.

(Sec. 1212) Amends the Warner Act to: (1) allow DOD to lend certain military equipment to military forces of a nation participating with the United States in a United Nations (UN) or other international agreement. (Under current law, such equipment may be provided to foreign military forces of nations participating with the United States in military operations in Iraq or Afghanistan.) Extends the overall lending authority through FY2009.

(Sec. 1213) Authorizes the Secretary to accept specified funds from the government of Palua to defray the costs of DOD military civic action teams there.

(Sec. 1214) Amends the Warner Act to: (1) extend through FY2008 authorized DOD participation in multinational military centers of excellence; and (2) extend related reporting requirements.

(Sec. 1215) Prohibits funds from being obligated or expended to provide direct assistance to the government of Thailand unless the President certifies to the defense and appropriations committees that a democratically-elected government has taken office there on or after October 1, 2007. Provides an exception for certain humanitarian, disaster, and civic aid.

Authorizes the President to waive the prohibition after certification to such committees that the waiver is necessary for national security purposes.

(Sec. 1216) Prohibits the Secretary from obligating more than 75% of the funds authorized for the Office of the Under Secretary of Defense for Policy until the President submits to Congress a report required under the Warner Act concerning policy objectives and U.S. strategy for Iran.

(Sec. 1217) Prohibits the obligation or expenditure of DOD funds provided to certain foreign countries for security and stabilization assistance until the President certifies to Congress that all provisions of the Warner Act concerning the appointment of a North Korea Policy Coordinator have been or are being carried out.

Subtitle C: Reports - (Sec. 1231) Requires semiannual reports through 2009, from the President to the defense and appropriations committees, on U.S. policy and military operations in Afghanistan.

(Sec. 1232) Directs the President to report to the defense and appropriations committees describing the long-term U.S. strategy to engage with the government of Pakistan to: (1) prevent the movement of Taliban, Al Qaeda, and other violent extremist forces across the border of Pakistan into Afghanistan; and (2) eliminate safe havens for such forces within Pakistan. Provides that, for fiscal years 2008 and 2009, the government of Pakistan may not be reimbursed through DOD coalition support funding unless the President certifies to such committees that Pakistan is making substantial and sustained efforts to eliminate its terrorist safe havens. Authorizes the President to waive the reimbursement prohibition after certifying to such committees that it is important to U.S. national security to do so.

(Sec. 1233) Amends the NDAA for Fiscal Year 2006 to extend to January 7, 2008, a required update of a report on claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany, in April 1986.

Title XIII: Cooperative Threat Reduction With States of the Former Soviet Union - (Sec. 1301) Specifies the cooperative threat reduction (CTR) programs to be funded through O&M funds provided under this Act. Makes funds appropriated for such purpose available for three fiscal years. Allocates such funds among specified CTR programs. Prohibits such funds from being used for purposes other than those specified until 30 days after the Secretary reports to Congress on the new purposes. Provides limited authority to vary allocated amounts in the national interest, after congressional notification.

(Sec. 1303) Amends the NDAA for Fiscal Year: (1) 1997 to authorize the Secretary to carry out specified CTR programs in states outside the former Soviet Union; and (2) 2004 to allow the Secretary, with the concurrence of the Secretary of State (under current law, allows the President) to exercise the emergency authority to use prior-year CTR balances for a proliferation threat reduction project or activity outside the former Soviet Union.

(Sec. 1305) Repeals provisions of the: (1) Soviet Nuclear Threat Reduction Act of 1991, the Cooperative Threat Reduction Act of 1993, and the NDAA for Fiscal Year 2000 which require a number of annual certifications before any CTR funds may be obligated in a fiscal year; and (2) NDAA for Fiscal Year 2000 which authorize the President to waive the annual certification requirements.

(Sec. 1306) Requires the Secretary to: (1) enter into an arrangement with the National Academy of Sciences (NAS) to carry out a study to identify areas for cooperation with states other than states of the former Soviet Union under the CTR program for the prevention of proliferation of biological weapons; and (2) report study results to the defense committees. Provides funding.

Title XIV: Other Authorizations - Subtitle A: Military Programs - (Sec. 1401) Authorizes appropriations for DOD for FY2008 for: (1) Defense Working Capital Funds; (2) the National Defense Sealift Fund; (3) the Defense Health Program; (4) chemical agents and munitions destruction; (5) drug interdiction and counter-drug activities; and (6) the Defense Inspector General.

(Sec. 1407) Reduces by \$1.627 billion the aggregate amount authorized to be appropriated by this Division, to be allocated from the following: (1) procurement; (2) RDT&E; (3) O&M; and (4) other authorizations. States that such reductions shall be derived from lower-than-expected inflation than assumptions used in the Concurrent Budget Resolution for Fiscal Year 2008.

Subtitle B: National Defense Stockpile - (Sec. 1411) Authorizes the

Actions Timeline

- **Jun 29, 2007:** Select Committee on Intelligence. Reported by Senator Rockefeller with amendments. Without written report.
- **Jun 29, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 261.
- **Jun 26, 2007:** Select Committee on Intelligence. Ordered to be reported with amendments favorably.
- **Jun 13, 2007:** Referred to the Select Committee on Intelligence pursuant to section 3(b) of S.Res. 400, 94th Congress, as amended by S.Res. 445, 108th Congress for a period not to exceed 10 days of session.
- **Jun 5, 2007:** Introduced in Senate
- **Jun 5, 2007:** Committee on Armed Services. Original measure reported to Senate by Senator Levin. Without written report.
- **Jun 5, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 186.