

## S 1390

National Defense Authorization Act for Fiscal Year 2010

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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 | Jul 2, 2009 |

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

| Bill        | Relationship   | Last Action                                        |
|-------------|----------------|----------------------------------------------------|
| 111 HR 2647 | Companion bill | <b>Oct 28, 2009:</b> Became Public Law No: 111-84. |
| 111 S 1391  | Related bill   | <b>Jul 30, 2009:</b> Held at the desk.             |
| 111 S 1392  | Related bill   | <b>Jul 30, 2009:</b> Held at the desk.             |
| 111 S 1393  | Related bill   | <b>Jul 30, 2009:</b> Held at the desk.             |

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

(Sec. 104) Authorizes appropriations for FY2010 for defense-wide procurement.

(Sec. 105) Provides that the amounts authorized under this Subtitle shall be available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

(Sec. 106) Decreases by \$1.75 billion the amount authorized for Air Force procurement, to be derived from amounts available for F-22A aircraft procurement. Increases by specified amounts (for a total of \$1.75 billion) the amounts authorized for: (1) operation and maintenance (O&M) for the Army, Navy, Air Force, and defense-wide; (2) military personnel; and (3) the Department of Defense (DOD) by Divisions A and B.

**Subtitle B: Navy Programs** - (Sec. 111) Treats the Littoral Combat Ship program as a major defense acquisition program (MDAP) for purposes of MDAP cost and schedule reporting requirements.

(Sec. 112) Directs the Secretary of the Navy to submit to the congressional defense and appropriations committees the Navy's strategic plan for homeporting the Littoral Combat Ship on the east and west coasts of the United States.

(Sec. 113) Prohibits the Secretary of the Navy from obligating or expending funds for construction of, or advance procurement of materials for, a surface combatant vessel to be constructed after FY2011 until such Secretary has submitted certain information and materials to Congress, including: (1) an acquisition strategy for such vessels; (2) the results of acquisition strategy reviews conducted by the Joint Requirements Oversight Council (JROC); and (3) an intelligence analysis reflecting a coordinated threat assessment by the Defense Intelligence Agency (DIA). Requires such Secretary to: (1) submit to the defense and appropriations committees a future surface combatant acquisition strategy and an update to a previous report on naval surface fire support; and (2) develop a plan to incorporate into surface combatants constructed after 2011, and into fleet modernization programs, the technologies developed for the DDG-1000 destroyer and the DDG-51 and CG-47 Aegis ships.

(Sec. 114) Directs the Secretary of the Navy to submit to the defense and appropriations committees a detailed analysis of a service-life extension program for the Oliver Hazard Perry class frigates, as well as related strategic plans.

(Sec. 115) Requires the Secretary of the Navy to ensure the competition, or option of competition, for steam turbines in connection with the Ohio-class submarine replacement program under the Weapons Systems Acquisition Reform Act of 2009.

**Subtitle C: Air Force Matters** - (Sec. 121) Prohibits the Secretary of the Air Force from proceeding with a decision to retire C-5A aircraft in any number that would reduce the total active inventory of such aircraft below 111 until: (1) the Air Force has modified a C-5A aircraft to a specified configuration; and (2) the Director of Operational Test and Evaluation of the Department of Defense (DOD) has conducted, and provides to the defense and appropriations committees, an operational assessment of that aircraft. Provides additional limitations on the retirement of such aircraft, and requires an additional report from such Secretary on the rationale for the retirement of existing C-5A aircraft. Requires such Secretary to maintain any retired C-5A aircraft in Type 1000 storage until opportunities for their transfer have been fully exhausted.

(Sec. 122) Repeals provisions of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Hunter Act) allowing certain funds to be used (with limitations) for the advance procurement of F-22A fighter aircraft. Authorizes the Secretary of the Air Force to use funds appropriated for such purpose for FY2009 for other modernization priorities relating to such aircraft.

(Sec. 123) Requires a report from the Secretary of Defense (Secretary) to the defense, appropriations, and foreign relations committees on potential foreign military sales of the F-22A fighter aircraft.

(Sec. 124) States as the policy of the United States to support a development program for next generation bomber aircraft technologies.

(Sec. 125) Directs the Secretary of the Air Force to submit to the defense and appropriations committees an assessment of the reduction in service life of AC-130 gunships as a result of accelerated deployments anticipated during the seven- to ten-year period beginning on the date of enactment of this Act. Requires such Secretary to: (1) conduct an analysis of alternatives for any gunship modernization requirements identified by the 2009 quadrennial defense review; and (2) report analysis results to the defense and appropriations committees within 18 months after completion of the 2009 review.

(Sec. 126) Directs the Secretary of the Air Force to report to the defense and appropriations committees on replacing the engines of E-8C joint surveillance and target attack radar system aircraft.

**Subtitle D: Joint and Multiservice Matters** - (Sec. 131) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2006 to revise data link utilization requirements of tactical unmanned aerial vehicles.

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

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

**Subtitle B: Program Requirements, Restrictions, and Limitations** - (Sec. 211) Prohibits any funds from this Act from being obligated or expended for the development or procurement of an alternate propulsion system for the F-35 Joint Strike Fighter program until the Secretary provides a certification to the defense and appropriations committees with respect to the development and procurement of such alternate system.

Increases the amount authorized for Navy aircraft procurement under this Act, to be allocated to amounts available for the procurement of UH-1Y/AH-1Z rotary wing aircraft. Authorizes appropriations (with corresponding offsets) for RDT&E for the Navy and Air Force, to be allocated for Joint Strike Fighter program management reserves.

(Sec. 212) Requires the Director of the Department of Defense Test Resource Management Center to review proposed significant changes to the test and evaluation facilities and resources of the Major Range and Test Facility Base before they are implemented, and to provide advice on the impact of such changes. Requires the Director to have access to appropriate records and data in order to carry out such duties.

(Sec. 213) Directs the Secretary to issue guidance on the specification by the military departments and defense agencies of amounts to be requested for funding for each facility and resource of the Major Range and Test Facility Base in connection with: (1) operation; (2) sustainment; (3) investment and modernization; (4) government personnel; and (5) contractor personnel.

(Sec. 214) Establishes in DOD the Joint Defense Manufacturing Technology Panel to conduct joint planning and develop joint strategies for the DOD manufacturing technology program.

(Sec. 215) Prohibits the obligation or expenditure of funds to a military department for monitoring or analyzing the research activities and capabilities of foreign nations until the Director of Defense Research and Engineering has certified to the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) that such military department has provided appropriate information and assistance consistent with the purposes of the Global Research Watch program. Extends such program through FY2015.

(Sec. 216) Extends through FY2013 DOD authority to award prizes for advanced technology achievements.

(Sec. 217) Amends the NDAA for Fiscal Year 2000 to express the sense of Congress that it should be an objective of the Secretary to increase the budget for the defense science and technology program for each fiscal year after 2010 by at least the current rate of inflation. Outlines actions following failure to comply with such a funding increase in a fiscal year. Terminates such requirement at the end of 2014.

(Sec. 218) Directs the Secretary to: (1) carry out separate programs for the development, test, and fielding of an operationally effective, suitable, and affordable next generation ground combat vehicle and self-propelled howitzer capability for the Army; (2) submit to the defense and appropriations committees a strategy and plan for the acquisition of weapon systems under such programs; and (3) report annually to such committees on the investments proposed to be made under each budget with respect to each program.

(Sec. 219) Requires the: (1) Director of Defense Research and Engineering to review and assess the technological maturity and integration risk of critical technologies of Army modernization programs and appropriate associated programs; and (2) Secretary to report to the defense and appropriations committees on such maturity and risk.

(Sec. 220) Directs the: (1) Secretary to contract for an independent assessment of current, anticipated, and potential research and engineering activities for or applicable to the modernization of the combat vehicle fleet and tactical wheeled vehicle fleet of DOD; and (2) contracted entity to report to the Secretary and the defense and appropriations committees on such assessment.

(Sec. 221) Requires the: (1) Secretary to carry out a program to encourage and fund systems engineering and prototyping efforts in support of DOD goals and missions; and (2) Under Secretary to report annually to the defense and appropriations committees on activities carried out under the program. Provides for the selection and funding of projects carried out under such program.

**Subtitle C: Missile Defense Programs** - (Sec. 241) Expresses the sense of Congress that: (1) the United States should develop, test, field, and maintain ballistic missile defense (BMD) systems capable of defending the United States, its forces, and other friendly nations from the threat of ballistic missile attacks from nations such as North Korea and Iran; (2) the missile defense force structure and inventory levels should be determined based on ballistic missile threats and a determination by the appropriate military officials of the requirements needed to address those threats; (3) the test and evaluation program for such systems should be rigorous, robust, and capable of providing a high level of confidence in the capability of such systems; and (4) adequate resources should be made available for that test and evaluation program.

(Sec. 242) Directs: (1) the Secretary to establish a plan for the developmental and operational testing and evaluation of the BMD system and its various elements; (2) that the plan should cover the period covered by the future-years defense

program submitted to Congress for FY2011; and (3) the Secretary to report to the defense and appropriations committees on such plan and elements. Requires additional information in such report concerning test and evaluation activities pertaining to the Ground-based Midcourse Defense (GMD) element of the BMD system.

(Sec. 243) Expresses the sense of Congress that the GMD element, its force structure, and its test and evaluation program should have the same characteristics as expressed for the BMD systems in section 241, above. Requires the Secretary to: (1) assess the GMD and its future options; (2) report assessment results to the defense and appropriations committees; (3) establish a plan for the GMD that covers the period covered by the future-years defense program submitted to Congress for FY2011; and (4) report to such committees on the plan established. Directs the Comptroller General (CG) to review the Secretary's assessment and report, and report results to such committees.

(Sec. 244) Requires the Secretary to submit to the defense and appropriations committees potential options for BMD cooperation among or between the United States, the North Atlantic Treaty Organization (NATO), and the Russian Federation.

(Sec. 245) Directs the Secretary to ensure that the Missile Defense Agency (MDA) does not allow a break in production of the ground-based interceptor missile until DOD has: (1) completed the Missile Defense Review; and (2) determined the number of such missiles that will be necessary to support the service life of the GMD element of the BMD system.

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

(Sec. 246) Expresses the sense of the Senate that: (1) the U.S. government should continue developing and planning for the proposed deployment of elements of a GMD system in the Czech Republic and in Poland, consistent with the Hunter Act; (2) the United States should work with its NATO allies to explore options and architectures to provide missile defenses for Europe and the United States against current and future Iranian ballistic missile capabilities; (3) any alternative BMD system for Europe against such threat should be at least as capable as the proposed European deployment of the GMD system; and (4) any missile defense capabilities deployed in Europe should be interoperable with U.S. and NATO missile defense systems. Earmarks specified FY2009-FY2010 MDA funds for the RDT&E of a midcourse radar element of the GMD system in the Czech Republic and the proposed long-range missile defense interceptor site element of such system in Poland, as well as related RDT&E against Iranian ballistic missiles of all ranges.

(Sec. 247) Amends the Hunter Act to extend, until March 1, 2011, the deadline for submission of the study by the National Academy of Sciences on the boost-phase missile defense system.

**Subtitle D: Other Matters** - (Sec. 251) Amends the NDAA for Fiscal Year 1997 to repeal the requirement for a biennial joint warfighting science and technology plan.

(Sec. 252) Amends the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Stump Act) to require the Under Secretary to submit annually to the National Science and Technology Council specified information concerning the defense nanotechnology research and development program, and requires such information to be included in an annual report submitted by such Council.

(Sec. 253) Directs the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to: (1) conduct a comparative evaluation of extended range modular sniper rifle systems; and (2) report evaluation results to the defense committees.

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

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

**Subtitle B: Environmental Provisions** - (Sec. 311) Authorizes the Secretary to reimburse the Environmental Protection Agency (EPA) for certain environmental cleanup costs in connection with ordnance and explosive safety hazards at the former Nansemond Ordnance Depot Site in Suffolk, Virginia.

**Subtitle C: Workplace and Depot Issues** - (Sec. 321) Revises generally provisions concerning the authority of Army industrial facilities to engage in cooperative activities with non-Army entities.

(Sec. 322) Directs the Secretary to submit to the defense and appropriations committees a plan for improving the inventory management systems of the military departments and the Defense Logistics Agency, with the objective of reducing the acquisition and storage of secondary inventory that is excess to requirements. Requires the CG to submit to such committees an assessment of: (1) the Secretary's plan; and (2) the extent to which such plan has been implemented by each military department and the Defense Logistics Agency.

(Sec. 323) Provides a moratorium on the initiation of public-private competitions under Office of Management and Budget (OMB) Circular A-76 (regarding the conversion to contractor performance of functions performed by DOD civilian employees), beginning from the date of enactment of this Act until the Secretary certifies to Congress that DOD has developed an inventory of activities performed for DOD by service contractors, and that such inventory has been submitted to Congress.

(Sec. 323A) Prohibits any function currently performed by DOD civilian employees (current law prohibits any function currently performed by 10 or more DOD civilian employees) from being converted to performance by a contractor unless specific conversion requirements are met.

(Sec. 323B) Prohibits the duration of a public-private competition for any DOD function performed by DOD civilian employees from exceeding 30 months with respect to a single formation activity, and 36 months with respect to a multi-formation activity, such periods to exclude any period during which the competition is delayed by reason of a protest before the Government Accountability Office (GAO) or the U.S. Court of Federal Claims.

(Sec. 323C) Requires: (1) any DOD public-private competition that exceeds established time limits to be reviewed by the Secretary and considered for termination; and (2) that, if the Secretary does not terminate the competition, the Secretary must report to Congress the reasons therefor.

(Sec. 324) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 to extend the Arsenal Support Program Initiative through FY2011.

(Sec. 325) Revises the due date of an annual report from the Secretary to Congress on the percentage of depot-level maintenance funds expended for the performance of depot-level maintenance and repair workloads by the public and private sectors.

**Subtitle D: Energy Provisions** - (Sec. 331) Requires the Secretary to: (1) develop a plan for identifying and addressing areas in which the electricity needed to carry out critical missions on DOD installations is vulnerable to disruption; and (2) work with non-DOD entities to develop regulations or other mechanisms to address such vulnerability.

(Sec. 332) Amends the NDAA for Fiscal Year 2002 to: (1) require additional information in an annual report from the Secretary to the defense and appropriations committees on progress made toward achieving DOD energy efficiency goals; and (2) extend such report requirement through 2020.

(Sec. 333) Directs the Secretary of the Air Force to continue the Air Force alternative aviation fuel initiatives with specified goals, including using a synthetic fuel blend by early 2011 and acquiring 50% of its aviation fuel requirement from alternative or synthetic fuels by the end of 2016. Allows such Secretary to adjust the latter goal after determining, and notifying the defense and appropriations committees, that it would not be practicable or in the best interests of the Air Force. Requires an annual report from the Secretary of Defense to Congress on the progress of the alternative aviation fuel initiative program.

Directs the: (1) Secretaries of the Army and Navy to each report to Congress on goals and progress to research, test, and certify the use of alternative fuels in their respective aircraft fleets; (2) Defense Science Board to report to the Secretary on the feasibility and advisability of achieving the Air Force fuel goals; and (3) Secretary to forward the Board's report to Congress, together with comments and recommendations.

(Sec. 334) Earmarks specified DOD O&M funds for the Director of Operational Energy Plans and Programs.

(Sec. 335) Authorizes the Secretary, the military department Secretaries, the heads of the defense agencies, and the heads of other DOD instrumentalities to participate in demand response programs for the management of energy demand or the reduction of energy usage during peak periods conducted by any of the following: (1) an electric utility; (2) an independent system operator; (3) a state agency; or (4) a third-party entity implementing such a program on behalf of any such utility, operator, or agency. Provides for the deposit and use of financial incentives received from any such party.

**Subtitle E: Reports** - (Sec. 341) Requires the Secretary to: (1) contract with a federally funded research and development center to conduct a study on the current and planned modularity structures of the Army; and (2) report study results to the defense and appropriations committees.

(Sec. 342) Amends the Stump Act to require certain annual reports under such Act to include information on constraints on the use of military lands caused by vegetation and overgrowth, as well as a plan to address such constraints.

(Sec. 343) Directs the Secretary to report to Congress on the status of the Air National Guard and Air Force Reserve, including their readiness to meet requirements of the Air Force, the combatant commands, and homeland defense.

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

(Sec. 402) Authorizes the Secretary, for each of FY2010-FY2012, to establish the active-duty end strength for the Army up to the FY2010 baseline plus 30,000, in order to increase dwell time for active-duty members, support operational missions, or achieve reorganizational objectives.

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

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

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

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

(Sec. 416) Requires a report from the Secretary of the Army to the defense and appropriations committees assessing the establishment within the Army National Guard of a trainees, transients, holdees, and students account within the Army National Guard.

(Sec. 417) Authorizes the Secretary to increase by up to 2% the end strengths of the Selected Reserve of a reserve component upon a determination by the Secretary of the military department concerned (Secretary concerned) that such action would enhance manning and readiness in essential units or in critical specialties or ratings.

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

**Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy** - (Sec. 501) Revises federal active-duty general and flag officer distributions and authorized end strengths to conform with changes made under the Hunter Act.

(Sec. 502) Makes federal report requirements concerning joint officer management consistent with DOD joint programs and policies. Repeals the requirement of: (1) a report on the joint qualifications of critical occupational specialty officers; and (2) the analysis of assignments of officers after their designation as joint qualified officers.

(Sec. 503) Requires an officer serving as Legal Counsel to the Chairman of the Joint Chiefs of Staff to be appointed in the regular grade of brigadier general or rear admiral (lower half). (Current law requires such grade while serving in such position).

(Sec. 504) Establishes the positions of Chief and Deputy Chief of Chaplains of the Air Force. Requires the Chief to be appointed in the grade of major general, and the Deputy Chief to be appointed in the grade of brigadier general. Provides a three-year term for such positions.

**Subtitle B: Reserve Component Management** - (Sec. 511) Requires a report from the Secretary to the defense committees on duties and requirements of National Guard non-dual status technicians.

**Subtitle C: Education and Training** - (Sec. 521) Allows medical students attending the Uniformed Services University of the Health Sciences (USUHS), as well as students participating in the Armed Forces Health Professions Scholarship and Financial Assistance program, upon meeting appropriate commissioned service experience, to be promoted to first lieutenant or lieutenant (junior grade). Provides the active-duty basic pay of an officer detailed as a student at a medical school.

(Sec. 522) Authorizes for appointment as members of the Board of Regents of the USUHS individuals with experience in higher education administration and public policy.

(Sec. 523) Authorizes the Secretary of each military department to detail officers as students at accredited schools of psychology in the United States for training leading to a degree of Doctor of Philosophy in clinical psychology. Prohibits more than 25 officers from each military department from commencing such training in a fiscal year. Requires such an officer to serve on active duty for two years for each year of such training.

(Sec. 524) Authorizes the Secretary of the Air Force to establish a corporation to support the athletic programs of the Air Force Academy. Establishes a corporation Board of Directors.

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

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

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

(Sec. 534) Amends the Defense Dependents' Education Act of 1978 to make permanent the authority for the enrollment in the defense dependents' education system of dependents of foreign military personnel assigned to the Supreme Headquarters Allied Powers, Europe.

(Sec. 535) Directs the Secretary to: (1) study options for educational opportunities for dependent children of members of the Armed Forces who do not attend defense dependents' schools; and (2) report study results to the defense committees.

(Sec. 536) Expresses the sense of the Senate: (1) expressing strong support and commendation for the 22 named states that have successfully enacted the Interstate Compact on Educational Opportunity for Military Children; (2) encouraging the remaining states to enact the Compact; (3) recognizing the importance of Compact components; and (4) expressing strong support for states to develop a State Council to coordinate participation in the Compact of government, Leas, and military installations in their states.

(Sec. 537) Directs the CG to: (1) conduct an audit of the utilization by LEAs of assistance provided under prior defense authorization Acts for dependent children of military personnel; and (2) report audit results to the defense and appropriations committees.

(Sec. 538) Authorizes the Secretary to extend eligibility for enrollment in DOD elementary and secondary schools to the dependents of: (1) a member of a foreign armed force residing on a military installation in the United States or its territories or possessions; and (2) a deceased member of the Armed Forces who died in the line of duty in a combat-related operation.

**Subtitle E: Military Justice and Legal Assistance Matters** - (Sec. 541) Establishes an independent panel to review Navy judge advocate requirements, and report review results to the defense committees.

**Subtitle F: Military Family Readiness Matters** - (Sec. 551) Requires inclusion on the Department of Defense Military Family Readiness Council of one representative from the National Guard and one representative from a reserve component.

(Sec. 552) Directs the Secretary to: (1) conduct a comprehensive review and assessment of DOD programs and activities for the prevention, diagnosis, and treatment of substance abuse disorders in members, as well as DOD policies relating to the disposition of substance abuse offenders in the Armed Forces; (2) report findings and recommendations to the defense committees; and (3) submit to the defense and appropriations committees a plan for the improvement and enhancement of such programs, activities, and policies. Requires such plan to include a comprehensive DOD statement of policy, mechanisms to ensure the availability of services and treatment as well as the prevention and reduction of substance abuse disorders, and specific instructions on the prevention, reduction, and treatment of such disorders in

members. Requires confidentiality for members with respect to treatment. Directs the: (1) Secretary to provide for an independent study on such topic by the Institute of Medicine of the National Academy of Sciences or other independent entity; and (2) entity chosen to report its results to the Secretary and the defense and appropriations committees.

(Sec. 553) Requires the Secretary to: (1) develop and implement a DOD policy on the support of military children with autism and their families; (2) conduct one or more pilot projects to assess the effectiveness of various approaches for such support; and (3) provide to the defense and appropriations committees an initial report, as well as reports at the conclusion of each pilot project, on lessons learned and support actions proposed. Provides funding.

(Sec. 554) Directs the Secretary to: (1) assess the impacts of military deployment on dependent children of members; (2) report assessment results to the defense committees; (3) review the mental health care and counseling services available through DOD to dependent children of members; (4) report review results to the defense committees; and (5) develop a plan for improvements in access to quality mental health care and counseling services for military children.

(Sec. 555) Requires the Secretary to report to the defense committees on all reported cases since September 2003 involving child custody disputes in which the service of a member, whether regular or reserve, was an issue in the dispute.

(Sec. 556) Expresses the sense of the Senate on the importance of preparation by members with respect to Family Care Plans (plans in which members provide for the care of family members when military duties prevent the members from doing so themselves). Calls on unit commanders, the Secretary, and the Secretary of Homeland Security (with respect to the Coast Guard when not operating as a service in the Navy) to ensure that members under their jurisdiction implement and update their Family Care Plans.

(Sec. 557) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2008 to direct the Office for Reintegration Programs (part of the Yellow Ribbon Reintegration Program under such Act) to establish a program to provide National Guard and reserve members and their families, and assist local communities, with training in suicide prevention and community healing and response to suicide. Terminates the program at the end of FY2012.

(Sec. 558) Directs the Secretary to report to the defense and appropriations committees on the various reintegration programs being administered in support of National Guard and reserve members and their families.

(Sec. 559) Requires the Secretary to: (1) develop and implement a plan to expand existing DOD initiatives to increase access to mental health care for family members of members of the National Guard and reserves deployed overseas during the periods of mobilization, deployment, and demobilization of such members; and (2) report to the defense committees on such plan.

(Sec. 560) Requires the Secretary to: (1) expand existing DOD initiatives to increase access to mental health care for family members of the members described, above; and (2) report to the defense committees on such actions.

(Sec. 561) Directs the CG to report to the defense committees on financial assistance for child care provided by DOD to members of the reserves deployed in connection with a contingency operation.

**Subtitle G: Other Matters** - (Sec. 571) Amends the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Reagan Act) to require the Defense Task Force on Sexual Assault in the Military Services to submit its required report by December 1, 2009.

(Sec. 572) Revises generally restrictions on performances by military musical units and musicians to compete in

competitions with civilian bands and musicians, as well as the authority of military musical units and musicians to support official events funded, in whole or in part, by appropriated or nonappropriated funds. Authorizes military musical units and musicians to provide music for official military events, performances that foster cooperative relationships with other nations, and events sponsored by or for a military welfare society.

(Sec. 573) Amends the Servicemembers Civil Relief Act to continue recognizing U.S. residency, for purposes of voting for any federal, state, or local office, of a person absent from a state due to accompanying a military spouse serving outside the United States in compliance with military orders.

(Sec. 574) Continues the U.S. residence tax jurisdiction status of a person described above, but states that income earned by the person outside that tax jurisdiction shall not be considered U.S. income when the person is outside the United States solely to be with the servicemember.

(Sec. 575) Suspends the land rights residency requirement for spouses of military personnel serving under orders outside the United States.

(Sec. 576) Revises the DOD share of expenses under the National Guard Youth Challenge Program.

(Sec. 577) Directs the Secretary concerned, within 180 days after either a member's enlistment, commissioning, determination of service-connected disability, discharge, separation, retirement, or release, to provide such member (and, when practicable, their family members) comprehensive information on benefits available, including the monetary amount of such benefits and any applicable offsets. Outlines applicable benefits, including retirement, health care, death benefits, survivor benefits, and educational assistance. Requires certain benefit information to be included upon the occurrence of each of the above events. Requires: (1) the Secretary concerned to provide each of their members biennial notice of the value of pay and benefits provided during the preceding year; (2) the Secretaries concerned to conduct outreach on the pay, benefits, programs, and services available to members by reason of their service; (3) the Secretary to establish an Internet website to provide such benefit information to members; and (4) the Secretary to report to the defense and appropriations committees on the implementation of requirements of this section.

**Subtitle H: Military Voting** - Military and Overseas Voter Empowerment Act - (Sec. 583) Authorizes any state to delegate to jurisdictions within the state its responsibilities in carrying out the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) as imposed by this Act.

(Sec. 584) Amends UOCAVA to require states to establish procedures for: (1) absentee military and overseas voters to request and, states to send, federal election voter registration applications and absentee ballot applications by mail and electronically; (2) transmittal of blank absentee ballots by mail and electronically to absentee military voters and overseas voters; (3) protecting the security and integrity of the voter registration and absentee ballot process; and (4) ensuring that absentee military and overseas voters have time to vote, unless the state receives a hardship exemption waiver if it is unable to meet timeliness requirements.

(Sec. 587) Directs the presidential designee (established under UOCAVA) to establish procedures for: (1) collecting marked absentee ballots of absentee overseas military voters in regularly scheduled federal general elections; and (2) delivering them to the appropriate state election officials. Authorizes appropriations.

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

ballots.

(Sec. 588) Authorizes the use of federal write-in absentee ballots in general, special, and runoff elections for federal office, and promotion and expansion of the use of such ballots as a back-up measure.

(Sec. 589) Prohibits refusal to accept otherwise valid voter registration and absentee ballot applications, marked absentee ballots, and federal write-in absentee ballots for failure to meet certain requirements.

(Sec. 590) Directs the presidential designee to: (1) develop online portals of information to inform absent military voters regarding voter registration procedures and absentee ballot procedures for federal elections; and (2) establish a program to notify absent military voters of voter registration information and resources, the availability of the federal postcard application, and the availability of the federal write-in absentee ballot on the Global Network. Authorizes appropriations.

Requires each Secretary concerned to take appropriate actions to designate an office on each military installation under their jurisdiction to provide absentee military voters: (1) written information on voter registration procedures and absentee ballot procedures; (2) the opportunity to register to vote in a federal election; (3) the opportunity to update the individual's voter registration information; and (4) the opportunity to request an absentee ballot. Authorizes appropriations.

(Sec. 591) Requires the presidential designee to develop standards for states to: (1) report data on the number of absentee ballots transmitted and received; and (2) store the data reported.

(Sec. 592) Repeals provisions relating to the use of a single voter registration and absentee ballot application for all subsequent elections, except for the prohibition of refusal of applications on grounds of early submission provisions.

(Sec. 593) Directs the presidential designee to report: (1) to the appropriations, defense, and administration committees on the status of implementation of voting procedures required under this Subtitle, and on the effectiveness of the DOD Voting Assistance Officer Program; and (2) annually to such committees and the President on the effectiveness of the Federal Voting Assistance Program carried out under section 590.

(Sec. 594) Requires the Attorney General to report annually to Congress on civil enforcement actions under UOCAVA.

(Sec. 595) Amends the Help America Vote Act of 2002 to require: (1) a state to use a requirements payment made using certain funds only to meet specified UOCAVA requirements; and (2) the state plan to describe how the state will meet UOCAVA requirements. Authorizes appropriations.

(Sec. 596) Authorizes the presidential designee to establish one or more pilot programs to test the feasibility of new election technology for the benefit of absent military and overseas voters claiming UOCAVA rights. Directs the presidential designee to report to Congress on the progress and outcomes of any such pilot program. Authorizes appropriations.

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

(Sec. 602) Directs the CG to: (1) conduct a study comparing pay and benefits provided by law to members of the Armed Forces to pay and benefits provided by the private sector to comparable private-sector employees; and (2) report study results to the defense and appropriations committees.

(Sec. 603) Increases the maximum monthly subsistence allowance payable to low-income members with dependents. Requires the Secretary to submit to the defense and appropriations committees a plan for actions to eliminate the need for low-income members and their dependents to rely on the supplemental nutrition assistance program under the Food Stamp Act of 1977.

(Sec. 604) Authorizes the Secretary concerned to pay a member or former member up to \$200 for each day of administrative absence that the member would have earned between January 19, 2007, and the date of that department's implementation of the Post-Deployment/Mobilization Respite Absence program had the program been in effect during such period. Prohibits: (1) such payments to any former members released under other than honorable conditions; and (2) the maximum number of days for such benefit from exceeding 40. Terminates such authority one year after the enactment of this Act.

**Subtitle B: Bonuses and Special and Incentive Pays** - (Sec. 611) Extends through 2010 specified authorities currently scheduled to expire at the end of 2008 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 617) Authorizes the Secretary concerned to pay a special monthly compensation allowance to members with a serious injury or illness incurred or aggravated in the line of duty pending their retirement due to physical disability. Requires physician certification that the member requires assistance from another person to perform personal functions of everyday living. Provides for determination of the appropriate amount of such compensation. Requires the Secretary, and the Secretary of Homeland Security with respect to the Coast Guard, to report to Congress on the provision of such compensation.

(Sec. 618) Authorizes the Secretary concerned to pay monthly special pay of up to \$500 to any member (including reserve members) who, beginning on October 1, 2009, and ending on June 30, 2011, serves on active duty while the member's enlistment or period of obligated service is extended, or their retirement is suspended, due to the exercise of the President's stop-loss authority (the authority to extend servicemembers' service period, or suspend their retirement, in time of war or national emergency).

**Subtitle C: Travel and Transportation Allowances** - (Sec. 631) Authorizes the provision of a travel and transportation allowance to up to three designated individuals (current law allows such allowance for up to three family members) to cover up to three round trips during each 60-day period to visit seriously wounded, ill, or injured servicemembers during the duration of their inpatient care. Allows members to change a designation at any time. Includes serious mental disorders as a covered serious illness.

(Sec. 632) Authorizes a travel and transportation allowance for a qualified non-medical attendant of members determined to be seriously or very seriously wounded, ill, or injured. Requires the attendant to be so designated by the member and determined to be qualified to contribute to the member's health and welfare. Authorizes such allowance for travel from the home of the attendant to the location at which the member is receiving treatment, as well as to locations to which the member may be transferred or referred for further treatment.

(Sec. 633) Authorizes the Secretary concerned to reimburse or provide transportation to reserve members on active duty for a period of more than 30 days and performing duty at a temporary duty station, for travel between the temporary duty station and the member's permanent duty station in connection with authorized leave pursuant to a suspension of training. Requires the period of suspension to be five days or longer.

(Sec. 634) Authorizes the Secretary to provide reimbursement for travel expenses of members on active duty, and their

dependents, to a specialty care provider under exceptional circumstances as determined by the Secretary.

(Sec. 635) Authorizes the Secretary concerned to provide travel and transportation allowances to eligible relatives of members who die while on active duty for attendance at a memorial service at a location other than the location of the burial ceremony for which travel and transportation allowances are provided. Limits such allowance to one memorial service.

**Subtitle D: Other Matters** - (Sec. 651) Amends the NDAA for Fiscal Year 2006 to authorize the continuation of a recruitment incentive payment for three years after the incentive is first provided under the temporary Army authority to provide additional recruitment incentives.

(Sec. 652) Repeals the requirement for reduction of the Survivor Benefit Plan (SBP) annuities by the amount of dependency and indemnity compensation (DIC) received by the surviving spouses of deceased members. Prohibits the recoupment of retired pay amounts previously refunded to SBP participants. Repeals the authority for an optional annuity for dependent children of SBP recipients, restoring eligibility to such annuity to the previously-eligible spouse.

(Sec. 653) Expresses the sense of Congress that: (1) all U.S. commercial carriers should lend support to members traveling on leave or liberty at their own expense; and (2) each such carrier should seek to provide reduced air fares, eliminate or waive certain transportation fees, and offer flexible terms on behalf of such members.

(Sec. 654) Directs the Secretary concerned to ensure that each member of the reserves who, after deployment to an area in which imminent danger pay is authorized, is determined to require evaluation for a physical or mental disability which could result in separation or retirement for disability, or placement on the temporary disability retired or inactive status list is retained on active duty during the disability evaluation process until either: (1) cleared for continuation on active duty; or (2) separated, retired, or placed on the temporary disability retired list or inactive status list.

(Sec. 655) Allows a member of the reserves on active duty to be assigned to the community-based warrior transition unit nearest to the member's permanent residence if residing at that location is medically feasible and consistent with the needs of the Armed Forces and the optimal course of medical treatment for the member.

(Sec. 656) Requires the Secretary concerned to provide certain transitional assistance (including information on the availability of medical care and the location of the warrior transition unit located nearest to a member's permanent residence) to a member of the reserves who is injured while on active duty before the member is demobilized or separated from such duty.

(Sec. 657) Directs the Secretary of the Air Force to report to the defense and appropriations committees on Air Force efforts to attract and retain qualified individuals in the operation, maintenance, handling, and security of nuclear weapons.

(Sec. 658) Expresses the sense of Congress that the Secretary with respect to military personnel, the Secretary of Homeland Security with respect to the Coast Guard, the Secretary of Health and Human Services with respect to commissioned officers of the Public Health Service, and the Secretary of Commerce with respect to commissioned officers of the National Oceanic and Atmospheric Administration should establish procedures to implement flexible spending arrangements for health care and dependent care on a pre-tax basis for such personnel. Requires such officials, in establishing such procedures, to consider the life events unique to such personnel, including changes in duty stations and deployments to overseas contingency operations.

(Sec. 659) Treats the service of any member of the Alaska Territorial Guard during World War II honorably discharged as

active service for purposes of the computation of military retired pay.

(Sec. 660) Includes active-duty service by a member of the Ready Reserve performed after September 11, 2001, (current law includes service by such members after the date of enactment of the NDAA for Fiscal Year 2008) under a determination for a reduced eligibility age for the receipt of non-regular service retired pay.

**Title VII: Health Care Provisions - Subtitle A: TRICARE Program** - (Sec. 701) Extends TRICARE Standard coverage for certain reserve members who are qualified for non-regular retirement but are not yet 60 years old, and their family members. Terminates such coverage upon attaining such age. Requires members to pay the full monthly premium for such coverage.

(Sec. 702) Expands survivor eligibility under the TRICARE dental program to conform to survivor eligibility under TRICARE medical programs.

(Sec. 703) Exempts TRICARE beneficiaries under 65 years old from the requirement to enroll in Medicare Part B for the retroactive months of entitlement to Medicare Part A in order to maintain TRICARE coverage.

(Sec. 704) Directs the Secretary to undertake certain actions to reform and improve the TRICARE program, including actions to: (1) guarantee the availability of care without delay; (2) expand and enhance the sharing of health care resources among federal health care programs; (3) utilize medical technology to speed and simplify referrals; (4) expand and enhance the availability of prevention and wellness care, as well as mental health care; and (5) increase financing options and reduce and control medical costs. Requires the Secretary to report periodically to the defense and appropriations committees on progress made.

(Sec. 705) Directs the CG to report to the defense committees on the implementation of requirements relating to the relationship between the TRICARE program and employer-sponsored group health plans.

(Sec. 706) Expresses the sense of the Senate that: (1) DOD and the nation have an obligation to provide health care benefits to retired members of the Armed Forces that equals the quality of their service; (2) past proposals by DOD to impose substantial fee increases on military beneficiaries have failed to acknowledge the service and sacrifices of such members and their families; and (3) DOD should pursue other options to constrain the growth of military health care spending, rather than seeking large increases in fees, deductibles, and copayments for retirees and their families who participate in the TRICARE program.

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

**Subtitle B: Other Health Care Benefits** - (Sec. 711) Directs the Secretary to issue guidance for the provision of a person-to-person mental health assessment for each member deployed in connection with a contingency operation within specified periods before and following deployment. Excludes from assessment requirements members determined not to have been subjected or exposed to operational risk factors during such deployment. Terminates such assessments after an individual's release or discharge. Requires the Secretary to share assessment information with the Secretary of Veterans Affairs (VA) to ensure the continuity of mental health care and treatment of members during their transition from DOD health care coverage to VA health care coverage. Requires reports from the Secretary to Congress describing the guidance, as well as its implementation by the military departments.

(Sec. 712) Conforms the dental care for reserve members serving on active duty for more than 30 days in support of a

contingency operation to that provided to regular personnel serving on active duty for more than 30 days.

(Sec. 713) Reduces from 100 to 50 miles the minimum distance of travel required of certain military beneficiaries before eligibility for reimbursement for travel in connection with the provision of specialty health care.

(Sec. 714) Directs the Secretary to report to the defense and appropriations committees on post-deployment health assessments of National Guard and reserve members.

**Subtitle C: Health Care Administration** - (Sec. 721) Requires the Secretary to: (1) develop and implement a comprehensive policy on pain management by the military health care system; (2) periodically update such policy; and (3) report annually, through 2018, to the defense committees on such policy.

(Sec. 722) Directs the Secretary to: (1) develop and implement a plan to significantly increase the number of military and civilian behavioral health personnel of DOD by September 30, 2013; (2) report on such plan to the defense and appropriations committees; and (3) report to such committees on the feasibility and advisability of establishing one or more military specialties for officers or enlisted personnel as counselors with behavioral health expertise.

(Sec. 723) Requires the Secretary to: (1) conduct a study on the management of medications for physically and psychologically wounded members; and (2) report study results to the defense committees.

(Sec. 724) Directs the: (1) Secretary to report annually to Congress on the prescription of antidepressants and drugs to treat anxiety for troops serving in Iraq and Afghanistan; (2) National Institute of Mental Health (NIH) to conduct a study on the relationship between the increased number of suicides and attempted suicides by members and the increased number of antidepressants, drugs, psychotropics, and other behavior-modifying medications being prescribed; and (3) Secretary to submit the study's findings to Congress.

**Subtitle D: Wounded Warrior Matters** - (Sec. 731) Authorizes the Secretary to carry out a pilot program under TRICARE to determine the feasibility and advisability of expanding the availability of cognitive rehabilitative therapy for members and former members. Requires a report from the Secretary to the defense committees on the effectiveness of the pilot program and recommendations with respect to such therapy services. Earmarks pilot program funds from Defense Health Program funding.

(Sec. 732) Directs the: (1) Secretary to establish the Department of Defense Task Force on the Care, Management, and Transition of Recovering Wounded, Ill, and Injured Members of the Armed Forces; and (2) Task Force to report its care, management, and transition assessment results to the Secretary. Requires the Secretary to: (1) transmit the Task Force report to the defense committees; and (2) submit to such committees a plan to implement the recommendations of the Task Force. Terminates the Task Force 90 days after its report.

(Sec. 733) Requires the Secretaries of Defense and Veterans Affairs to report to the defense, appropriations, and veterans committees on research related to post-traumatic stress disorder (PTSD).

**Title VIII: Acquisition Policy, Acquisition Management, and Related Matters - Subtitle A: Amendments to General Contracting Authorities, Procedures, and Limitations** - (Sec. 801) Allows DOD contracts to include a line item or option for either: (1) the delivery of a specified number of prototype items to demonstrate technology developed under the contract; or (2) the provision, for up to 12 months, of advanced component development or effort to prototype technology developed under the contract. Limits the number of prototype items, as well as the dollar value of work to be performed pursuant to a contract line item or option. Terminates such authority five years after the enactment of this Act. Requires a

report from the Secretary to the defense and appropriations committees on the exercise of such authority.

(Sec. 802) Directs the Secretary to modify the DOD Supplement to the Federal Acquisition Regulation (FAR) to provide that the head of a defense agency may not award a sole-source contract for an amount exceeding \$20 million unless: (1) the contracting officer justifies in writing the use of a sole-source contract; and (2) such justification is approved by an official designated to approve contract awards for amounts comparable to that contract.

**Subtitle B: Acquisition Policy and Management** - (Sec. 811) Authorizes the Secretary to designate a program that qualifies as both a MDAP and a major automated information system (MAIS) program as only a MDAP or a MAIS.

(Sec. 812) Authorizes the Secretary to transfer expired, unobligated DOD procurement, RDT&E, and O&M funds to the Department of Defense Acquisition Workforce Development Fund. Outlines requirements and limitations on such transfers, including maximum amounts for FY2010-FY2015.

(Sec. 813) Conforms statutory expedited hiring authority for defense workforce positions to changes made under the Hunter Act. Extends such authority through FY2015.

(Sec. 814) Provides that a contract entered into by a non-defense agency for the performance of a joint DOD and non-defense agency program shall not be considered a procurement of property or services for DOD through a non-defense agency, for purposes of federal limitations on such procurements by DOD.

(Sec. 815) Directs the CG to submit to the defense and appropriations committees an assessment of the efficacy of DOD training for acquisition and audit personnel.

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

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

(Sec. 823) Requires the DOD manpower mix and the FAR to be modified to provide that: (1) the interrogation of enemy prisoners of war, terrorists, criminals, and other individuals when captured or detained is an inherently governmental function and cannot be transferred to government personnel; and (2) contractor personnel may be used as linguists, interpreters, report writers, technology technicians, and other employees filling ancillary positions in such interrogations, if such personnel are subject to the same rules, policies, procedures, and laws pertaining to detainee operations and interrogations as apply to government personnel in such positions in such interrogations. Directs the Secretary to ensure that, within one year after the enactment of this Act, DOD has the necessary resources to ensure that such interrogations are conducted by appropriately qualified government personnel.

(Sec. 824) Amends the Hunter Act to require additional information to be included in a federal database on the integrity and performance of certain persons awarded federal agency contracts and grants.

**Subtitle D: Other Matters** - (Sec. 831) Authorizes the Secretary to make a procurement preference (including using other than competitive procedures) for products and services produced in Central Asia, Pakistan, and South Caucasus upon a determination by the Secretary that: (1) the product or service is to be used only by military forces, police, or other

security personnel of Afghanistan; or (2) it is in the U.S. national security interest to limit competition, use procedures other than competitive procedures, or provide a preference with respect to products and services from such areas. Requires an annual report from the Secretary to Congress on the exercise of such authority. Terminates the authority three years after the enactment of this Act.

(Sec. 832) Requires the Secretary to review and determine: (1) whether any firms listed in the small arms production industrial base should be eliminated or modified, and whether any additional firms should be included; and (2) whether any of the small arms listed as part of such industrial base should be eliminated or modified, and whether any additional small arms should be included. Directs the Secretary to report to the defense and appropriations committees on such review.

(Sec. 833) Amends the Small Business Act to authorize the Secretary and the Secretary of each military department to carry out DOD's Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs through FY2023.

(Sec. 834) Makes permanent the SBIR Commercialization Pilot program, and expands its activities to include the STTR program.

(Sec. 835) States that it shall be the policy of the United States to incorporate generally accepted industry standards for the safety and health of personnel, to the maximum extent practicable, into requirements for facilities, infrastructure, and equipment intended for use by DOD military or civilian personnel in current and future contingency operations. Requires the Secretary to report to the defense and appropriations committees on actions taken or proposed to ensure that each contract or task or delivery order entered into for the construction, installation, repair, maintenance, or operation of facilities for use by such personnel in current and future contingency operations complies with such policy.

(Sec. 836) Amends the NDAA for Fiscal Year 2004 to repeal an annual report requirement relating to the military system essential item breakout list.

(Sec. 837) Requires the Defense Science Board to report to the defense committees on the usage of rare earth materials in the DOD supply chain.

(Sec. 838) Amends the Small Business Act to authorize (under current law, require) a federal contracting opportunity to be awarded on the basis of competition restricted to qualified HUBZone (historically underutilized business zone) small businesses if the contracting officer expects that at least two qualified HUBZone small businesses will submit offers.

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

- (Sec. 901) Allows for five Deputy Under Secretaries of Defense (there are currently 28), each of whom would serve as a first assistant to an Under Secretary of Defense, and each of whom would be subject to Senate confirmation. Designates the five Deputy Under Secretaries as the Principal Deputy Under Secretary of: (1) Defense for Acquisition, Technology, and Logistics; (2) Defense for Policy; (3) Defense for Personnel and Readiness; (4) Defense (Comptroller); and (5) Defense for Intelligence.

Authorizes six new Assistant Secretaries of Defense, subject to Senate confirmation (to fill positions currently filled by the other Deputy Under Secretaries). Designates the new Assistant Secretaries as the Assistant Secretary of Defense for: (1) Acquisition; (2) Logistics and Materiel Readiness; (3) Installations and Environment

## Actions Timeline

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- **Jul 28, 2009:** Received in the House.
- **Jul 28, 2009:** Message on Senate action sent to the House.
- **Jul 28, 2009:** Held at the desk.
- **Jul 24, 2009:** Senate ordered measure printed as passed with amendments of the Senate numbered.
- **Jul 23, 2009:** Considered by Senate. (consideration: CR S7947-8024, S8024-8029)
- **Jul 23, 2009:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 87 - 7. Record Vote Number: 242.
- **Jul 23, 2009:** Passed Senate with an amendment by Yea-Nay Vote. 87 - 7. Record Vote Number: 242.
- **Jul 23, 2009:** Senate incorporated this measure in S.1391 (Division A only) as an amendment.
- **Jul 23, 2009:** Senate incorporated this measure in S.1392 (Division B only) as an amendment.
- **Jul 23, 2009:** Senate incorporated this measure in S.1393 (Division C only) as an amendment.
- **Jul 23, 2009:** Senate incorporated this measure in H.R. 2647 as an amendment.
- **Jul 23, 2009:** Measure amended in Senate by unanimous consent after passage.
- **Jul 22, 2009:** Considered by Senate. (consideration: CR S7811-7832, S7833-7860, S7861-7865)
- **Jul 22, 2009:** Cloture motion on the bill presented in Senate. (consideration: CR S7861-7865; text: CR S7861)
- **Jul 21, 2009:** Considered by Senate. (consideration: CR S7723-7741, S76741-7770)
- **Jul 20, 2009:** Considered by Senate. (consideration: CR S7667-7696)
- **Jul 16, 2009:** Considered by Senate. (consideration: CR S7591-7636)
- **Jul 15, 2009:** Considered by Senate. (consideration: CR S7509-7550)
- **Jul 14, 2009:** Considered by Senate. (consideration: CR S7449-7453, S7453-7477)
- **Jul 13, 2009:** Measure laid before Senate by unanimous consent. (consideration: CR S7379-7383, S7383-7397, S7402-7405)
- **Jul 2, 2009:** Introduced in Senate
- **Jul 2, 2009:** Committee on Armed Services. Original measure reported to Senate by Senator Levin under authority of the order of the Senate of 06/25/2009. With written report No. 111-35. Additional views filed.
- **Jul 2, 2009:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 89.
- **Jun 16, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 4.
- **Jun 16, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 2.
- **Jun 16, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **Jun 9, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 4.
- **Jun 4, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **Jun 3, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 7.
- **Jun 3, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 6.
- **May 21, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **May 20, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 7.
- **May 20, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 6.
- **May 19, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **May 14, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **Mar 24, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings

printed: S.Hrg. 111-100, pt. 1.

- **Mar 19, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.
- **Mar 17, 2009:** Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-100, pt. 1.