

HR 5136

National Defense Authorization Act for Fiscal Year 2011

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Armed Forces and National Security

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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. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Apr 26, 2010

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Reported by	May 12, 2010
Armed Services Committee	House	Reported by	May 12, 2010
Armed Services Committee	House	Reported by	May 13, 2010
Armed Services Committee	House	Reported by	May 13, 2010
Armed Services Committee	House	Reported by	May 13, 2010
Armed Services Committee	House	Reported by	May 13, 2010
Homeland Security Committee	House	Bills of Interest - Exchange of Letters	Sep 22, 2010

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
111 HR 6523	Related bill	Jan 7, 2011: Became Public Law No: 111-383.
111 S 3454	Related bill	Dec 14, 2010: Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 111-701, pt. 1.
111 HRES 1467	Related bill	Jun 23, 2010: Motion to reconsider laid on the table Agreed to without objection.
111 HRES 1404	Procedurally related	May 27, 2010: Motion to reconsider laid on the table Agreed to without objection.
111 HR 5013	Related bill	Apr 29, 2010: Received in the Senate and Read twice and referred to the Committee on Armed Services.

National Defense Authorization Act for Fiscal Year 2011 - **Division A: Department of Defense Authorizations - Title I: Procurement - Subtitle A: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations for FY2011 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 FY2011 for defense-wide procurement.

Subtitle B: Army Programs - (Sec. 111) Prohibits the Secretary of Defense (DOD) (Secretary) from procuring more than two brigade sets of early-infantry brigade combat team increment one equipment, including the procurement of a long-lead item for an element of such a set. Authorizes the Under Secretary of Defense for Acquisition, Technology, and Logistics (Under Secretary) to waive such limitation upon a specified certification to Congress, including that initial operational test and evaluation of the brigade set has been completed and the results thereof have been reported to Congress. Provides an exception to such limitation.

(Sec. 112) Directs the Secretary of the Army to report to the congressional defense and appropriations committees on plans for fielding tactical communications network equipment. Prohibits the obligation or expenditure of more than 50% of the FY2011 Army procurement funds for tactical radios or communications network equipment until 15 days after such report is submitted. Provides an exception to such limitation.

(Sec. 113) Prohibits the obligation or expenditure of Army procurement funds for line-haul tractors unless the source selection is made based on a full and open competition. Authorizes a waiver of such prohibition if the Secretary of the Army certifies to the defense and appropriations committees, within 90 days after the enactment of this Act, that a sole source selection is either needed to fulfill mission requirements or is more cost-effective than a full and open competition.

Subtitle C: Navy Programs - (Sec. 121) Authorizes the Secretary of the Navy to use incremental funding for the procurement of a large naval vessel over three-fourths of the total period of planned ship construction of such vessel. Provides specific conditions for the use of such funding through FY2012 with respect to the vessel designated LPD 26.

(Sec. 122) Amends the National Defense Authorization Act (NDAA) for Fiscal Year 2010 relating to multiyear procurement authority for the F/A-18E and F, and EA-18G aircraft to authorize the Secretary to submit to the defense and appropriations committees by September 1, 2010, an updated report on such procurement. Provides for the use of authorized and excess funds for such procurement.

(Sec. 123) Directs the Secretary of the Navy to report to the defense and appropriations committees on the missile defense requirements of the major combatant surface vessels.

Subtitle D: Air Force Programs - (Sec. 131) Amends the NDAA for Fiscal Year 2010 to extend through FY2011 a prohibition on the use of Air Force funds for the F-22 aircraft until the submission to Congress of a plan for the preservation and storage of unique tooling related to the production of hardware and end items for such aircraft.

Subtitle E: Joint and Multiservice Matters - (Sec. 141) Prohibits the obligation or expenditure during FY2011 of more than that necessary for the procurement of 30 F-35 Lightning II aircraft until: (1) specified certifications from the Under Secretary and the Director of Operational Test and Evaluation concerning such aircraft have been received by the defense and appropriations committees by January 15, 2011; and (2) 15 days have elapsed since such receipt. Allows the Secretary to waive such limitation under specified circumstances.

(Sec. 142) Prohibits the obligation or expenditure of more than 85% of the FY2011 funding for biometrics programs and operations until the Secretary reports to the defense and appropriations committees on actions taken with respect to such programs and operations, including the implementation of various recommendations. Prohibits any such funds from being obligated or expended until the Under Secretary approves the obligation or expenditure in writing.

(Sec. 143) Requires the Secretary to develop and maintain a comprehensive database of information for coordinating, tracking, and archiving each counter-improvised explosive device initiative within DOD. Directs the Secretary to: (1) develop means to measure the effectiveness of such initiatives; and (2) prioritize their funding.

(Sec. 144) Requires the Secretary to: (1) contract with a federally funded research and development center (FFRDC) to conduct a study on lightweight body armor solutions for members of the Armed Forces (members); and (2) report study results to the defense and appropriations committees.

Title II: Research, Development, Test, and Evaluation - Subtitle A: Authorization of Appropriations - (Sec. 201) Authorizes appropriations for FY2011 for DOD for research, development, test, and evaluation (RDT&E).

Subtitle B: Program Requirements, Restrictions, and Limitations - (Sec. 211) Expresses the sense of Congress that: (1) as Ohio-class ballistic missile submarines reach the end of their service life and are retired, the United States must maintain its robust sea-based strategic deterrent force; (2) the Secretary should conduct a comprehensive analysis of alternative capabilities to provide such deterrence; and (3) prior to requesting research and development (R&D) funding to develop a replacement for the Ohio-class submarine force, the Secretary should have made available to Congress guidance with respect to the analysis of alternative capabilities, and the results of such analysis. Prohibits more than 50% of the funds made available for FY2011 for Navy R&D funding from being obligated or expended to research or develop a replacement submarine for the Ohio-class force unless: (1) the Secretary reports to the defense and appropriations committees the guidance issued and an analysis of alternative ballistic missile submarine capabilities; and (2) 30 days have elapsed since such report.

(Sec. 212) Prohibits the obligation of more than 75% of the FY2011 funds for RDT&E for the F-35 Lightning II aircraft program until 15 days after the Under Secretary certifies to the defense and appropriations committees that all FY2011 funds for the continued development and procurement of a competitive propulsion system for such aircraft have been obligated.

(Sec. 213) Requires the Secretary, for the budget for FY2012 and thereafter, to include in budget materials a request for amounts necessary for the full funding of the continued development and procurement of a competitive propulsion system for the F-35 Lightning II aircraft. Requires the inclusion of full funding for such system in each future-years defense program. Directs the Secretary to ensure the obligation and expenditure in FY2011 and thereafter of sufficient amounts for the continued development and procurement of two options for such propulsion system.

(Sec. 214) Directs the Secretary, in the budget materials submitted for FY2012 and thereafter, to ensure that within each RDT&E account of the Army and Navy a separate, dedicated program element is assigned to the Joint Light Tactical Vehicle.

Subtitle C: Missile Defense Programs - (Sec. 221) Prohibits the use of DOD funds for FY2011 or thereafter for construction or deployment of a medium- or long-range missile defense system in Europe until: (1) the nation agreeing to host such system has signed and ratified a missile defense basing agreement and a status of forces agreement; and (2) 45 days have elapsed since the Secretary submits to the defense and appropriations committees the report on an independent assessment of missile defense systems in Europe required under the NDAA for Fiscal Year 2010. Prohibits

the use of DOD funds for FY2011 or thereafter for the procurement or deployment of operational missiles of a missile defense system in Europe until the Secretary submits to such committees a report certifying that the proposed interceptor deployed as part of such system has demonstrated a high probability of working effectively and that the system has the ability to accomplish its mission.

(Sec. 222) Amends the NDAA for Fiscal Years 1988 and 1989 to repeal the prohibition on DOD contracts with foreign entities on RDT&E related to missile defense.

(Sec. 223) Expresses the sense of Congress that the new phased, adaptive approach to missile defense in Europe, as announced by the President, should be supported by sound analysis, plans, schedules, and technologies, and that Congress should have access to such information in order to conduct effective oversight. Directs: (1) the Secretary to report to the defense and appropriations committees on such approach; and (2) the Comptroller General (CG) to report to such committees assessing the Secretary's report. Limits the obligation or expenditure of defense-wide operation and maintenance funds until submission of the Secretary's report.

(Sec. 224) States U.S. policy for fielding missile defense systems in Europe, including the use of the standard missile-3 block IIA interceptor to defend against intermediate-range ballistic missiles launched from the Middle East, and the use of the IIB interceptor to defend against intercontinental ballistic missiles (ICBMs) launched from the Middle East.

(Sec. 225) Directs the Secretary to contract with an independent entity to assess DOD plans for defending the United States against the threat of attack by ballistic missiles, including electromagnetic pulse attacks, as described in the Ballistic Missile Defense Review submitted to Congress and a related report required under the NDAA for Fiscal Year 2010. Requires the Secretary to report such study's results to the defense and appropriations committees.

(Sec. 226) Directs the Secretary to: (1) conduct a joint capabilities mix study on U.S. ballistic missile defense; and (2) report study results to the defense and appropriations committees.

(Sec. 227) Requires the Secretary to report semiannually to the defense and appropriations committees on the standard missile system, particularly with respect to standard missile-3 blocks IIA and IIB.

Subtitle D: Reports - (Sec. 231) Directs the Secretary of the Army to report to the defense and appropriations committees on the Army's Ground Combat Vehicle program. Prohibits more than 50% of Ground Combat Vehicle RDT&E funding from being obligated or expended until 30 days after such report is submitted.

(Sec. 232) Requires the Secretary of the Army to: (1) conduct a cost-benefit analysis of future munitions to be fired from the M1 Abrams main battle tank to determine the proper investment to be made in such munitions; and (2) submit analysis results to the defense and appropriations committees.

(Sec. 233) Directs the CG: (1) from the enactment of this Act through March 1, 2018, to conduct an annual review of the VH(XX) aircraft acquisition program; and (2) during such period, to report review results to the defense and appropriations committees.

(Sec. 234) Requires the Under Secretary to: (1) form a joint assessment team to review the joint effects targeting system; and (2) report review results to the defense and appropriations committees.

Subtitle E: Other Matters - (Sec. 241) Directs the Secretary to: (1) carry out a program to operationally test and evaluate non-lethal weapons that provide counter-personnel escalation of force options to members deploying in support of a contingency operation; (2) report to the defense and appropriations committees on such program. Requires the

Secretary, for each budget submitted for FY2012 and thereafter, to ensure that within each military department procurement account a separate, dedicated procurement line item is designated for non-lethal weapons.

(Sec. 242) Requires the Secretary to: (1) carry out a pilot program to develop and incorporate technology protection features in a designated defense system during its R&D phase; and (2) report annually to the defense and appropriations committees during the pilot program. Provides pilot program funding from defense-wide RDT&E funds. Terminates the pilot program on October 1, 2015.

(Sec. 243) Directs the Secretary, in coordination with the Secretary of Energy (DOE), to carry out a collaborative energy security pilot program involving one or more partnerships between a military installation and a DOE national laboratory, for the purpose of evaluating and validating secure, salable microgrid components and systems for deployment.

Requires: (1) such Secretaries to jointly select each installation and laboratory for program participation; (2) the pilot program to be at least three years in duration; and (3) the Secretary to submit an initial and final pilot program report to the defense and energy committees. Provides pilot program funding from defense-wide RDT&E funds.

(Sec. 244) Requires the Secretary to report to the defense, appropriations, and small business committees on regional advanced technology clusters, including a strategic plan for the development of technologies such as robotics and autonomous systems to address national security, homeland security, and first responder challenges.

(Sec. 245) Expresses the sense of Congress that: (1) the United States should establish R&D facilities to take the lead in producing the next generation of integrated circuits; (2) DOD should support the establishment of a public-private partnership to develop extreme-ultraviolet lithography (EUVL) technologies on 300 micrometer and 450 micrometer wafers; and (3) the targeted feature size of integrated circuits for EUVL development in the United States should be the 15 nanometer node.

Title III: Operation and Maintenance - Subtitle A: Authorization of Appropriations - (Sec. 301) Authorizes appropriations for FY2011 for operation and maintenance (O&M) for the Armed Forces and specified activities and agencies of DOD.

Subtitle B: Energy and Environmental Provisions - (Sec. 311) Authorizes the Secretary to transfer a specified amount to the Hazardous Substance Superfund as reimbursement to the Environmental Protection Agency (EPA) for environmental response actions performed at the Twin Cities Army Ammunition Plant, Minnesota.

(Sec. 312) Authorizes the Secretary to transfer a specified amount to the Hazardous Substance Superfund to satisfy a stipulated penalty assessed by the EPA against Naval Air Station, Brunswick, Maine.

(Sec. 313) Directs the Secretary to submit to Congress a testing and certification plan for the operational use of an aviation biofuel derived from materials that do not compete with food stocks.

(Sec. 314) Requires the Secretary of each military department to report to Congress identifying hybrid or electric propulsion systems and other vehicle technologies that reduce consumption of fossil fuels and are suitable for incorporation into the current fleet of tactical motor vehicles of such department.

(Sec. 315) Amends the Energy Independence and Security Act of 2007 to provide that the alternative fuel procurement requirement of such Act shall not prohibit a federal agency from contracting to purchase a generally available fuel that is not an alternative or synthetic fuel or one predominantly produced from a nonconventional petroleum source if: (1) the contract does not specifically require the provision of such a fuel; (2) the purpose of the contract is not to obtain such a

fuel; and (3) the contract does not provide incentives for a refinery upgrade or expansion to allow the refinery to use or increase its use of fuel from a nonconventional petroleum source.

(Sec. 316) Directs the Secretary to provide the Agency for Toxic Substances and Disease Registry (ATSDR) with an electronic inventory of all documents and data pertaining to the listed contamination sites at Camp Lejeune, North Carolina, as well as all such documents and data pertaining to the contaminated drinking water there. Requires documents or data generated after the date of enactment of this Act to also be provided to ATSDR. Requires the Secretary of the Navy to ensure that DOD personnel with appropriate experience and expertise are utilized to identify, compile, and submit existing and new documents, records, and data in Navy and Marine Corps records that would assist ATSDR in gathering data relating to the contamination and remediation of Camp Lejeune base-wide drinking-water systems.

Subtitle C: Workplace and Depot Issues - (Sec. 321) Makes technical corrections relating to a required annual DOD inventory of services performed by contractors.

(Sec. 322) Amends the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Thurmond Act) to repeal certain conditions on the expansion of functions performed under prime vendor contracts for depot-level maintenance and repair.

(Sec. 323) Directs the Secretary to establish a pilot program to implement a best value procurement standard in entering into contracts for the provision of private security functions in Afghanistan and Iraq. Requires an annual report from the Secretary to the defense and appropriations committees during the pilot program. Terminates the pilot program at the end of FY2013. Provides that, after such date, implementation of a best value procurement standard for such contracts shall be at the Secretary's discretion.

(Sec. 324) Requires the Secretary to issue policy guidance requiring, as a condition for the award of certain DOD contracts for the provision of private security functions, that each contractor receive certification from a third party that the contractor adheres to specified operational and business practice standards. Makes such requirement inapplicable to contracts entered into by intelligence community elements in support of intelligence activities.

(Sec. 325) Prohibits the Secretary from establishing, applying, or enforcing any goals, targets, or quotas for the conversion of DOD contractor functions to performance by DOD civilian personnel, unless such goal, target, or quota is based on considered research and analysis required under federal law. Directs: (1) the Secretary to report to the defense and appropriations committees on any such conversions made during FY2010; and (2) the CG to submit to such committees an assessment of such report.

(Sec. 326) Provides that, for purposes of conducting a cost comparison for determining whether to convert a function from contractor performance to performance by DOD civilian employees, the costs of employer contributions made by DOD or a contractor toward employer-sponsored health and retirement benefit plans shall not be considered unless, in the case of contributions made by a contractor, the contractor does not receive an advantage for reducing costs for DOD.

Subtitle D: Reports - (Sec. 331) Changes from annual to biennial a currently-required report on the condition of military museums.

(Sec. 332) Requires inclusion in a currently-required annual report from the Secretary on funding provided for corrosion mitigation and control of annual corrosion reports submitted to the Secretary by the military departments.

(Sec. 333) Amends the John Warner National Defense Authorization Act for Fiscal Year 2007 to: (1) eliminate out-of-date reporting requirements; and (2) repeal a redundant ground forces readiness report requirement.

(Sec. 334) Directs the Commander of the United States Northern Command and the North American Aerospace Defense Command to report to the defense committees on the Air Sovereignty Alert Mission and Operation Noble Eagle.

(Sec. 335) Requires the Secretary of the Air Force to report to the defense committees on the feasibility and desirability of designating the Suppression of Enemy Air Defenses/Destruction of Enemy Air Defenses mission (SEAD/DEAD mission) as a responsibility of the Air National Guard.

(Sec. 336) Directs the Commander of the United States Transportation Command to update the study entitled "PORT LOOK 2008 Strategic Seaports Study."

(Sec. 337) Directs the Secretary, in conjunction with the Administrator of the National Aeronautics and Space Administration (NASA), to study, and report on, the feasibility of joint usage of the National Aeronautics and Space Administration Shuttle Logistics Depot in Cape Canaveral, Florida, to supplement requirements for products and services in support of reset initiatives, Advanced Technology Clusters, engineering and reverse engineering analysis, and development of innovative technology and processes to improve product procurement and reduce risk, cost, and cycle time of system delivery.

Subtitle E: Limitations and Extensions of Authority - (Sec. 341) Authorizes the Secretary of a military department to impose landing fees for the use by civil aircraft of domestic military airfields and use such fees for airfield O&M.

(Sec. 342) Amends the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Spence Act) to: (1) repeal certain purposes of the Arsenal Support Program Initiative; (2) disestablish Initiative-related loan guarantees; (3) authorize the Secretary of the Army to extend the Initiative through FY2012; (4) direct such Secretary to prioritize remaining Initiative purposes; and (5) direct such Secretary to report to Congress on Initiative priorities.

(Sec. 343) Amends the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Hunter Act) to extend through FY2012 the authority of the Secretary of the Navy to purchase meals on Navy ships for certain non-Navy individuals during the execution of humanitarian and civic assistance missions.

(Sec. 344) Prohibits the obligation or expenditure of more than 50% of funds authorized for FY2011 for the Human Terrain System until the Secretary of the Army submits a certain System assessment, validation, and certification to the defense and appropriations committees.

(Sec. 345) Limits Office of the Secretary of Defense budget activity for spending pending submission to the defense and appropriations committees of classified justification materials.

(Sec. 346) Prohibits the Secretary of the Air Force from retiring any C-130 aircraft until 30 days after such Secretary submits to the defense and appropriations committees a written agreement concerning such aircraft between the Director of the Air National Guard, the Commander of the Air Force Reserve Command, and the Chief of Staff of the Air Force.

(Sec. 347) Prohibits the demilitarization or destruction of small arms ammunition and ammunition components that are excess to military requirements, and requires that they be made available for commercial sale.

(Sec. 348) Prohibits any FY2011 DOD funds from being made available to implement the Air Force FY2011 Force Structure Announcement until 45 days after the Secretary of the Air Force: (1) reports to the defense committees on the

follow-on missions for bases affected by the 2010 Combat Air Forces restructure; and (2) certifies to such committees that the Air Sovereignty Alert Mission will be fully resourced with required funding, personnel, and aircraft.

Subtitle F: Other Matters - (Sec. 351) Authorizes the Secretary to prescribe an expedited process for completing background investigations for: (1) DOD personnel and DOD contractor personnel who are engaged in sensitive duties critical to national security; and (2) an individual submitting an application for DOD employment for which a security clearance is required who is a member of the Armed Forces who was retired or separated for physical disability. Authorizes the use of DOD O&M funds for such purpose.

(Sec. 352) Authorizes the adoption of military working dogs by family members of a member who is killed in action, dies of wounds received in action, or is so seriously wounded in action that the member will likely receive a medical discharge.

(Sec. 353) Revises provisions authorizing DOD to transport civilian passengers and commercial cargoes on DOD naval vessels when such transportation is not commercially available to: (1) include vehicles and aircraft operated by DOD within such authority; and (2) provide for the crediting of reimbursement received for transportation provided in response to an emergency, disaster response, or humanitarian request. Provides that, during the five-year period beginning on the date of enactment of this Act, and when space is available, the Secretary may provide such transportation, without charge, for allied forces or civilians as part of a contingency operation or disaster response. Requires an annual report from the Secretary to the defense committees for any year in which the Secretary provides transportation described in this section.

(Sec. 355) Directs the CG to: (1) perform an inventory of all modeling and simulation tools used to develop and analyze DOD's annual budget submission and to support decision-making inside the budget process; and (2) report inventory results to the defense committees. Requires: (1) the Secretary to contract with an FFRDC to carry out a study examining requirements for and capabilities of modeling and simulation tools used by DOD to support the annual budget process; and (2) the chief executive officer of the selected FFRDC to report study results to the defense committees.

(Sec. 356) Expresses the sense of Congress that: (1) the High-Altitude Army Aviation Training Site continues to be critically important to ensuring the readiness and capabilities of rotor-wing military pilots; and (2) DOD should take all appropriate actions to prevent encroachment on such Site.

(Sec. 357) Requires the Secretary to: (1) conduct a study on the effectiveness of simulated tactical flight training in a sustained g environment; and (2) submit study results to the defense and appropriations committees.

(Sec. 358) Directs the Secretary to: (1) carry out a study to identify any areas where military installations and operations could be affected by any proposed construction, alteration, establishment, or expansion of structures interfering with air commerce; and (2) designate a single organization within DOD to act as the executive agent for such study and coordinate hazard determinations and response actions with the Secretary of Transportation.

(Sec. 359) Expresses the sense of Congress that the Chief of the National Guard Bureau should issue fire-resistant utility ensembles to National Guard personnel who are engaged, or likely to become engaged, in defense support to civil authority missions that routinely involve serious fire hazards, such as wildfire recovery efforts.

(Sec. 360) Authorizes the Secretary to make nonlethal excess DOD supplies available to support domestic emergency assistance activities.

(Sec. 361) Revises provisions concerning unauthorized or improper disposition of DOD clothing, arms, articles,

equipment or other property. Prohibits any member, civilian federal employee, employee or agent of a contractor, or other person to dispose of such property in violation of applicable DOD demilitarization regulations. Makes such requirements retroactive to any military or DOD property improperly disposed of after January 1, 2002.

(Sec. 362) Authorizes the Secretary and the military department secretaries, in paying a claim for loss or damage occurring during the transportation of household goods of military personnel, to pay the claim on the basis of full replacement value in certain circumstances in which contractor reimbursement is not available or the contractor is excluded from liability.

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 FY2011.

(Sec. 402) Revises permanent active-duty end strength minimum levels.

Subtitle B: Reserve Forces - (Sec. 411) Sets forth authorized end strengths as of the end of FY2011 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 FY2011 for Army and Air Force dual status military technicians.

(Sec. 414) Provides a FY2011 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 FY2011.

Subtitle C: Authorization of Appropriations - (Sec. 421) Authorizes appropriations for FY2011 for military personnel.

Title V: Military Personnel Policy - Subtitle A: Officer Personnel Policy Generally - (Sec. 501) Exempts DOD health care professionals being considered for regular (under current law, only reserve) officer appointments from the requirement that they be commissioned prior to age 42. Exempts from the requirement to retire upon attaining age 62 not only DOD physicians, dentists, and nurses (current law), but other health care personnel providing health care, clinical duties, or health care-related administrative duties.

(Sec. 502) Provides that, with respect to appointments in the regular grade W-1, the Secretary of the military department concerned (Secretary concerned) may provide by regulation that such appointments be made by commission by the President within that department. Requires appointments in permanent reserve warrant officer grades to be made in the same manner as appointments for regular warrant officer grades.

(Sec. 503) Prohibits the disclosure of proceedings of special selection boards convened to consider the promotion of officers on the active-duty list or reserve active-status list to any person not a member of such board, except as authorized or required to process the report of that board.

(Sec. 504) Requires administrative removal from the promotion list by the Secretary concerned of an officer on the active-duty list who is discharged or dropped from the rolls, transferred to a retired status, or found to have been erroneously included in a zone of promotion consideration. Applies identical removal standards to regular officers serving on the active-duty list and reserve officers serving on the active-status list.

(Sec. 505) Expands the list of officers eligible to serve on boards of inquiry for the separation of regular officers and reserve officers in active status for substandard performance and other reasons. Requires all board members to be

senior in rank or grade to the officer being considered for such separation. (Under current law, all board members must be in a grade above major or lieutenant commander, regardless of the grade or rank of the officer being considered.)

(Sec. 506) Provides temporary authority, from the date of enactment of this Act through FY2013, for the Secretary concerned to reduce from ten to eight years the minimum length of active-duty service as a commissioned officer prior to eligibility for voluntary retirement.

Subtitle B: Reserve Component Management - (Sec. 511) Requires individual preseparation counseling for reserve members (under current law, only active-duty members) whose discharge or release from service is anticipated as of a specific date.

(Sec. 512) Provides the policy for the correction of military records of reserve members.

(Sec. 513) Removes statutory distribution limits on the allocation of Navy Reserve flag officers.

(Sec. 514) Makes the military technician (dual status) unit membership requirement inapplicable to an individual employed by the Air Force Reserve in an area other than the Air Force Reserve unit program, except that no more than 50% of such technicians may be assigned outside of the unit program at any one time.

(Sec. 515) Authorizes the Secretary of the Army or Air Force to designate a non-dual status military technician to fill a vacancy created by the mobilization of a dual-status military technician within the Selected Reserve. Makes such period of employment the shorter of two years or the period of the mobilization. Terminates such authority two years after the enactment of this Act.

(Sec. 516) Revises membership and operational aspects of the Reserve Forces Policy Board, including reducing the number of members from 24 to 20, and providing both voting and nonvoting members.

(Sec. 517) Extends to National Guard technicians the right to appeal grievances and adverse actions to the Merit Systems Protection Board. (Under current law, such technicians may not make appeals beyond the adjutant general of the jurisdiction concerned.)

Subtitle C: Joint Qualified Officers and Requirements - (Sec. 521) Revises the definition of "joint matters" for purposes of DOD joint officer management.

(Sec. 522) Allows selection boards convened to consider the promotion of officers on the active-duty list to also consider officers who: (1) are serving or have served on the Joint Staff; or (2) are joint qualified officers. Updates promotion board joint information report requirements to match the consideration of the additional officers.

(Sec. 523) Amends the NDAA for Fiscal Year 2008 to authorize the Secretary of Veterans Affairs (VA) to develop and implement a secure electronic method of forwarding DD Form 214 (Release or Discharge from Active Duty) to the appropriate VA offices. Requires such Secretary to ensure that information provided is not disclosed or used for unauthorized purposes, and allows such Secretary to cease the electronic forwarding of such forms if demonstrated problems arise.

Subtitle D: General Service Authorities - (Sec. 531) Extends through 2012 the temporary authority of the Secretary concerned to order retired members to active duty in high-demand, low-density assignments or in other specialties designated as critical to meet wartime or peacetime requirements. Requires a report from the Secretary to the defense committees assessing the need to extend such authority beyond such date.

(Sec. 532) Directs the Secretary concerned, in establishing military records correction procedures, to require a board established for such purpose to present its findings and conclusions in an orderly and itemized fashion, with specific attention given to each issue presented by the claimant who requested the correction. Provides the same requirement with respect to review board decisions regarding discharge or dismissal, as well as disability retirement and separation review boards. Requires disability retirement and separation review boards to be made available to enlisted members (under current law, only to officers). Extends through 2013 current minimum personnel level requirements within the service review agencies of the military departments.

(Sec. 533) Directs the Secretary to modify DD Form 214 to include a new block to permit a member to include an e-mail address at which the member may be reached after such discharge or release.

(Sec. 534) Honors women who have served and are serving as members of the Armed Forces. Encourages the people of the United States to recognize the service and achievements of female members and veterans. Requires the Secretary to: (1) conduct a review of military occupational positions available to female members; and (2) report review results to the defense and appropriations committees.

(Sec. 535) Includes within information required to be included in preseparation counseling for members and their spouses: (1) survivor benefits; (2) budgeting, saving, credit, loans, and taxes; (3) home loan services and housing assistance benefits; and (4) information on how a member can receive additional counseling regarding the member's actual entitlement to benefits and assistance in applying for such benefits.

(Sec. 536) Provides for repeal of the current DOD policy concerning homosexuality in the Armed Forces, to be effective 60 days after the Secretary has received DOD's comprehensive review on the implementation of such repeal, and the President, Secretary, and JCS Chairman certify to Congress that they have considered the report and proposed plan of action, that DOD has prepared the necessary policies and regulations to exercise the discretion provided by such repeal, and that implementation of such policies and regulations is consistent with the standards of military readiness and effectiveness, unit cohesion, and military recruiting and retention. Provides that, until such time as the above conditions are met, the current policy shall remain in effect.

Subtitle E: Military Justice and Legal Matters - (Sec. 541) Authorizes the Secretary concerned to continue a warrant officer on active duty and to delay a pending separation or retirement (without prejudice) until any action to consider trying such officer by court-martial has been completed.

(Sec. 542) Amends the Uniform Code of Military Justice (UCMJ) to expand a military judge's authority to punish contempt in military justice proceedings to include under such authorized punishment one who willfully disobeys the court's lawful writ, process, order, rule, decree, or command. Increases from \$100 to \$1,000 the authorized fine.

(Sec. 543) Prohibits information relating to the titling or indexing of a member contained in any criminal investigative report prepared or maintained by DOD for potential retrieval and analysis by DOD law enforcement organizations from being used in connection with any personnel action involving the member. Provides exceptions.

(Sec. 544) Amends the Servicemembers Civil Relief Act to provide that, if a motion for change of custody of a child of a servicemember is filed while the servicemember is deployed in support of a contingency operation, no court may enter an order modifying or amending any previous order, or issue a new order, that changes such custody arrangement until after the completion of such deployment. Prohibits a court from considering the absence of a member due to such deployment in determining the child's best interests. Allows preemption of such requirement by any federal or state law that provides a higher standard of protection to the rights of the parent-servicemember.

(Sec. 545) Directs the Secretary to: (1) ensure that all command actions related to domestic violence incidents involving members are entered into all DOD law enforcement systems; (2) issue DOD family advocacy program guidance; and (3) complete, within one year after the enactment of this Act, the implementation of specified recommendations of the CG relating to military-related domestic violence reporting and prevention. Requires a report from the Secretary to the defense and appropriations committees on planned actions.

(Sec. 546) Directs the Secretary to release to the public the restricted annex that was part of the January 2010 DOD Report of the Independent Review Related to Fort Hood and the attack there on November 5, 2009.

Subtitle F: Member Education and Training Opportunities and Administration - (Sec. 551) Revises the education loan repayment program for enlisted members on active duty in specified military specialties, as well as members of the Selected Reserve, to: (1) require repayment by a person who fails to complete the period of required service; and (2) authorize the Secretary to allow for the lump-sum payment of any loan repayment due to a member's death or disability occurring or incurred in the line of duty.

(Sec. 552) Requires military academy graduates to serve the full period of active duty service obligation associated with academy attendance, notwithstanding that their participation in the Armed Forces Health Professions Scholarship and Financial Assistance Program requires them to resign their regular commission and serve as a reserve officer.

(Sec. 553) Authorizes the Secretary concerned to waive the maximum age limit (generally, 23) for admission of an enlisted member to a military academy if the member: (1) was or is prevented from being admitted beforehand as a result of service on active duty in a theater of operations for Operations Iraqi Freedom or Enduring Freedom; or (2) possesses an exceptional overall record that sets the member apart from other candidates. Prohibits: (1) such waiver if the member would pass their 26th birthday by July 1 of the year of admission; and (2) more than five members from attending each of the academies at any one time under such authority.

(Sec. 554) Requires the Secretary to report to Congress evaluating the feasibility and cost of authorizing enlisted personnel to enroll in Community College of the Air Force associate degree programs.

Subtitle G: Defense Dependents' Education - (Sec. 561) Earmarks specified DOD O&M funds for providing assistance to local educational agencies (LEAs) with significant numbers of military dependent students, as well as to LEAs with significant enrollment changes due to base closures, force structure changes, or force relocations.

(Sec. 562) Authorizes the Secretary to permit the enrollment in DOD domestic dependent elementary and secondary schools of dependents of members who reside in temporary housing in lieu of permanent quarters on a military installation.

Subtitle H: Decorations, Awards, and Commemorations - (Sec. 571) Requires the Secretary to submit the discussion and rationale regarding favorable recommendations for the award of the Medal of Honor to the defense committees and the Member of Congress requesting the review.

(Sec. 572) Directs that a lapel button be designed, as approved by the Secretary, to identify and recognize the spouse of a member who is serving or has served in a combat zone for more than 30 days. Requires such button to be known as the spouse-of-a-combat-veteran lapel button. Authorizes the Secretary to use appropriated funds to procure such buttons, and to provide for their presentation to eligible spouses. States that the 30-day service period shall not apply if the member is killed or wounded before its expiration. Expresses the sense of Congress that, as soon as the buttons become available, the Secretary should: (1) widely announce their availability through military and public information

channels; and (2) encourage commanders at all levels to conduct ceremonies recognizing the support provided by such spouses and to use such ceremonies as an opportunity for members to present their spouses with the button.

(Sec. 573) Directs that a lapel button be designed, as approved by the Secretary, to identify and recognize a child dependent of a member who serves on active duty for more than 30 days. Requires such button to be known as the children of military service members commemorative lapel button. Authorizes the Secretary to use appropriated funds to procure such buttons, and to provide for their presentation to eligible dependents. Expresses the sense of Congress that, as soon as the buttons become available, the Secretary should: (1) widely announce their availability through military and public information channels; and (2) encourage commanders at all levels to conduct ceremonies recognizing the support provided by such children and to use such ceremonies as an opportunity for members to present their children with the button.

(Sec. 574) Restricts the award of the Bronze Star to individuals who were: (1) serving in a geographic area in which hostile fire/imminent danger or hazardous duty pay was authorized at the time the events occurred for which the medal would be awarded; and (2) in receipt of such pay as a result of such events.

(Sec. 575) Directs the Secretary concerned to award the Vietnam Service Medal in lieu of the Armed Forces Expeditionary Medal awarded for participation in the Mayaguez rescue operation of May 12-15, 1975.

(Sec. 576) Authorizes the President to award the Medal of Honor to the following individuals for conspicuous acts of valor during their military service: (1) First Lieutenant Alonzo H. Cushing, Civil War; (2) Private John A. Sipe, Civil War; (3) Chaplain (Captain) Emil J. Kapaun, Korean War; and (4) Specialist Four Robert L. Towles, Vietnam War.

(Sec. 577) Authorizes and requests the Secretary of the Army to award the Distinguished Service Cross to former Captain Jay C. Copley, US Army, for acts of valor during the Vietnam War.

(Sec. 578) Authorizes the Secretary to establish and conduct a program to commemorate the 60th anniversary of the Korean War, and to coordinate and support other programs of the federal government, state and local governments, and other persons and organizations in commemoration of such War. Outlines authorized commemoration activities and objectives. Establishes the Department of Defense Korean War Commemoration Fund for such purposes. Authorizes the acceptance of voluntary services in conjunction with program objectives and activities. Provides that if the Secretary conducts such program, the DOD Inspector General shall report to Congress on program funds deposited and expended. Prohibits the Secretary from expending more than \$5 million to carry out the program.

(Sec. 579) Directs the Secretary concerned to issue a Combat Medevac Badge to each person who served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets other requirements as prescribed by that Secretary.

(Sec. 580) Authorizes the Secretary of the Army to award the Army Combat Action Badge to Army personnel who participated in engaged combat during the period beginning December 7, 1941, and ending on September 18, 2001, if such Secretary determines that the person has not been previously recognized for such service.

(Sec. 580A) Requires the Secretaries of the Army and Navy to review the service record of each Jewish American World War I veteran to determine whether such veteran should be posthumously awarded the Medal of Honor, and, if warranted, to recommend to the President that such Medal be so awarded. Waives time limitations with respect to the award of such Medal to such veterans.

Subtitle I: Military Family Readiness Matters - (Sec. 581) Requires inclusion of a spouse of a general or flag officer on the Department of Defense Military Family Readiness Council. Revises appointment options for enlisted members of the Council.

(Sec. 582) Revises qualification requirements for the Director of the Office of Community Support for Military Families With Special Needs.

(Sec. 583) Directs the Secretary to conduct a pilot program to provide personalized career development counseling to spouses of members serving on active duty. Requires the Secretary, under the program, to consider incentives for participants to fill critical civilian specialties needed in DOD. Requires at least 75 but no more than 150 program participants, in at least three separate geographic areas. Directs the Secretary to conduct an annual program evaluation, and to report evaluation results to the defense committees. Terminates the pilot program after three years. Requires the Secretary to submit a program implementation plan to such committees.

(Sec. 584) Amends the NDAA for Fiscal Year 2008 relating to the Yellow Ribbon Reintegration Program (providing National Guard members and their families with information and outreach throughout their deployment cycle) to: (1) authorize service and state-based programs to provide access to services for members and families from all components; (2) require a process for evaluating Program effectiveness; (3) require the Program to provide information on employment opportunities during the post-deployment reconstitution phase; and (4) add resiliency training programs to the services provided.

(Sec. 585) Expresses the sense of Congress that the Office of Community Support for Military Families With Special Needs is the best structure to determine the medical, educational, and other support services required by such families, as well as to ensure that such services are made available to such families. Directs the Secretary, for FY2012 and thereafter, to ensure that a separate line of funding is allocated to such Office.

(Sec. 586) Requires a report from the CG to the defense and appropriations committees on progress made in implementing the above Office, as well as remaining gaps in support and services provided to military families with special needs.

(Sec. 587) Directs the CG to: (1) assess DOD's Exceptional Family Member Program and its operation in each of the armed forces; and (2) report assessment results to the defense and appropriations committees.

(Sec. 588) Requires the CG to review all DOD spouse employment programs, and submit review results to the defense and appropriations committees.

(Sec. 589) Directs the Secretary to review all DOD education programs designed to support spouses of members, and submit review results to the defense and appropriations committees.

(Sec. 590) Entitles an employed family member of a member of the Armed Forces who receives notification of a call or order to active duty in support of a contingency operation, or who is deployed in connection with a contingency operation, to two workweeks of leave per year for each family member who is so called or deployed. Allows such leave to: (1) be taken intermittently or on a reduced leave schedule; and (2) consist of paid or unpaid leave, as the employer considers appropriate.

Allows an employer to require certification of entitlement to such leave.

Provides employment and benefits protection for employees upon their return from such leave. Prohibits an employer

from interfering with or otherwise denying the exercise of such leave rights.

(Sec. 590A) Codifies, and makes permanent, under federal law DOD's joint family support assistance program (providing to families of military personnel financial and material assistance, mobile support services, volunteer and family support services, and related family assistance). Repeals similar provisions that were contained in the John Warner National Defense Authorization Act for Fiscal Year 2007 and that limited the program to a three year period.

Subtitle J: Other Matters - (Sec. 591) Authorizes the Secretary of each military department to carry out a pilot program to establish and support units of the Junior Reserve Officers' Training Corps (JROTC) that permit enrollment of students in grades above the sixth grade. Requires each Secretary to conduct a review of their pilot program.

(Sec. 592) Increases from 20 to 35 the number of private-sector civilians authorized for admission to the National Defense University.

(Sec. 593) Authorizes the Secretary of the Air Force to permit defense industry employees who are engaged in providing significant defense-related systems, products, or services to DOD to receive instruction at the United States Air Force Institute of Technology. Limits the enrollment of such employees to 125 at any one time. Requires a determination by such Secretary that each enrollment will: (1) further the military mission of the Institute; and (2) be done on a space-available basis without a required increase in faculty, course offerings, or facilities. Requires enrolled employees to: (1) pay tuition for such instruction; and (2) adhere to the same standards of conduct as federal civilian employees receiving instruction there.

(Sec. 594) Revises the annual due date for the DOD STARBASE program report from the Secretary to Congress.

(Sec. 595) Amends the Hunter Act to extend for an additional six months the deadline for submission of the final report of the Military Leadership Diversity Commission.

(Sec. 596) Directs the Secretary (and the Secretary of Homeland Security [DHS] with respect to the Coast Guard) to issue regulations authorizing the acceptance of gifts by certain military personnel and DOD and Coast Guard employees who incur or incurred a combat-related injury or illness on or after September 11, 2001. Authorizes family members of such personnel or employees to accept such gifts in case of an individual who is killed. Prohibits the acceptance of gifts from a foreign government or international organization or their agents. Applies such authority retroactively from September 11, 2001.

(Sec. 597) Requires the Secretary to report to the defense committees on DOD's Transition Assistance Program (post-separation employment assistance).

(Sec. 598) Expresses the sense of Congress that commanders of units of the Armed Forces should make every effort to permit members who are assigned to the unit, but are in the process of being separated or released from active duty, to participate in an apprenticeship program registered under the National Apprenticeship Act.

(Sec. 599) Directs the Secretary of the Army to report to the defense and appropriations committees on the Army's heirloom chest policy (providing survivors with the personal effects of soldiers who die while in an active duty status).

(Sec. 600) Increases from 23 to 26 the maximum age of eligibility for children under the VA's Civilian Health and Medical Program.

(Sec. 600A) Transfers responsibility for operation and administration of the Troops-to-Teachers Program from the

Secretary of Education to the Secretary of Defense. Codifies such Program under federal armed forces provisions. Terminates the original Program as provided under the Elementary and Secondary Education Act of 1965.

(Sec. 600B) Revises DOD provisions concerning the above Program to: (1) include as an eligible participant any member who, as of September 11, 2001, serves at least four years on active duty and is discharged or released under honorable conditions; and (2) direct the Secretaries of Education and Defense to establish a troops-to-teachers advisory board, which shall report annually to specified congressional committees on its activities.

(Sec. 600C) Authorizes the Secretary of Education to provide assistance to cover costs of new state programs under the National Guard Youth Challenge Program (a civilian youth opportunities program).

(Sec. 600D) Requires the DOD Inspector General to: (1) conduct a study of the treatment of members of the reserve components; and (2) report study results to the defense and appropriations committees.

Title VI: Compensation and Other Personnel Benefits - Subtitle A: Pay and Allowances (Sec. 601) Waives any FY2011 pay increases tied to increases in the General Schedule of Compensation for government employees. Increases by 1.9%, effective January 1, 2011, the rates of basic pay for military personnel.

(Sec. 602) Entitles to a basic allowance for housing a member in a pay grade below E-6 who is assigned to sea duty and married to another member.

(Sec. 603) Increases from \$400 to \$500 the initial uniform allowance for officers. Authorizes the Secretary of a military department, with the approval of the Secretary, to increase such allowance. Increases from: (1) \$250 to \$300 the uniform and equipment allowance for commissioned officers of the Public Health Service; and (2) \$200 to \$250 the additional allowance that may be paid to an officer upon subsequent entries on active duty of 90 days or longer.

(Sec. 604) Increases from \$250 to \$285 the monthly family separation allowance.

(Sec. 605) Authorizes the Secretary concerned to pay a one-time special compensation of up to \$3,500 for the transition of assistants providing aid and attendance care to members with duty-related catastrophic injuries or illnesses.

(Sec. 606) Includes a senior enlisted member serving within a combatant command as a senior enlisted member of an armed force, for purposes of the rate of basic pay for such members.

(Sec. 607) Prohibits federal employees from receiving reserve duty income if such employees are already entitled to a federal differential payment or other comparable benefit for civilian employees absent from federal service in order to perform active duty.

Subtitle B: Bonuses and Special and Incentive Pays - (Sec. 611) Extends through 2011 specified authorities currently scheduled to expire at the end of 2010 with respect to certain special pay and bonus programs within the regular and reserve Armed Forces.

(Sec. 617) Requires officers who transfer from one armed force to another to receive the same aviation career special pay as other officers in the transferred-to armed force with the same number of years of aviation service performing similar aviation duties in the same weapon system, notwithstanding any additional active duty service obligation incurred as a result of the transfer. Requires, until December 31, 2015, the Secretary concerned to pay aviation career special pay to an officer who transfers from one armed force to the armed force under the jurisdiction of the Secretary until the officer has received a level of benefits comparable to similarly situated officers.

(Sec. 618) Increases from: (1) \$225 to \$260 the monthly special pay for duty subject to hostile fire or imminent danger; and (2) \$250 to \$260 the monthly special hazardous duty pay.

(Sec. 619) Treats members or civilians killed or wounded in the attacks at Fort Hood, Texas, in November of 2009 and at Little Rock, Arkansas, in June of 2009 as members or civilians killed or wounded in a combat zone or while serving with the Armed Forces in a contingency operation, for purposes of eligibility for special payments due to such incidents. Provides an exception for a person whose death or wounding is the result of misconduct of the member or employee. Directs the Secretary to make a special payment to a member or civilian DOD employee who is killed or wounded as the result of an attack on: (1) a member on account of the member's military service or status; or (2) a civilian DOD employee on account of his or her employment or affiliation with DOD. Provides for the calculation of special payment amounts. Excludes from such payments members or DOD employees whose death or wounding is the result of misconduct.

Subtitle C: Travel and Transportation Allowances - (Sec. 631) Extends through 2011 DOD authority to provide travel and transportation allowances for inactive duty training outside of normal commuting distances.

(Sec. 632) Authorizes the payment of a travel and transportation allowance to a person designated to attend an event conducted under the Yellow Ribbon Reintegration Program, if the Secretary concerned determines that the presence of that person may contribute to the purposes of the event.

(Sec. 633) Directs the Administrator of General Services (GSA) to conduct periodic investigations of the cost of travel and the operation of private airplanes and motorcycles by employees while engaged on official business, and to report investigation results to Congress at least once a year.

Subtitle D: Retired Pay and Survivor Benefits - (Sec. 641) Allows members who serve on active duty for more than 30 years and are retired for a disability to retain their eligibility to receive a retired pay multiplier based on years of service resulting in a benefit greater than the 75% cap imposed on disability retirement.

(Sec. 642) Requires the retired pay calculation for reserve members retired or placed on the temporary disability retired list to be based on the member's total years of service, in lieu of active-duty years of service, when the retirement is based on a disability incurred under circumstances for which the member was awarded the Purple Heart.

(Sec. 643) Eliminates the 60-or-over age requirement for health care benefits for non-regular service retirees.

(Sec. 644) Allows reserve members performing active duty and then continuing on active duty to receive medical care for wounds, injuries, or illnesses incurred while performing such active duty to include the period of such medical care for purposes of reducing the eligibility age for entitlement to non-regular retirement.

(Sec. 645) Amends the NDAA for Fiscal Year 1998 to direct the Secretary concerned to pay a monthly special survivor indemnity allowance to surviving spouses of retirees who died before implementation of the Survivor Benefit Plan (SBP) at the same level as that paid to surviving spouses of retirees that participated in the SBP. Requires such spouses to be eligible to receive payments under the VA dependency and indemnity compensation program. Makes such payments retroactive beginning on October 1, 2008. Terminates payment eligibility at the end of FY2017.

(Sec. 646) Requires military retired and retainer pay to be paid on the first day of each month after the month on which the pay accrues.

(Sec. 647) Expresses the sense of Congress that: (1) certain amendments made under the NDAA for Fiscal Year 2008 were intended to reduce the minimum age at which reserve members would begin receiving retired pay according to time

spent deployed, by 3 months for every 90-day period spent on active duty over the course of a career, rather than limiting qualifying time to such periods wholly served within the same fiscal year, as interpreted by DOD; and (2) steps should be taken to correct the erroneous DOD interpretation in order to ensure that such members receive the full retirement benefits intended.

Subtitle E: Commissary and Nonappropriated Fund Instrumentality Benefits and Operations - (Sec. 651) Allows the Secretary to designate the Defense Commissary Agency to accept reimbursement from a nonappropriated fund instrumentality (NFI) for contract costs attributable to construction for NFI activities.

(Sec. 652) Amends the NDAA for Fiscal Year 2008 to define "morale, welfare, and recreation telephone services" for use in DOD contracts to provide such services for military personnel serving in combat zones.

(Sec. 653) Directs the Secretary to: (1) study the feasibility of replacing the "Shopette" of the Army and Air Force Exchange Service in the Northern Mariana Islands with a full-service exchange store; and (2) report study results to Congress.

(Sec. 654) Directs the Secretary to provide for the continued operation of each commissary or exchange store serving Brunswick Naval Air Station, Maine, through the end of FY2011, and prohibits any action to reduce or terminate the sale of goods at such stores during FY2011.

Subtitle F: Alternative Career Track Pilot Program - (Sec. 661) Authorizes the Secretary concerned to establish a pilot program under which a commissioned officer with between 13 and 18 years of service, while on active duty: (1) participates in a separate career track characterized by expanded career opportunities extending over a longer career; (2) agrees to an additional active-duty service obligation of at least five years; and (3) would be required to accept further active-duty service obligations in connection with the officer's entry into education programs, selection for career broadening assignments, acceptance of additional special and incentive pays, or selection for promotion. Designates the program as the Alternative Career Track Pilot Program, and limits participants to no more than 50 of each armed force. Authorizes each Secretary to return a participant from the pilot program to a standard career path. Requires an annual report from the Secretaries to the defense committees on the progress of each pilot program. Requires each pilot program to commence before December 31, 2015, and prohibits an officer from participating after December 31, 2026. Authorizes each Secretary to terminate their pilot program, requiring a report to the defense committees on the reasons therefor.

Subtitle G: Other Matters - (Sec. 671) Includes within the Active Duty Health Professions Loan Repayment Program members participating in the Health Professions Scholarship Program when the duration of the latter program is insufficient to complete the length of study required for that specific health profession.

(Sec. 672) Provides that if an individual is first employed as a military technician (dual status) while the individual is already a member of a reserve component, the Secretary concerned may not

Actions Timeline

- **Jun 28, 2010:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 447.
- **Jun 25, 2010:** Message on Senate action sent to the House.
- **Jun 25, 2010:** Papers returned to House pursuant to H. Res. 1467
- **Jun 24, 2010:** Senate returned papers to House by Unanimous Consent. (consideration: CR S5456)
- **Jun 9, 2010:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 423.
- **Jun 8, 2010:** The title of the measure was amended. Agreed to without objection.
- **May 28, 2010:** Considered as unfinished business. (consideration: CR H4194-4199)
- **May 28, 2010:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 28, 2010:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of the Skelton en bloc amendment numbered 9 which had been debated earlier and on which further proceedings had been postponed.
- **May 28, 2010:** Mr. Skelton asked unanimous consent that the demand for a recorded vote on the Shea-Porter amendment numbered 81 be withdrawn. Agreed to without objection.
- **May 28, 2010:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5136.
- **May 28, 2010:** 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 5/27/2010 H3900-3984)
- **May 28, 2010:** Mrs. Bachmann moved to recommit with instructions to Armed Services. (consideration: CR H4195-4197; text: CR H4195)
- **May 28, 2010:** Mr. Skelton raised a point of order against the motion to recommit with instructions. Mr. Skelton stated that the motion was not germane to the bill Sustained by the Chair.
- **May 28, 2010:** Point of order sustained against the motion to recommit with instructions.
- **May 28, 2010:** Mrs. Bachmann appealed the ruling of the chair. The question was then put on sustaining the ruling of the chair.
- **May 28, 2010:** Mr. Skelton moved to table the motion to appeal the ruling of the chair
- **May 28, 2010:** On motion to table the motion to appeal the ruling of the chair Agreed to by recorded vote: 227 - 183 (Roll no. 334).
- **May 28, 2010:** Mr. Forbes moved to recommit with instructions to Armed Services. (consideration: CR H4197-4198; text: CR H4197)
- **May 28, 2010:** 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 report the same back to the House with an amendment to prohibit the use of funds for the transfer or release of individuals detained at United States Station, Guantanamo Bay, Cuba.
- **May 28, 2010:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H4198)
- **May 28, 2010:** On motion to recommit with instructions Agreed to by recorded vote: 282 - 131 (Roll no. 335).
- **May 28, 2010:** Passed/agreed to in House: On passage Passed by recorded vote: 229 - 186 (Roll no. 336).
- **May 28, 2010:** On passage Passed by recorded vote: 229 - 186 (Roll no. 336).
- **May 28, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **May 28, 2010:** 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. 5136. (consideration: CR H4200)
- **May 27, 2010:** Rule H. Res. 1404 passed House.
- **May 27, 2010:** Considered under the provisions of rule H. Res. 1404. (consideration: CR H3887-4019, CR 5/28/2010 H4025-4064)
- **May 27, 2010:** Rule provides for consideration of H.R. 5136 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 or rule XXI.
- **May 27, 2010:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1404 and Rule XVIII.

May 27, 2010: The Speaker designated the Honorable Ed Pastor to act as Chairman of the Committee.

- **May 27, 2010:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5136.
- **May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Skelton asked unanimous consent that during further consideration of H.R. 5136 in the Committee of the Whole, and following consideration of Amendment No. 4 printed in House Report 111-498, the following amendments be considered: Amendments en bloc No. 1, Amendment numbered 13 printed in House Report 111-498, Amendments en bloc No. 2, and Amendments en bloc No. 3. Agreed to without objection.
- **May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Skelton gave notice that amendments numbered 80 and 82 may be offered out of order.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Skelton amendment number 1.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Skelton amendment number 1, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Andrews demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Bartlett amendment number 2.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Smith (WA) amendment number 3.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Marshall amendment number 4.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Marshall amendment number 4, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Marshall demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Skelton gave notice that amendments numbered 21, 42, and 47 may be offered out of order.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 1.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the McGovern amendment number 13.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the McGovern amendment number 13, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had 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.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 20 minutes of debate on the Skelton amendments en bloc number 2.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Pingree amendment No. 80.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Pingree amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Pingree demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Inslee amendment No. 82.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Inslee amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Inslee demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 20 minutes of debate on the Andrews en bloc amendments No. 3
- **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 20 minutes of debate on the Andrews en bloc amendments No. 4.

- May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Skelton gave notice that amendments numbered 15 and 62 may be offered out of order.
- **May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Skelton gave notice that amendments numbered 68 and 81 may be offered out of order.
 - **May 27, 2010:** The Committee of the Whole resumed debate on the Andrews en bloc amendments No. 4.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the Gutierrez amendment No. 21.
 - **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Gutierrez amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Gutierrez demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404 the Committee of the Whole proceeded with 10 minutes of debate on the Eshoo amendment No. 42.
 - **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Eshoo amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Thorberry demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the Sarbanes amendment No. 47.
 - **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Sarbanes amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Issa demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 20 minutes of debate on the Andrews en bloc amendments No. 5.
 - **May 27, 2010:** ORDER OF PROCEDURE - Pursuant to section 4 of H. Res. 1404, Mr. Andrews gave notice that amendment numbered 79 may be offered out of order.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 20 minutes of debate on the Andrews en bloc amendments No. 6.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the McMahon amendment No. 62.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton en bloc amendments No. 7.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the Patrick Murphy (PA) amendment No. 79.
 - **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Patrick Murphy (PA) 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.
 - **May 27, 2010:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
 - **May 27, 2010:** Considered as unfinished business. (consideration: CR 5/28/2010 H4064-4076)
 - **May 27, 2010:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton en bloc amendments No. 8.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the Teague amendment No. 68.
 - **May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 10 minutes of debate on the Shea-Porter amendment No. 81.
 - **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Shea-Porter amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Ms. Shea-Porter demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

- May 27, 2010:** DEBATE - Pursuant to the provisions of H.Res. 1404, the Committee of the Whole proceeded with 20 minutes of debate on the Skelton en bloc amendments No. 9.
- **May 27, 2010:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Skelton en bloc amendments, the Chair put the question on adoption of the amendments and by voice vote, announced that the ayes had prevailed. Mr. Skelton demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
 - **May 27, 2010:** Mr. Skelton moved that the Committee now rise.
 - **May 27, 2010:** On motion that the Committee now rise Agreed to by voice vote.
 - **May 27, 2010:** Committee of the Whole House on the state of the Union rises leaving H.R. 5136 as unfinished business.
 - **May 26, 2010:** PERMISSION TO FILE SUPPLEMENTAL REPORT - Mr. Marshall asked unanimous consent that the Committee on Armed Services may have permission to file a supplemental report on H.R. 5136. Agreed to without objection.
 - **May 26, 2010:** Supplemental report filed by the Committee on Armed Services, H. Rept. 111-491, Part II.
 - **May 26, 2010:** Rules Committee Resolution H. Res. 1404 Reported to House. Rule provides for consideration of H.R. 5136 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 or rule XXI.
 - **May 21, 2010:** Reported (Amended) by the Committee on Armed Services. H. Rept. 111-491, Part I.
 - **May 21, 2010:** Placed on the Union Calendar, Calendar No. 279.
 - **May 13, 2010:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote .
 - **May 13, 2010:** Subcommittee Consideration and Mark-up Session Held.
 - **May 13, 2010:** Forwarded by Subcommittee to Full Committee by Voice Vote .
 - **May 12, 2010:** Subcommittee Consideration and Mark-up Session Held.
 - **May 12, 2010:** Forwarded by Subcommittee to Full Committee by Voice Vote .
 - **May 11, 2010:** Referred to the Subcommittee on Terrorism, Unconventional Threats and Capabilities.
 - **May 11, 2010:** Referred to the Subcommittee on Air and Land Forces.
 - **May 11, 2010:** Referred to the Subcommittee on Military Personnel.
 - **May 11, 2010:** Referred to the Subcommittee on Readiness.
 - **May 11, 2010:** Referred to the Subcommittee on Seapower and Expeditionary Forces.
 - **May 11, 2010:** Referred to the Subcommittee on Strategic Forces.
 - **Apr 26, 2010:** Introduced in House
 - **Apr 26, 2010:** Referred to the House Committee on Armed Services.