

HR 2647

National Defense Authorization Act for Fiscal Year 2010

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Sponsor

Name: Rep. Skelton, Ike [D-MO-4]

Party: Democratic • **State:** MO • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. McHugh, John M. [R-NY-23]	R · NY		Jun 2, 2009

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Reported by	Jun 11, 2009
Armed Services Committee	House	Reported by	Jun 11, 2009
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Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
111 HRES 808	Procedurally related	Oct 8, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 HR 2990	Related bill	Aug 3, 2009: Referred to the Subcommittee on Military Personnel.
111 S 1390	Companion bill	Jul 28, 2009: Held at the desk.
111 HRES 572	Procedurally related	Jun 24, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 S 731	Related bill	Mar 26, 2009: Read twice and referred to the Committee on Armed Services.
111 HR 270	Related bill	Jan 30, 2009: Referred to the Subcommittee on Military Personnel.

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: (1) defense-wide procurement; (2) National Guard and reserve equipment; and (3) the Mine Resistant Ambush Protected Vehicle Fund.

(Sec. 107) Makes amounts authorized under this Subtitle available for programs, projects, and activities in the amounts specified in the funding table provided in Division D of this Act.

Subtitle B: Army Programs - (Sec. 111) Prohibits the Secretary of Defense (Secretary) from procuring more than one Future Combat Systems (FCS) spin out early-infantry brigade combat team equipment set for low-rate initial production. Authorizes the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) to waive such limitation after written certification to Congress with respect to the FCS's strategy and baseline, testing, technology readiness, and cost estimates.

Subtitle C: Navy Programs - (Sec. 121) Authorizes the Secretary of the Navy to procure up to 10 Littoral Combat Ships (LCS) and 15 LCS ship control and weapon systems via contract using competitive procedures. Requires a contract offeror to include a complete technical data package as part of each LCS proposal. Prohibits LCS costs from exceeding \$480 million per vessel, with certain amounts excluded from such limit. Allows the Secretary of the Navy to waive and adjust such limit following certain certifications to the congressional defense and appropriations committees. Allows such limit to be further adjusted by increases or decreases in costs attributable to: (1) economic inflation after September 30, 2009; (2) changes in federal, state, or local laws enacted after such date; and (3) the insertion of new technology. Requires annual reports from the Secretary of the Navy to the defense and appropriations committees on LCS vessels.

(Sec. 122) Treats the Littoral Combat Ship program as a major defense acquisition program (MDAP) for purposes of MDAP cost and schedule reporting requirements.

(Sec. 123) Directs the Secretary of the Navy to submit to the defense and appropriations committees the Navy's strategic plan for homeporting the LCS on the east and west coasts of the United States.

(Sec. 124) Authorizes the Secretary of the Navy to use funds available for advance procurement with respect to shipbuilding and conversion funding to enter into contracts for: (1) components, parts, or materiel, as well as production planning and other related support services that reduce the overall procurement lead time of the vessel; and (2) advanced construction efforts for the CVN-79 if such Secretary determines that cost savings, construction efficiencies, or workforce stability may be achieved through the use of such contract.

(Sec. 125) 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) conclusions of reviews by an independent review panel, the Secretary of the Navy, and the Director of the Missile Defense Agency. 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. 126) Directs the Secretary of the Navy to report to the defense and appropriations committees on the effects of using a five-year interval for the construction of Ford-class aircraft carriers.

(Sec. 127) 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. 128) Authorizes the Secretary of the Navy to enter into a multiyear contract for the procurement of F/A-18E/F or EA-18G aircraft. Directs the Secretary of Defense to report to the defense and appropriations committees on how the findings and conclusions of the Department of Defense (DOD) quadrennial defense review and 30-year aviation plan have informed the DOD acquisition strategy with regard to such aircraft programs. Terminates the multiyear contract authority on May 1, 2010, but allows the Secretary of the Navy to extend such date after certain notification to the defense and appropriations committees.

Subtitle D: Air Force Programs - (Sec. 131) Directs the Secretary to report to the defense and appropriations committees on 4.5 generation fighter aircraft procurement.

(Sec. 132) 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. 133) Directs the Secretary of the Air Force to develop a plan for the preservation and storage of unique tooling related to the production of hardware and end items for F-22 fighter aircraft. Prohibits FY2010 Air Force aircraft procurement funding for disposing of F-22 production tooling until 45 days after such Secretary reports to Congress describing such plan.

(Sec. 134) 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. 135) 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.

(Sec. 136) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2008 to repeal the requirement to maintain certain retired C-130E aircraft.

(Sec. 137) 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) DOD's Director of Operational Test and Evaluation of the Department of Defense has conducted, and provides to the Secretary and the defense and appropriations committees, an operational evaluation and assessment of that aircraft. Provides additional limitations on the retirement of such aircraft, and requires an additional

report from such Secretary on containing certain assessments related to the retirement of such aircraft.

(Sec. 138) Directs the Secretary of the Air Force, at least 90 days before a C-5 aircraft is retired, to report to the defense and appropriations committees on the proposed force structure and basing of strategic airlift aircraft.

(Sec. 139) Directs the Secretary of the Air Force, effective October 1, 2009, to maintain a total strategic airlift aircraft inventory of not less than 316.

Subtitle E: Joint and Multiservice Matters -(Sec. 141) Directs the Secretary to ensure that: (1) body armor is procured using funds authorized under this title; and (2) within each procurement account in the budget for FY2011 and thereafter, a separate procurement line item is designated for body armor.

(Sec. 142) Prohibits procurement funds from being obligated or expended for an unmanned cargo-carrying-capable aerial vehicle until 15 days after the Vice Chairman of the Joint Chiefs of Staff (JCS) and the Under Secretary certify to the defense and appropriations committees that the JROC has approved a joint and common requirement for such vehicle type.

(Sec. 143) Amends the 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).

(Sec. 202) 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 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 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. 212) Establishes in DOD the Joint Defense Manufacturing Technology Panel to conduct joint planning and develop joint strategies for the DOD manufacturing technology program.

(Sec. 213) Amends the NDAA for Fiscal Year 2000 to eliminate a reporting requirement relating to the defense science and technology program.

(Sec. 214) Authorizes the Secretary of the Navy to enter into one or more contracts for the purchase of infrastructure and government purpose rights for any or all technical data, computer software, and documentation used or created under the Navy-Marine Corps Intranet multiyear contract, if such Secretary determines that such purchase would be in the best interest of the Navy.

(Sec. 215) Prohibits the obligation or expenditure of FY2010 funds for the Joint Multi-Mission Submersible Program until the Secretary: (1) completes an assessment of the feasibility of a Program cost-sharing agreement between DOD and the intelligence community; (2) submits such assessment to the defense, appropriations, and intelligence committees; and (3) certifies to such committees that the agreement developed represents the most effective and affordable means of delivery under the Program.

(Sec. 216) Requires the Secretary, in the budget materials submitted to Congress for FY2011 and thereafter, to ensure that in each: (1) RDT&E account of each military department a separate program element is assigned to the research and development (R&D) of individual body armor and associated components; and (2) Navy RDT&E account and Navy aircraft procurement account a separate program element is assigned to each of the F-35B and F-35C aircraft, to the extent that such accounts include funding for each such aircraft.

(Sec. 218) Prohibits more than 50% of Army R&D funds for the Army Tactical Ground Network Program from being obligated or expended until 30 days after the Under Secretary reports to Congress on the acquisition strategy, requirements, and cost estimates for such Program.

(Sec. 219) 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. 220) 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. 221) 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 systems and programs; and (2) Secretary to report to the defense and appropriations committees on such maturity and risk.

(Sec. 222) Directs the: (1) Secretary to contract for an independent assessment of current, anticipated, and potential RDT&E activities for or applicable to the modernization of the combat vehicle fleet and armored tactical wheeled vehicle fleet of DOD; and (2) contracted entity to submit an interim and final report on such assessment to the Secretary and the defense and appropriations committees.

Subtitle C: Missile Defense Programs - (Sec. 231) 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 provide 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. 232) Expresses the sense of Congress that the Secretary should ensure the reliability, availability, maintainability, and supportability of the Ground-based Midcourse Defense (GMD) element of the BMD system. 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. 233) 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 the Secretary has: (1) completed the Ballistic Missile Defense Review; (2)

determined the number of such missiles that will be necessary to support the service life of the GMD element of the BMD system; and (3) reported such determination to the defense and appropriations committees.

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

(Sec. 234) Prohibits any DOD funds for FY2010 or thereafter from being obligated or expended for the acquisition or deployment of a long-range missile defense system in Europe until the Secretary certifies to the defense and appropriations committees that the proposed interceptor to be deployed as part of such system has demonstrated a high probability of operational effectiveness and the ability to accomplish the mission.

(Sec. 235) Earmarks specified funds made available in FY2009-FY2010 for missile defense systems in Europe for RDT&E, procurement, or deployment of alternative missile defense systems designed to protect the United States and Europe from the threat posed by current and future Iranian ballistic missiles of all ranges. Requires a certification from the Secretary to the defense and appropriations committees with respect to the U.S.-Europe missile defense system. Directs the Secretary to: (1) contract with a federally funded research and development center (FFRDC) to conduct an independent assessment of the operational- and cost-effectiveness of the alternative missile defense architecture announced by the President; and (2) report assessment results to the defense and appropriations committees.

(Sec. 236) 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 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 GMD element of the BMD system.

(Sec. 237) Requires the Secretary to: (1) enter into an arrangement with the JASON Defense Advisory Panel to carry out a study on the discrimination capabilities of the U.S. missile defense system; and (2) report study results to the appropriate congressional committees.

(Sec. 238) Directs the Secretary to submit to the defense and appropriations committees a strategy and plan for ascent phase missile defense.

(Sec. 239) 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: Reports - (Sec. 241) Amends the NDAA for Fiscal Year 1997 to repeal the requirement for a biennial joint warfighting science and technology plan.

(Sec. 242) 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. 243) Directs the CG to: (1) assess the degree to which the requirements, technology goals, and research and procurement investments in energy storage technologies are coordinated within and among the military departments, appropriate defense agencies, and other DOD elements; and (2) report assessment results to the defense committees.

(Sec. 244) Requires the CG to: (1) conduct an annual review of the F-35 Lightning II aircraft acquisition program; and (2)

for each of the years 2010 through 2015, report to the defense and appropriations committees on the results of the most recent review.

(Sec. 245) Prohibits the obligation or expenditure of more than 50% of the funding for a specified program element for advanced strategic programs until 30 days after the Under Secretary of Defense for Intelligence submits a related report required under the NDAA for Fiscal Year 2004.

(Sec. 246) Directs the Secretary of the Army to report to Congress on future R&D of man-portable and vehicle-mounted guided missile systems to replace the current Javelin and TOW systems. Prohibits the obligation of more than 70% of funds authorized for Army missile and rocket advanced technology RDT&E until such Secretary submits such report.

(Sec. 247) Requires the Secretary to submit an interim and final report to the defense and appropriations committees concerning plans for the consolidation of the Net-Enabled Command Capability system within the Global Command and Control family of systems.

(Sec. 248) 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.

Subtitle E: Other Matters - (Sec. 251) 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. 252) Directs the Secretary to carry out a program to provide assistance to institutions of higher education eligible for assistance under title III or V of the Higher Education Act of 1965, or an accredited postsecondary minority institution, in order to assist DOD in defense-related RDT&E activities. Outlines program objectives, initiatives, and specific types of assistance to be provided. Authorizes the Secretary to give funding priority to institutions that have not otherwise received significant funding from DOD for RDT&E programs supporting national security functions.

(Sec. 253) Extends through FY2013 DOD authority to award prizes for advanced technology achievements.

(Sec. 254) Allows a FFRDC of the National Aeronautics and Space Administration (NASA) that functions primarily as a research laboratory to participate in DOD merit-based technology research and development programs.

(Sec. 255) States that it is the policy of the United States to support a development program for next generation bomber aircraft technologies.

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

(Sec. 302) 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) Specifies allowable funding sources for DOD participation in conservation banking programs as authorized under the Hunter Act.

(Sec. 312) Reauthorizes title I of the Sikes Act (conservation programs on military installations) for FY2009-FY2014.

(Sec. 313) Amends such Act to authorize military department Secretaries to enter into interagency agreements for land management on DOD installations.

(Sec. 314) Reauthorizes for FY2009-FY2014 a pilot program under such Act concerning invasive species management for military installations on Guam.

(Sec. 315) 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.

(Sec. 316) Directs the Secretary to: (1) develop methods to account for the full life-cycle costs of munitions in making decisions regarding their procurement; (2) undertake a review of live-fire practices in order to reduce unexploded ordnance and contamination without impeding military readiness; and (3) annually report to Congress on such methods and the review results.

(Sec. 317) Directs the Secretary to: (1) prescribe regulations prohibiting the disposal of covered waste in open-air burn pits during current and future contingency operations, except when the Secretary determines that no alternative disposal method is feasible; (2) notify the defense committees of a no-alternative determination; (3) every 180 days after such notification, provide justification to such committees for continuing to operate an open-air burn pit; and (4) report to such committees on DOD use of open-air burn pits. Includes as covered waste hazardous and medical waste, as well as other waste designated by the Secretary.

(Sec. 318) Requires the Secretary, as part of annual budget submissions, to include funding levels requested for the Military Munitions Response Program and the Installation Restoration Program.

Subtitle C: Workplace and Depot Issues - (Sec. 321) Requires a public-private competition whenever DOD intends to convert to contractor performance functions previously performed by DOD civilian personnel.

(Sec. 322) Sets at 24 months the time limit for public-private competitions conducted under Office of Management and Budget (OMB) Circular A-76 (regarding the conversion to contractor performance of functions performed by DOD civilian employees), commencing from the date of preliminary planning and ending on the date on which a performance decision is rendered. Authorizes the Secretary to specify an alternative time limit of up to 33 months under certain circumstances, including notifying Congress of the reasons that the 24-month limit cannot be met. Requires such time limit to exclude any delays resulting from a protest before the Government Accountability Office (GAO) or a complaint before the U.S. Court of Federal Claims. Directs the: (1) Secretary to report annually to the defense and appropriations committees on the use of any alternative time limits and the reasons therefor; and (2) CG to report to such committees every three years on the Secretary's use of any alternative time limits and the appropriateness of such use.

(Sec. 323) Expresses the sense of Congress that no changes should be made to: (1) the DOD policy that, in the allocation of depot-level maintenance and repair, the installation of major modifications and upgrades are to be considered part of such maintenance; and (2) the interpretation and application of that policy.

(Sec. 324) Revises generally provisions concerning the authority of Army industrial facilities to engage in cooperative activities with non-Army entities.

(Sec. 325) Suspends the authority to initiate public-private competitions under OMB Circular A-76 until 30 days after the

Secretary has made a specified certification to the defense and appropriations committees. Requires the: (1) Secretary to conduct a review of, and report to such committees on, DOD policies with respect to the conduct of such competitions; and (2) CG to assess the Secretary's review and report assessment results to such committees.

(Sec. 326) Directs the Administrator for Federal Procurement Policy to revise the Federal Acquisition Regulation (FAR) to allow for pre- and post-award debriefings of federal employee representatives in the case of conversion to contractor performance of a function previously performed by federal employees.

(Sec. 327) Makes technical and clarifying amendments to federal provisions concerning bid protest procedures by federal employees and agency officials with respect to such function conversions.

(Sec. 328) 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 effectively implemented by each military department and the Defense Logistics Agency.

(Sec. 329) 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 Security - (Sec. 331) Earmarks specified DOD O&M funds for the Director of Operational Energy Plans and Programs.

(Sec. 332) Requires additional information in an annual report from the Secretary to the defense and appropriations committees on progress made toward achieving DOD energy efficiency goals. Directs the CG to review the first report submitted by the Secretary containing the additional information, and report review results to Congress.

(Sec. 333) Requires DOD's Director of Operational Energy Plans and Programs to report to the defense committees on specific actions taken with respect to CG recommendations on fuel-demand management at forward-deployed locations.

(Sec. 334) Directs the Secretary to report to the defense committees on the use and potential use of renewable fuels in meeting DOD energy requirements.

(Sec. 335) 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.

Subtitle E: Reports - (Sec. 341) Amends the Hunter Act to require an annual report through 2015 from the Secretary to the defense and appropriations committees on the procurement of military working dogs.

(Sec. 342) Requires an annual report from the Secretary to the defense and appropriations committees 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 CG to report to the defense and appropriations committees on the sustainment strategy for the AV-8B Harrier aircraft.

(Sec. 344) Requires the Secretary to: (1) contract with a FFRDC 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.

Subtitle F: Other Matters - (Sec. 351) Authorizes the Secretary, for the five-year period beginning on the date of enactment of this Act, to use the DOD reimbursement rate for military airlift services provided by a DOD component to any federal government element outside DOD, but only if the Secretary determines that the provision of such services will promote the improved use of airlift capacity without any negative effect on national security. Requires an annual report from the Secretary to the defense committees detailing the use of such authority.

(Sec. 352) States that it is the policy of the United States that the design and fielding of all future ground combat and camouflage utility uniforms may uniquely reflect the identity of the individual military services, as long as such uniforms: (1) provide members an equivalent level of performance, functionality, and protection commensurate with assigned combat missions; (2) minimize risk to the individual operating in the joint battlespace; and (3) provide interoperability with other components of individual war fighter systems, including body armor and other protective systems. Directs the CG to: (1) assess such uniforms currently in use by DOD; and (2) report assessment results to the defense and appropriations committees. Requires the military department secretaries to establish joint criteria for future ground combat uniforms within 270 days after the CG's report.

(Sec. 353) Authorizes the Secretary of the: (1) Army to conduct a 12-month condition-based maintenance demonstration program on selected vehicle systems that include on-board diagnostic systems; and (2) Navy to conduct a 12-month demonstration program on selected systems or components of surface combatant ships that include integral diagnostic systems. Requires each such Secretary to report to the defense and appropriations committees assessing whether their respective department could reduce maintenance costs and improve overall readiness by implementing condition-based maintenance for the current and future tactical wheeled vehicle fleets and Navy surface combatants.

(Sec. 354) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Spence Act) to extend the Arsenal Support Program Initiative through FY2011.

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) Revises the permanent active-duty minimum end strength levels for the Army, Navy, Marine Corps, and Air Force.

(Sec. 403) Authorizes the Secretary, for each of FY2011-FY2012, to establish the active-duty end strength for the Army up to the FY2010 baseline plus 30,000, in order to 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 creation of a Trainees, Transients, Holdees, and Students Account within the Army National Guard.

(Sec. 417) Requires a report from the Secretary to the defense committees on duties and requirements of National Guard non-dual status technicians.

(Sec. 418) 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.

(Sec. 422) Amends the Hunter Act to repeal a one-time delay in military retirement payments in 2013.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy - (Sec. 501) Requires an officer serving as Legal Counsel to the Chairman of the JCS 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. 502) Directs the Secretary to report to the defense committees assessing federal provisions that exclude commissioned officers on active duty in general and flag officer grades from authorized end strength limits, as well as related assessments. Revises federal active-duty general and flag officer distributions and authorized end strengths to conform with changes made under the Hunter Act.

(Sec. 503) Conforms federal joint professional military education reporting requirements to the joint programs and policies reporting requirements implemented by DOD under the John Warner National Defense Authorization Act for Fiscal Year 2007 (Warner Act).

(Sec. 504) Extends through FY2013 the period during which military personnel may accumulate up to 75 (normally 60) days of leave at the end of a fiscal year.

(Sec. 505) Excludes active-duty service after the date of enactment of this Act, while pursuing a degree under the Navy's Seaman to Admiral program, from the computation of years of service as an officer for voluntary retirement purposes, but counts such service in the computation of years of active-duty officer service for all other purposes (including involuntary separation or retirement due to disability).

(Sec. 506) Establishes an independent panel to review Navy judge advocate requirements, and report review results to the defense committees.

Subtitle B: General Service Authorities - (Sec. 511) 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. Terminates such requirement five years after the enactment of this Act.

(Sec. 512) Provides that if a member of the Armed Forces (member) who has been deployed overseas in support of a contingency operation during the previous 24 months is diagnosed as experiencing post-traumatic stress disorder (PTSD) or traumatic brain injury or otherwise asserts such a condition, then the Secretary concerned may not authorize the administrative separation of the member under conditions other than honorable until after the member receives a medical examination to evaluate such diagnosis. Requires the review of previous discharges and dismissals involving such diagnoses, according such cases a priority in order to achieve expedited resolution. Directs the Secretary to report

to the defense committees on detailed procedures and policies used by the military department secretaries to implement this section. Requires the review of previous discharges and dismissals involving such diagnoses, according such cases a priority in order to achieve expedited resolution. Directs the Secretary to report to the defense committees on detailed procedures and policies used by the military department secretaries to implement this section.

(Sec. 514) Directs the Secretary concerned to avoid scheduling mobilization or pre-mobilization training for a reserve unit at a temporary duty location outside normal commuting distance if a suspension of training of at least five days is anticipated to occur during any portion of such training. Allows such Secretary to waive such requirement in the national security interest, requiring notification to the defense and appropriations committees. Requires the Secretary concerned, until December 31, 2014, to notify such committees in the event of a suspension of training of at least five days.

(Sec. 515) Amends the Warner Act to allow data derived from existing sources to be used to evaluate job performance required under a program concerning the use of test preparation guides to improve the qualification test scores of military recruits.

(Sec. 516) Requires the Secretary to report to the defense committees on the active participation by members in prohibited activities as defined by DOD Directive 1325.6, as well as DOD policies to prevent such individuals from enlisting in the Armed Forces.

Subtitle C: Education and Training - (Sec. 521) 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. 522) Increases from 17 to 22 the number of cadets at each of the military colleges who may receive financial assistance under the early commissioning program.

(Sec. 523) Authorizes for appointment as members of the Board of Regents of the USUHS individuals with experience in higher education administration and public policy.

(Sec. 524) Requires the Secretary concerned to allocate a portion of the scholarships offered under the Armed Forces Health Professions Scholarship and Financial Assistance program to assist students to pursue a degree at the masters and doctoral levels in specified disciplines that will contribute to military mental health care programs. Increases by 300 the authorized number of program participants in order to accommodate such additional students.

(Sec. 525) Authorizes the Secretary to establish a School of Nursing, and to enter into agreements with one or more academic institutions to establish an undergraduate nurse training program under which participants earn a nursing degree and then serve as a nurse in the Armed Forces. Directs the Secretary to submit to the defense committees a plan for establishing the School of Nursing within DOD, including a pilot program to increase the number of nurses serving in the Armed Forces. Requires the Secretary to submit to such committees a pilot program implementation report, progress reports, and a final report.

(Sec. 526) Increases from 10 to 20 the number of civilians authorized to attend the professional military education program at the National Defense University.

(Sec. 527) Increases, from one to two, the number of appointments to each of the military service academies that may be made as a result of nominations made by delegates to Congress from the Commonwealth of the Northern Mariana

Islands.

(Sec. 528) Authorizes the Secretary of the Air Force to establish a nonprofit corporation to support the athletic program of the Air Force Academy. Provides for an Association Board of Directors.

(Sec. 529) Authorizes the Secretary to carry out a program to establish language training centers for members and civilian DOD personnel at accredited universities, senior military colleges, or other similar institutions of higher education for the development of expertise in critical and strategic languages and regional area studies. Requires the Secretary to: (1) ensure that such training centers are aligned with specified DOD critical and strategic language programs and entities; and (2) report on such program to the defense and appropriations committees.

Subtitle D: Defense Dependents' Education - (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) 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.

(Sec. 535) Amends the Defense Dependents' Education Act of 1978 to make permanent the authority of the Secretary to enroll in the defense dependents' education system in Mons, Belgium, a limited number of dependents of foreign military personnel assigned to the Supreme Headquarters Allied Powers, Europe.

(Sec. 536) Amends the Elementary and Secondary Education Act of 1965 to reduce from 6,500 to 5,000 the number of weighted student units for purposes of determining the appropriate amount of impact aid funding.

(Sec. 537) 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 and education committees.

(Sec. 538) 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. 539) Expresses the sense of the Senate: (1) expressing strong support and commendation for all the 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.

Subtitle E: Missing or Deceased Persons - (Sec. 541) Directs the Secretary to implement a comprehensive program to

account for missing persons from specified conflicts from World War II through the Persian Gulf War. Requires the program to be implemented within the DOD POW/MIA accounting community (a community of several offices, commands, and laboratories doing work related to missing military personnel and casualties). Requires: (1) each unaccounted-for person to be considered a missing person for program purposes; and (2) a personnel file to be maintained for each missing person, with any new information relevant to the status of the person to be added to the file. Directs the Secretary, in implementing the program, to increase significantly DOD capability to account for missing persons so that, beginning with FY2015, at least 200 missing persons are accounted for annually under the program.

(Sec. 542) Requires the Secretary to prescribe a policy guaranteeing media access at ceremonies for the dignified transfer of remains of members who die while located or serving overseas, when approved by the decedent's primary next-of-kin. Requires the policy to include procedures in conducting appropriate ceremonies for such transfers. Authorizes the Secretary to provide round-trip transportation for the primary next-of-kin and family members. Allows the Secretary concerned to provide a casualty assistance officer or family liaison officer to accompany a next-of-kin during such travel.

(Sec. 543) Directs the Secretary to report to Congress on potential effects of expanding the list of persons who may be designated by a member as the person authorized to direct the disposition of remains.

(Sec. 544) Expresses the sense of Congress: (1) reaffirming its support for the recovery and return to the United States of the remains of members killed in battle, and for efforts by the joint POW-MIA Accounting Command to recover the remains of members from all wars; (2) recognizing the courage and sacrifice of members who fought on Tarawa Atoll in World War II; (3) acknowledging the dedicated research and efforts to identify, locate, and advocate for the recovery of remains of members from Tarawa; and (4) encouraging DOD to review such research and, as appropriate, conduct new studies, research, and undertake all feasible efforts to recover, identify, and return to the United States remains of members from Tarawa.

Subtitle F: Decorations and Awards - (Sec. 551) Authorizes and requests the President to award the Medal of Honor to former Private First Class Anthony T. Koho'ohanohano for acts of valor during the Korean War.

(Sec. 552) Authorizes and requests the Secretary of the Army to award the distinguished service cross to: (1) former Captain Jack T. Stewart for acts of valor during the Vietnam War; and (2) former Sergeant First Class William T. Miles, Jr., for acts of valor during the Korean War.

Subtitle G: Military Family Readiness Matters - (Sec. 561) Directs the Secretary to establish an Internet website or other online resources to provide information to members and their families about benefits and services available through DOD, including compensation, health care, life insurance, death and survivor benefits, and educational and housing assistance. Requires: (1) the military department secretaries to disseminate information on the availability of such resources; and (2) the Secretary to report to the defense and appropriations committees on the quality and scope of the resources established.

(Sec. 562) Requires: (1) inclusion on the Department of Defense Military Family Readiness Council of one representative from the National Guard and one representative from a reserve component; and (2) Guard representation to rotate between the Army and Air National Guard.

(Sec. 563) Establishes within the Office of the Under Secretary of Defense for Personnel and Readiness the Office of Community Support for Military Families With Special Needs to, among other things: (1) develop and implement a comprehensive policy on support for military families with special (whether medical or educational) needs; (2) establish

and oversee a program of information and referral services relating to such special needs; (3) identify and address gaps in services available to such families; and (4) develop, and periodically update, a uniform DOD policy regarding military families with special needs. Outlines related programs to be established and maintained by such Office. Requires an annual report from the Secretary to the defense and appropriations committees on Office activities. Authorizes the Secretary to establish a foundation for the provision of assistance to DOD in providing support to military families with special needs. Directs such foundation to report annually to the Secretary and such committees on its activities. Authorizes appropriations.

(Sec. 564) Directs the Secretary to enter into an agreement with the head of an executive department or agency that has an established internship program to reimburse such department or agency for costs associated with the first year of employment of a spouse of a member serving on active duty who is selected to participate in the internship program. Excludes from such eligibility spouses who are: (1) legally separated from the member; (2) also a member serving on active duty; or (3) a retired member of the Armed Forces. Terminates the agreement at the end of FY2011. Requires the Secretary to report to the defense and appropriations committees on the number of spouses receiving internships under the agreement.

(Sec. 565) Includes members on active duty in a foreign country within coverage under the Family and Medical Leave Act of 1993. Includes as covered servicemembers under such Act veterans receiving medical treatment, recuperation, and therapy for a serious injury or illness and who were members of the Armed Forces at any time during the five years preceding the date on which the veteran undergoes such treatment, recuperation, or therapy. Provides a similar expansion of eligibility for family and medical leave under such Act for federal civil service employees called to active duty because of qualifying exigencies.

(Sec. 566) 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. 567) Directs the Secretary to submit to the defense committees: (1) a revised plan for the implementation of policies aimed at preventing and responding effectively to sexual assaults involving members of the Armed Forces; and (2) a report on progress made in coverage under TRICARE (a DOD managed health care program) for forensic examinations following alleged sexual assault or domestic violence (as required under the Warner Act). Requires information to be collected on whether a military protective order was issued that involved either the victim or alleged perpetrator of a sexual assault, and requires such information to be included in annual reports submitted to Congress on sexual assaults involving members. Directs the Secretary to report to such committees on measures being taken to ensure that, when such an order is issued to protect a member, the member is informed of their right to request a command transfer. Requires a report from the CG to the defense committees reviewing the capacity of each military department to investigate and adjudicate allegations of sexual assault against members in order to determine whether existing DOD policies and plans are adequate or negatively affect the ability of each department to facilitate the prevention, investigation, and adjudication of such allegations under the Uniform Code of Military Justice (UCMJ).

(Sec. 568) Directs the CG to: (1) review and assess DOD progress in implementing certain recommendations to reduce domestic violence within military families; and (2) report review results to the defense and appropriations committees.

(Sec. 569) Directs the CG to report to Congress on: (1) the impact of domestic violence in military families on the children of such families; and (2) progress to ensure that such children receive adequate care and services when exposed to such violence.

(Sec. 570) Requires a report from the Secretary to the defense committees on children of military families involved in international intrafamilial abductions during 2007 through 2009.

(Sec. 571) Directs the Secretary to: (1) assess the impacts of military deployment on dependent children of members; and (2) report assessment results to the defense committees.

(Sec. 572) 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. 573) Directs the CG to report to the defense committees on financial assistance for child care provided by DOD to members (including members of the reserves deployed in connection with a contingency operation).

Subtitle H: Military Voting - Military and Overseas Voter Empowerment Act - (Sec. 576) 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. 577) 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. 580) 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. 581) Authorizes the use of federal write-in absentee ballots in general, special, primary, and runoff elections for federal office, and promotion and expansion of the use of such ballots as a back-up measure.

(Sec. 582) 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 such as notarization and restrictions on paper or envelope type.

(Sec. 583) 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 military department Secretaries to: (1) designate offices on installations under their jurisdiction to provide absent military voters and their families with absentee voting information and assistance; and (2) provide outreach to such voters on the availability of such information and assistance.

(Sec. 584) Requires the presidential designee to develop standards for: (1) states to report data on the number of absentee ballots transmitted and received; and (2) storing the data reported.

(Sec. 585) Repeals provisions relating to the use of a single voter registration and absentee ballot application for the next two regularly-scheduled elections, except for the prohibition of refusal of applications on grounds of early submission provisions.

(Sec. 586) 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 583.

(Sec. 587) Requires the Attorney General to report annually to Congress on civil enforcement actions under UOCAVA.

(Sec. 588) 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 UOCAVA requirements imposed as a result of amendments made under this Subtitle; and (2) the state plan to describe how the state will meet such new requirements. Authorizes appropriations.

(Sec. 589) 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.

Subtitle I: Other Matters - (Sec. 591) 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. 592) Authorizes the Secretary of the Navy to make grants to support the Navy Sea Cadet Corps, a federally chartered corporation.

(Sec. 593) Reduces the matching fund requirement for states participating in the National Guard Youth Challenge Program from 75% to 60% of program costs, beginning October 1, 2009.

(Sec. 594) Amends the Hunter Act to add certain reserve officer representatives on the Military Leadership Diversity Commission.

(Sec. 595) Amends the 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. 596) 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, diagnosis, and treatment of substance abuse in members. Requires confidentiality for members with respect to treatment. Directs the: (1) Secretary to provide for an independent study on substance use disorders programs for members 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. 597) 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. Requires additional elements in annual reports concerning the Yellow Ribbon Reintegration Program, including a list of accounts from which Program funds were derived.

(Sec. 598) Directs the Secretary to report to Congress on progress with respect to the completion of the Defense Incident-Based Reporting System and the Defense Sexual Assault Incident Database.

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) 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 and Nutrition Act of 2008.

(Sec. 603) Authorizes the Secretary concerned to pay a special monthly compensation allowance to members with a catastrophic injury or illness incurred or aggravated in the line of duty if, in the absence of such assistance, the member would require hospitalization or other institutional care. 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. 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 such payments to any former members released under other than honorable conditions. Terminates such authority one year after the enactment of this Act.

(Sec. 605) Directs the Secretary to report to the defense and appropriations committees findings and recommendations on housing standards used to calculate the monthly rates of basic allowance for housing.

(Sec. 606) 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 in order to assess how such differences affect recruiting and retention of members; and (2) report study results to the defense and appropriations committees.

Subtitle B: Bonuses and Special and Incentive Pays - (Sec. 611) Extends through 2010 specified authorities currently scheduled to expire at the end of 2009 with respect to certain special pay and bonus programs within the regular and

reserve Armed Forces.

(Sec. 617) Makes technical corrections and conforming amendments to reconcile conflicting provisions regarding the continued payment

Actions Timeline

- **Oct 28, 2009:** Signed by President.
- **Oct 28, 2009:** Became Public Law No: 111-84.
- **Oct 26, 2009:** Presented to President.
- **Oct 22, 2009:** Conference report considered in Senate. (consideration: CR S10663-10670, S10670-10687)
- **Oct 22, 2009:** Cloture on the conference report to accompany H.R. 2647 invoked in Senate by Yea-Nay Vote. 64 - 35. Record Vote Number: 326. (consideration: CR S10669-10670; text: CR S10669)
- **Oct 22, 2009:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 68 - 29. Record Vote Number: 327.(consideration: CR S10686-10687)
- **Oct 22, 2009:** Senate agreed to conference report by Yea-Nay Vote. 68 - 29. Record Vote Number: 327. (consideration: CR S10686-10687)
- **Oct 22, 2009:** Message on Senate action sent to the House.
- **Oct 22, 2009:** The title was amended in conference to read as follows: "to authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2010, and for other purposes".
- **Oct 22, 2009:** Cleared for White House.
- **Oct 21, 2009:** Conference report considered in Senate. (consideration: CR S10614-10632)
- **Oct 20, 2009:** Conference committee actions: Conference report considered in Senate.(consideration: CR S10567-10568)
- **Oct 20, 2009:** Conference report considered in Senate. (consideration: CR S10567-10568)
- **Oct 20, 2009:** Cloture motion on the conference report to accompany H.R. 2647 presented in Senate. (consideration: CR S10567-10568; text: CR S10568)
- **Oct 8, 2009:** Rule H. Res. 808 passed House.
- **Oct 8, 2009:** Mr. Skelton brought up conference report H. Rept. 111-288 for consideration under the provisions of H. Res. 808. (consideration: CR H11127-11140)
- **Oct 8, 2009:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 2647.
- **Oct 8, 2009:** The previous question was ordered pursuant to the rule. (consideration: CR H11140)
- **Oct 8, 2009:** The House proceeded to consider the conference report H.Rept. 111-288 as unfinished business. (consideration: CR H11140-11142)
- **Oct 8, 2009:** Mr. McKeon moved to recommit with instructions to the conference committee. (consideration: CR H11140-11141; text: CR H11140)
- **Oct 8, 2009:** On motion to recommit with instructions to conference committee Failed by the Yeas and Nays: 208 - 216, 2 Present (Roll no. 769).
- **Oct 8, 2009:** Conference report agreed to in House: On agreeing to the conference report Agreed to by recorded vote: 281 - 146 (Roll no. 770).
- **Oct 8, 2009:** On agreeing to the conference report Agreed to by recorded vote: 281 - 146 (Roll no. 770).
- **Oct 8, 2009:** Motions to reconsider laid on the table Agreed to without objection.
- **Oct 8, 2009:** Conference papers: message on House action held at the desk in Senate.
- **Oct 7, 2009:** Conference report filed: Conference report H. Rept. 111-288 filed.(text of conference report: CR H10565-11052)
- **Oct 7, 2009:** Conference report H. Rept. 111-288 filed. (text of conference report: CR H10565-11052)
- **Oct 7, 2009:** Rules Committee Resolution H. Res. 808 Reported to House. Rule provides for consideration of the conference report to H.R. 2647 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. All points of order against the conference report and against its consideration are waived. Considered as read.
- **Oct 6, 2009:** Mr. Skelton moved that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H10477-10486, H10488-10489)
- **Oct 6, 2009:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to by voice vote.
- **Oct 6, 2009:** Mr. Forbes moved that the House instruct conferees. (consideration: CR H10477-10478, H10484, H10485-10486)
- **Oct 6, 2009:** DEBATE - The House proceeded with one hour of debate on the Forbes motion to instruct conferees on

H.R. 2647. The instructions contained in the motion seek to require the managers on the part of the House to not recede to the Senate on division E of the Senate amendment (regarding the Matthew Shephard Hate Crimes Prevention Act).

- **Oct 6, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the motion to instruct conferees, the Chair put the question on adoption of the motion and by voice vote announced that the noes had prevailed. Mr. Forbes demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the motion until later in the legislative day.
- **Oct 6, 2009:** Mr. Skelton moved that the House close portions of the conference. (consideration: CR H10484-10485)
- **Oct 6, 2009:** On motion that the House instruct conferees Failed by the Yeas and Nays: 178 - 234 (Roll no. 754).
- **Oct 6, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Armed Services for consideration of the House bill and the Senate amendment, and modifications committed to conference: Skelton, Spratt, Ortiz, Taylor, Abercrombie, Reyes, Snyder, Smith (WA), Sanchez, Loretta, McIntyre, Brady (PA), Andrews, Davis (CA), Langevin, Larsen (WA), Cooper, Marshall, Bordallo, McKeon, Bartlett, Thornberry, Jones, Akin, Forbes, Miller (FL), Wilson (SC), LoBiondo, Bishop (UT), Turner, and Wittman.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Permanent Select Committee on Intelligence for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Hastings (FL), Schiff, and Hoekstra.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Education and Labor for consideration of secs. 243, 551-553, 585, 2833 and 2834 of the House bill and secs. 531-534 and 3136 of the Senate amendment, and modifications committed to conference: Woolsey, Altmire, and Biggert.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Energy and Commerce for consideration of secs. 247, 315 and 601 of the House bill and secs. 311, 601, 2835 and 3118 of the Senate amendment, and modifications committed to conference: Waxman, Markey (MA), and Barton (TX).
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Foreign Affairs for consideration of secs. 812, 907, 912, 1011, 1013, 1046, 1201, 1211, 1213-1215, 1226, 1230A, 1231, 1236, 1239, 1240, Title XIII, secs. 1513, 1516, 1517, and 2903 of the House bill and secs. 1021, 1023, 1201-1203, 1205-1208, 1211-1214, Subtitle D of Title XII, Title XIII and sec. 1517 of the Senate amendment, and modifications committed to conference: Berman, Ackerman, and Ros-Lehtinen.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Homeland Security for consideration of sec. 1101 of the House bill, and modifications committed to conference: Thompson (MS), Titus, and Bilirakis.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on House Administration for consideration of Subtitle H of Title V of the Senate amendment, and modifications committed to conference: Capuano, Gonzalez, and Lungren, Daniel E. of California.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on the Judiciary for consideration of secs. 583, 584, 1021 and 1604 of the House bill and secs. 821, 911, 1031, 1033, 1056, 1086 and Division E of the Senate amendment, and modifications committed to conference: Nadler (NY), Lofgren, Zoe, and Gohmert.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Natural Resources for consideration of secs. 1091 and 2308 of the Senate amendment, and modifications committed to conference: Rahall, Faleomavaega, and Hastings (WA).
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Oversight and Government Reform for consideration of secs. 321, 322, 326-329, 335, 537, 666, 814, 815, 834, 1101-1107, 1110-1113 and Title II of Division D of the House bill and secs. 323, 323A-323C, 814, 822, 824, 901, 911, 1056, 1086, 1101-1105 and 1162 of the Senate amendment, and modifications committed to conference
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Science and Technology for consideration of secs. 248, 819, 836, and 911 of the House bill and secs. 801, 814, 833, 834, 912 and Division F of the Senate amendment, and modifications committed to conference: Gordon (TN), Wu, and Smith (NE).
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Small Business for consideration of sec. 830 of the House bill and secs. 833, 834, 838, 1090 and Division F of the Senate amendment, and modifications committed to conference
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of secs. 315, 601 and 2811 of the House bill and secs. 311, 601, 933, 2835, 3301, 6002, 6007, 6008, 6012 and 6013 of the Senate amendment, and modifications committed to conference: Cummings, Richardson, and Mica.
- **Oct 6, 2009:** The Speaker appointed conferees - from the Committee on Veterans' Affairs for consideration of secs.

525, 583, 584 and sec. 121 of Division D of the House bill and secs. 573-575, 617, 711, Subtitle E of Title X, secs. 1084 and 1085 of the Senate amendment, and modifications committed to conference: Rodriguez, Donnelly (IN), and Buyer.

- **Sep 30, 2009:** Message on Senate action sent to the House.
- **Sep 29, 2009:** Senate appointed conferee(s) Kirk in lieu of Kennedy by unanimous consent. (consideration: CR S9940)
- **Sep 29, 2009:** Senate appointed conferee(s) LeMieux in lieu of Martinez. (consideration: CR S9940)
- **Jul 28, 2009:** Message on Senate action sent to the House.
- **Jul 23, 2009:** Measure laid before Senate by unanimous consent. (consideration: CR S8024, S8024)
- **Jul 23, 2009:** Senate struck all after the Enacting Clause and substituted the language of S.1390 amended. (consideration: CR S8024)
- **Jul 23, 2009:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR 7/29/2009 S8287-8499)
- **Jul 23, 2009:** Passed Senate with an amendment by Unanimous Consent. (text: CR 7/29/2009 S8287-8499)
- **Jul 23, 2009:** Senate insists on its amendment, asks for a conference, appoints conferees Levin; Kennedy; Byrd; Lieberman; Reed; Akaka; Nelson FL; Nelson NE; Bayh; Webb; McCaskill; Udall CO; Hagan; Begich; Burris; McCain; Inhofe; Sessions; Chambliss; Graham; Thune; Martinez; Wicker; Burr; Vitter; Collins. (consideration: CR S8024)
- **Jul 6, 2009:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 96.
- **Jun 25, 2009:** Considered as unfinished business. (consideration: CR H7257-7353, H7354-7389)
- **Jun 25, 2009:** Mr. Skelton asked unanimous consent that during further consideration of H.R. 2647 pursuant to H.Res. 572, debate on amendments 3 and 9 be extended to 20 minutes each, and that amendment 2 be modified. Agreed to without objection.
- **Jun 25, 2009:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Skelton amendment number 1.
- **Jun 25, 2009:** Debate - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 20 minutes of debate on the McGovern amendment number 3.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the McGovern amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes prevailed. Mr. McGovern demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the McGovern amendment number 4.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the McGovern amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. McKeon demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 1.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the McKeon amendment, as modified.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res.572, the Committee of the Whole proceeded with 10 minutes of debate on the Franks (AZ) amendment.
- **Jun 25, 2009:** DEBATE - The Committee of the Whole continued with further debate on the Franks (AZ) amendment.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Franks (AZ) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Franks (AZ) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Akin amendment.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Akin amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Akin demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the

amendment until later in the legislative day.

- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 2.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Cummings amendment.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Holt (NJ) amendment.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Holt amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Holt demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Maloney (NY) amendment.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 3.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 4.
- **Jun 25, 2009:** DEBATE - Pursuant to the provisions of H.Res. 572, the Committee of the Whole proceeded with 10 minutes of debate on the Connolly (VA) amendment.
- **Jun 25, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Connolly amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Connolly demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jun 25, 2009:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2647.
- **Jun 25, 2009:** The previous question was ordered pursuant to the rule. (consideration: CR H7387)
- **Jun 25, 2009:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H7258-7336)
- **Jun 25, 2009:** Mr. Forbes moved to recommit with instructions to Armed Services. (consideration: CR H7387; text: CR H7387)
- **Jun 25, 2009:** DEBATE - The House proceeded with 10 minutes of debate on the Forbes motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment pertaining to a new section on Availability of Funds for Missile Defense and Certain Vehicles and Aircraft.
- **Jun 25, 2009:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H7388)
- **Jun 25, 2009:** On motion to recommit with instructions Failed by recorded vote: 170 - 244 (Roll no. 459). (consideration: CR H7388-7389)
- **Jun 25, 2009:** Passed/agreed to in House: On passage Passed by recorded vote: 389 - 22, 1 Present (Roll no. 460).
- **Jun 25, 2009:** On passage Passed by recorded vote: 389 - 22, 1 Present (Roll no. 460).
- **Jun 25, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 25, 2009:** Pursuant to the provisions of H.Res. 572, the text of H.R. 2990, as passed by the House, was appended to the end of the engrossment of H.R. 2647 as new matter.
- **Jun 25, 2009:** The title of the measure was amended. Agreed to without objection.
- **Jun 25, 2009:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 2647.
- **Jun 24, 2009:** Rule H. Res. 572 passed House.
- **Jun 24, 2009:** Considered under the provisions of rule H. Res. 572. (consideration: CR H7215-7221, H7234-7235, H7236-7246)
- **Jun 24, 2009:** Rule provides for consideration of H.R. 2647 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.
- **Jun 24, 2009:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H.

Res. 572 and Rule XVIII.

- **Jun 24, 2009:** The Speaker designated the Honorable Jason Altmire to act as Chairman of the Committee.
- **Jun 24, 2009:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2647.
- **Jun 24, 2009:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 572 and as the Chairman of the Committee on Armed Services, Mr. Skelton asked unanimous consent that, during further consideration of H.R. 2647 in the Committee of the Whole and following consideration of amendment No. 1 printed in House Report 111-182, further consideration of a list of amendments supplied to the desk take place in the order specified on said list. Agreed to without objection.
- **Jun 24, 2009:** GENERAL DEBATE - The Committee of the Whole continued with general debate on H.R. 2647.
- **Jun 24, 2009:** Mr. Skelton moved that the Committee rise.
- **Jun 24, 2009:** On motion that the Committee rise Agreed to by voice vote.
- **Jun 24, 2009:** Committee of the Whole House on the state of the Union rises leaving H.R. 2647 as unfinished business.
- **Jun 23, 2009:** Mr. Skelton asked unanimous consent that the Committee on Armed Services be authorized to file a supplemental report on the bill H.R. 2647. Agreed to without objection.
- **Jun 23, 2009:** Supplemental report filed by the Committee on Armed Services, H. Rept. 111-166, Part II.
- **Jun 23, 2009:** Rules Committee Resolution H. Res. 572 Reported to House. Rule provides for consideration of H.R. 2647 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill.
- **Jun 18, 2009:** Reported (Amended) by the Committee on Armed Services. H. Rept. 111-166.
- **Jun 18, 2009:** Placed on the Union Calendar, Calendar No. 84.
- **Jun 16, 2009:** Committee Consideration and Mark-up Session Held.
- **Jun 16, 2009:** Ordered to be Reported (Amended) by the Yeas and Nays: 61 - 0.
- **Jun 12, 2009:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **Jun 12, 2009:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 12, 2009:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Jun 11, 2009:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **Jun 11, 2009:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 11, 2009:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
- **Jun 5, 2009:** Referred to the Subcommittee on Military Personnel.
- **Jun 5, 2009:** Referred to the Subcommittee on Seapower and Expeditionary Forces.
- **Jun 5, 2009:** Referred to the Subcommittee on Readiness.
- **Jun 5, 2009:** Referred to the Subcommittee on Strategic Forces.
- **Jun 5, 2009:** Referred to the Subcommittee on Air and Land Forces.
- **Jun 5, 2009:** Referred to the Subcommittee on Terrorism, Unconventional Threats and Capabilities.
- **Jun 2, 2009:** Introduced in House
- **Jun 2, 2009:** Referred to the House Committee on Armed Services.